estimated 1962 generating capacity. It does, however, provide a crystal-clear reflection of what the future will bring.

The cost of hydroelectric power and conventional steam power are continuing to go up—and that of atomic power is coming down. Although Shippingport electricity may initially cost 52 mills or more per kilowatt-hour, the Atomic Energy Commission estimates that by 1964 nuclear power costs will be down to 10 to 13 mills; by 1967 down to 9 to 11 mills; and by 1980 down to 6 to 7 mills. This generating cost is therefore expected gradually to compare favorably with that of conventional steam power generally ranging today from 4½ to 9 mills per kilowatt-hour.

America's commercial nuclear power industry and a child born yesterday may well grow to maturity together.

Nuclear power is almost competitive now with conventional steam power in much of Western Europe where coal is expensive or even lacking, oil is costly and its supply precarious, and hydroelectric sites are for the most part developed or nonexistent. So 6 European countries are now in the process of banding together to boost the Continent's production of nuclear energy; they hope for a generating capacity of 15 million kilowatts by 1967.

Here in America we are fortunate to have the time, because of our abundant coal and liquid and solid petroleum resources, to bring the costs down before we find it necessary to go into nuclear power on a large scale.

When we do, we shall have a virtually inexhaustible source of electrical energy. One pound of fissionable uranium, once we learn how to burn it completely, can produce as much heat as 2.7 million pounds of coal.

Every dollar that goes into our nuclear power program today is a dollar invested in a good life for our children tomorrow.

The good life is more than goods and services. It includes, of necessity, manifold opportunities for growth and fulfillment, in body, in mind, in heart, and in soul. Our children, and we ourselves, must know what it's like, again and again, to stand on a spot hallowed by history, to pass whole days on a lake or a stream, to set foot on wilderness trails, to view the world from a high mountain top.

Such experiences help set the spirit free.

The attainment of spiritual ends, however, often requires practical means. To assure the continuance of such opportunities we must act—now.

On our great scenic, wilderness, and historic areas, on our fish and wildlife resources, our immense national growth and way of life are having an unbelievable impact.

This state of affairs is not going to cure itself.

With more spare time and more and better highways, more and more people are coming to the national park areas. Thirty-three million came in 1950. In 1955 there were 51 million; in 1956, nearly 55 million. This year we may have 60 million visitors in the 181 areas of our national park system.

The meaning of this is unmistakable: Either we continue to be busy, now, to keep up with these demands, or we write off our national parks as we have known them. I'm happy to say the Eisenhower administration's response has been unhesitating and forceful; it bears the label of mission 66.

This is a $900 million, 10-year program scheduled for competion in 1966—the year of the golden anniversary of the National Park Service—when the number of national park visitors is expected to exceed 80 million.

There has been nothing like mission 66 in the 45 years since February of 1912, when President Taft sent a special message to the Congress earnestly recommending establishment of a Bureau of National Parks.

There is now before the Congress legislation, backed by the administration, to establish a National Outdoor Recreation Resources Review Commission. The establishment of such a commission will focus the thinking of many organizations—Federal, State, and local, public and private, on our recreational resources needs. It will enable us, all of us together, to plan ahead, to know clearly where we are going in the field of outdoor recreation.

Conservation decisions today have to be right. With every passing year, our growing population and our increasingly voracious technology shrink our time to plan and our room to err.

Yet the questions to be answered become more and more knotty.

Should we build a dam across a canyon and create a great artificial lake for flood control, water supply, irrigation, power, navigation, and fish and wildlife recreation, thereby perhaps impairing the natural beauties of the canyon?

Shall we provide for the permanent flow of water in the streams to preserve the fish and wildlife, at the possible expense of reducing water storage?

Should water once impounded be released for the manufacture of firm power or held back for the needs of irrigation?

What provision shall we make for public recreation around the reservoirs we build? Is that a Federal obligation, a State obligation, or a mixture of the two?

Should the reservoir be considered a national recreational area? Or is it a project which will be enjoyed mainly by residents of a relatively small area and which therefore should be paid for by the people who use it?

Each correct answer to such questions is a stone in the structure of America's future. If the structure is to endure, to stand strong and sure against the stresses and strains of the future, it can only rest on the bedrock of the enlightened cooperation and understanding and support of the entire American citizenry.

We have no choice but to so build it. Our hopes, and our children's hopes, for an ever-increasing economic abundance depend on the degree of our success. And so, in a large measure, does human freedom.

In a very real sense the United States is the bastion of the free world. Much of the physical strength of this mighty fortress is in its mines, its forests, its croplands, and its rushing rivers.

We, all of us in teamwork together, will not fail. We will pass on to our children and grandchildren something which they have every right to expect from us, a heritage unimpaired, and if possible even improved. Given this legacy, on this land but in their time they will be able to search out wider horizons than we have yet found, to discover new ways to better their lives, and to bear well their part in enlarging the scope of freedom and civilization and happiness around the globe.

SENATE

TUESDAY, JULY 9, 1957

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

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

Father of mankind, to whom all souls are dear, at the altar of Thy grace we would turn from all pretense and prejudice to Thyself, where in Thy light alone the rampant confusions of today may be seen in their right perspective. In our search for truth, may we be willing to sit where others sit. To our fallible judgments may there come a wisdom not our own, as we give the best that is in us to master the tangled problems of human relationships that confront us in these overburdened times. Bestow, we pray, upon Thy servants in this body, the guardians of the sacred flame of a glorious heritage, the gifts of understanding, kindness, courtesy, and self-control.

We ask it in the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Journal of the proceedings of Monday, July 8, 1957, was approved, and its reading was dispensed with.

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 a joint resolution (H. J. Res. 354) to authorize the designation of October 19, 1957, as National Olympic Day, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

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

H. R. 1754. An act for the relief of Eleanor French Caldwell;

H. R. 4342. An act for the relief of Mrs. Thomas L. Davidson; and

H. J. Res. 316. Joint resolution for the relief of certain aliens.

HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H. J. Res. 354) to authorize the designation of October 19, 1957, at National Olympic Day, was read twice by its title, and referred to the Committee on the Judiciary.

THE CIVIL-RIGHTS BILL

Mr. JOHNSON of Texas. Mr. President, the opening day of the debate on the motion made on yesterday by the distinguished minority leader, that the Senate proceed to consider the civil-rights bill (H. R. 6127), was a good omen for the future.

All of us are aware of the fact that many people throughout the country consider this issue to be a test of our democratic processes. Personally, I have complete confidence in the ability of the Senate to measure up to any reasonable test.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

It is already apparent that there are important questions to be resolved—questions that at the present time are not fully understood by the country, and not even understood by the Senate. The Senate is not going to be stampeded into taking hasty action in advance of full understanding.

Feelings are very strong on this issue. There are sincere advocates on both sides. Obviously, both sides cannot be completely right, but they do have the complete right to present their viewpoints in full, so the Senate can work its will.

As far as I am concerned, the immediate objective is to insure fairness and thoroughness. So long as we are fair and thorough, I believe that ultimately we shall arrive at constructive achievement.

The majority had ample attendance on the floor yesterday throughout the entire debate, which ran until late in the afternoon. I hope and trust that as we proceed, the attendance of the Senate will increase, so that all Members of the Senate will be fully informed of the basic points that are being made.

Mr. SMITH of New Jersey. Mr. President, I wish to commend the Washington Post for a timely and well-reasoned editorial which appears in this morning's issue. I believe it has pointed up the fundamentally important aspects of the debate upon which the Senate is currently embarking. I fully concur in its statement that the issue ought to be thoroughly debated, and that—

> The Senate must satisfy itself not only that the measure has a worthy purpose but also that its specific provisions are well adapted to the accomplishment of this purpose.

There is one thing that this proposed legislation should stress, and that is the voting rights of every American citizen. As the Post's editorial stated:

> The important thing is not to force acceptance of the letter of the measure as it now stands, but, in the end, to pass a bill that will make the right to vote an actuality.

I feel confident that our southern colleagues will agree with us on this matter, and will be willing to join in such regulations as may be necessary. I sincerely hope that the Senate will not engage in a prolonged debate at the present time on the pending motion to consider H. R. 6127. There should be the fullest and most thorough debate of the bill, and I am anxious to hear the provisions of the bill debated and explored, and to participate in the debate. However, such debate should, logically, follow adoption of the motion to make the bill the pending business. I hope that the Senate will proceed in an orderly and reasonable way to consider this proposed legislation without making recourse to around-the-clock sessions necessary.

I commend the Washington Post editorial to all Senators for careful reading, and I ask unanimous consent that it 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 July 9, 1957]

BIG DEBATE BEGINS

The Senate has begun what may become its most momentous filibuster. In proclaiming that they will fight the right-to-vote bill until they "fall in their tracks, if necessary," the southern Senators have laid down a challenge which the Senate as a whole must meet. The bill sailed through the House by a vote of 286 to 126. It seems to have the approval of an overwhelming majority of the American people. Every consideration of logic and democratic principle demands that at long last it be brought to a vote in the Senate.

Of course, the measure ought to be thoroughly debated, and this may require a couple of weeks. Despite the basic purpose of the bill, some of its provisions are controversial among legislators who thoroughly accept the principle behind it. The Senate must satisfy itself not only that the measure has a worthy purpose but also that its specific provisions are well adapted to the accomplishment of this purpose. Insofar as the debate is aimed at the elimination of defects and a tightening up of language, it should be welcomed.

At the outset, therefore, sponsors, of the bill would do well to clear up any misconceptions as to its meaning or intent. It has been repeatedly denounced as an instrument through which the Federal Government could enforce racial integration in the schools of the South. Undoubtedly this will be the focal point of the assault against it, although Attorney General Brownell has denied that it would have any bearing on the liquidation of segregation in the schools.

Senator WATKINS also has said that, in contributing to the drafting of the bill, the idea it might be used to enforce integration in the schools was farthest from his thought. The fact remains that one provision of the bill as it now stands can be reasonably interpreted as authorizing the Attorney General to bring suits for the enforcement of equal rights in the schools. If that was not the intention of its authors, the matter should certainly be clarified before several weeks of debate are wasted on mere semantics.

The Senators who are trying to avoid this inflammatory issue are not saying that the Supreme Court's ruling against segregation in the schools should not be enforced. Rather, they are saying that compliance with the High Court's ruling is being worked out by normal judicial processes and that that issue should not be injected unnecessarily into the new contest which centers in the right to vote. Something more than oral assurances will be needed, however, if the school issue is to be kept out of the controversy now before the Senate.

The debate may show that other changes in the bill are also desirable. The important thing is not to force acceptance of the letter of the measure as it now stands but, in the end, to pass a bill that will make the right to vote an actuality. To this end, we think the Senate should be prepared to hold night sessions, to remain in continuous session if necessary to break the filibuster and to modify its outmoded rule which requires 64 votes to limit debate.

The Senate ought to be mindful that the eyes of the world are upon it. Now that the showdown is at hand it cannot fail to meet this issue without gravely undercutting American prestige in all other countries. The spectacle of our Senate locked in futile combat for several months or indefinitely paralyzed in regard to so fundamental an issue as the right to vote would be a blow to the whole Free World. The debate should be conducted in the light of these potential repercussions and the issue should then be courageously faced with full understanding of the impact the Senate's action will have on the processes of government as well as on the rights of individual citizens.

MRS. GRACE GOODHUE COOLIDGE

Mr. AIKEN. Mr. President, it was with deep sorrow that the people of Vermont learned of the death of Mrs. Grace Goodhue Coolidge. Like her illustrious husband, the President, Mrs. Coolidge was a native Vermonter, and spent the early years of her life in her native State. She was an able exponent of Vermont womanhood. Her modest, homey character was typical of her State.

Her graciousness and tact as first lady of the land brought pride to the hearts of the people of her native State. After years in the White House in the bright glare of publicity, it bespoke the character of Mrs. Coolidge that she could come back to her native New England and resume the life of her earlier years unspoiled and unaffected by the honors, pomp, and ceremony which had been heaped upon her and her illustrious husband and fellow Vermonter, Calvin Coolidge.

Mr. President, Vermont mourns the passing of one of its most distinguished daughters.

Mr. SMITH of New Jersey. Mr. President, the morning newspapers reveal the passing of Mrs. Grace Goodhue Coolidge at her home in Northampton, Mass. I was not privileged to be counted among her close friends, but I wish to pay tribute to a gracious and charming woman.

As the Nation's First Lady from 1923 to 1929, she won the heart of the country with her wonderful friendliness and humaneness. Her lively wit and gracious bearing were beloved throughout America, and her deep interest in philanthropy assured her a warm reception wherever she went. The inherent nobility of her character was in marked contrast with the excesses of the "roaring twenties."

America was the beneficiary of the years she spent in Washington. Mrs. Smith and I extend our sincere sympathy to her son. We are proud to join in the well-deserved national tribute which Mrs. Coolidge has so richly inspired.

Mr. KENNEDY. Mr. President, I desire to associate myself with other Members of the Senate in expressing my sorrow at the death of Mrs. Coolidge. She was a distinguished citizen of my State, but she was particularly beloved in the city of Northampton, Mass.

I was a cosponsor with her of a drive to raise funds for the Clarke School for the Deaf, with which Mrs. Coolidge was intimately associated during much of her life. I visited the school with her last year, and saw something of the dedication and the affection which she put into this most important, humane, and significant work.

While she was noted throughout the country as the wife of a distinguished former President, in her own right, and particularly since the years of her husband's death, she had rendered magnificent service to a particular group of peo-

ple who were in great need of her services when her work began.

Mr. KNOWLAND. Mr. President, I wish to join with my other colleagues who have expressed their profound sorrow at the death of Grace Coolidge, the widow of the former President of the United States.

Calvin Coolidge, of course, as is known to all Americans, presided over this body when he was Vice President of the United States, and later occupied the high office of President. At that time Mrs. Coolidge was at his side, and was a very gracious hostess in the White House. She won for herself a place in the hearts of the American people during that entire period.

Mrs. Coolidge has lived a retired life since returning to her Vermont home. I know that citizens all over the United States, regardless of their partisan affiliations, will extend to her family their deepest sympathy at her passing.

Mr. JOHNSON of Texas. Mr. President, I wish to associate myself with the fine statement just made by the distinguished minority leader in connection with the passing of Mrs. Grace Coolidge, wife of the late President Calvin Coolidge.

Mrs. Coolidge graced the Executive Mansion with a calm dignity that earned for her the admiration of the country. She was admired everywhere for her conduct which was in the highest traditions of our history.

She has gone to join her husband and the heart of our country is with her grieving family. A lovely lady who played an important role on the national scene is no longer with us, but she will not soon be forgotten.

TRANSACTION OF ROUTINE BUSINESS

The VICE PRESIDENT. Under the unanimous-consent agreement of yesterday the transaction of routine morning business is now in order.

EXECUTIVE COMMUNICATIONS, ETC.

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

REPORT OF PUBLIC UTILITIES COMMISSION OF THE DISTRICT OF COLUMBIA

A letter from the Chairman, Public Utilities Commission of the District of Columbia, Washington, D. C., transmitting, pursuant to law, a report of that Commission, for the year ended December 31, 1956 (with an accompanying report); to the Committee on the District of Columbia.

AUDIT REPORT ON FEDERAL HOME LOAN BANK BOARD

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Federal Home Loan Bank Board, for the fiscal years ended June 30, 1955 and 1956 (with an accompanying report); to the Committee on Government Operations.

AMENDMENT OF ALASKA PUBLIC WORKS ACT, RELATING TO CONVEYANCE OF CERTAIN FEDERALLY OWNED LAND

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to amend the Alaska Public Works Act (63 Stat. 627, 48 U. S. C., sec. 486 et seq.) to clarify the authority of the Secretary of the Interior to convey federally owned land utilized in the furnishing of public works (with an accompany paper); to the Committee on Public Works.

PETITIONS AND MEMORIALS

Petitions, etc., were presented and referred as indicated:

By Mr. LAUSCHE:

A resolution of the Senate of the State of Ohio; ordered to lie on the table:

"Senate Resolution 62

"A resolution extending congratulations to Mr. Alvin Silverman of the Cleveland Plain Dealer on his appointment as head of the Washington bureau of the Cleveland Plain Dealer

"Whereas Alvin Silverman, an able member of the Ohio Legislative Correspondents Association, has demonstrated outstanding ability over the years as sports writer, Columbus correspondent, political editor, and city editor. of the Cleveland Plain Dealer; and

"Whereas the members of the Ohio Senate take note that Mr. Silverman has been promoted to the position of head of the Washington bureau of the Cleveland Plain Dealer, a promotion which will allow Mr. Silverman much opportunity to add to his reputation as an astute political analyst; and

"Whereas the membership of the Ohio Senate is familiar with the forthright, accurate, and interesting reporting which has always characterized the work of Mr. Silverman, and feels that his promotion is richly deserved: Therefore be it

"*Resolved*, That the members of the Ohio Senate of the 102d general assembly adopt this resolution as an expression of congratulations to our friend, Mr. Alvin Silverman, on his promotion, and that we extend to him our best wishes in his new position as head of the Washington bureau of the Cleveland Plain Dealer; and be it further

"*Resolved*, That the clerk of the Ohio Senate transmit an authenticated copy of this resolution to Mr. Alvin Silverman and to the Cleveland Plain Dealer."

A resolution of the House of Representatives of the State of Ohio; ordered to lie on the table:

"House Resolution 115

"A resolution extending congratulations to Mr. Alvin Silverman of the Cleveland Plain Dealer on his appointment as head of the Washington bureau of the Cleveland Plain Dealer

"Whereas Alvin Silverman, an able member of the Ohio Legislative Correspondents Association, has demonstrated outstanding ability over the years as sports writer, Columbus correspondent, political editor, and city editor of the Cleveland Plain Dealer; and

"Whereas the members of the Ohio House of Representatives take note that Mr. Silverman has been promoted to the position of head of the Washington bureau of the Cleveland Plain Dealer, a promotion which will allow Mr. Silverman much opportunity to add to his reputation as an astute political analyst; and

"Whereas the membership of the Ohio House of Representatives is familiar with the forthright, accurate, and interesting reporting which has always characterized the work of Mr. Silverman, and feels that his promotion is richly deserved: Therefore be it

"*Resolved*, That the members of the house of representatives of the 102d general assembly adopt this resolution as an expression of congratulations to our friend, Mr. Alvin Silverman, on his promotion, and that we extend to him our best wishes in his new position as head of the Washington bureau of the Cleveland Plain Dealer; and be it further

"*Resolved*, That the clerk of the house of representatives transmit an authenticated copy of this resolution to Mr. Alvin Silverman and to the Cleveland Plain Dealer."

CONCURRENT RESOLUTION OF NEW HAMPSHIRE LEGISLATURE

Mr. COTTON. Mr. President, I have the honor to present, for appropriate reference, a concurrent resolution of the New Hampshire Legislature, with which I am in full sympathy, concerning the Status of Forces Treaty with other countries.

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

Concurrent resolution concerning the Status of Forces Treaty

Whereas the members of our Armed Forces serving abroad in more than 50 countries, their civilian components and the dependents of each, are now subject in varying and confusing respects to the criminal jurisdiction of those countries by reason of the NATO Status of Forces Treaty, the administrative agreement with Japan, and executive agreements with other nations; and

Whereas these agreements in some instances 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 a serviceman accused of transgression in a foreign country to receive a fair and impartial trial because of the varying and confusing systems of jurisprudence which make it difficult and sometimes impossible for him to receive the protection of all the rights and guaranties of our Constitution, and further 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: Now, therefore, be it

Resolved by the senate and house of representatives in general court convened, That we are deeply and gravely concerned by the possible deprivation of the basic constitutional rights of our servicemen by virtue of present arrangement and we urge the Congress of the United States to study this problem carefully and enact the legislation either now pending, or to be presented, to safeguard and secure the constitutional rights of our servicemen and their dependents while serving the United States in foreign countries: Now, therefore, be it further

Resolved, That the secretary of state be, and he hereby is, directed to send a duly certified copy of these resolutions to our Senators and Representatives in the United States Congress.

W. DOUGLAS SCAMMAN,
Speaker of the House of Representatives.

ERALSEY C. FERGUSON,
President of the Senate.

Passed July 1, 1957.

Attest:

HARRY E. JACKSON,
Secretary of State.

CHICAGO-ST. LAWRENCE SEAWAY CELEBRATION IN 1959—RESOLUTION

Mr. DOUGLAS. Mr. President, we in Chicago are planning to hold a St. Lawrence Seaway fair and celebration in

the year 1959, to commemorate the opening for traffic of that great sea thoroughfare and the role of the Great Lakes, and particularly Chicago, in this extraordinary new development.

I ask unanimous consent that a resolution adopted by the City Council of Chicago, supporting the fair and celebration, be printed at the conclusion of my remarks.

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

Whereas Chicago has long been the railroad center of the United States, the hub of its highway system and the world's busiest airport; and

Whereas, with the completion of the St. Lawrence Seaway scheduled for the spring of 1959, Chicago will take on added maritime preeminence as one of the great ports of the world; and

Whereas Chicago is fulfilling its destiny as the world's most exciting and magnificent city, and is on the threshold of momentous civic improvements encompassing every community to the benefit of every citizen; and

Whereas it is fitting and proper that in 1959 Chicago should hold a great year-around St. Lawrence Seaway celebration, a program of spectacular events including a World Trade Fair, symbolic of our ever-increasing importance as a center in world trade; festivals of the arts and sciences; a film festival; a "hemis-fair", to be participated in by the countries of the Americas, which would include Pan-American games if awarded Chicago; a carnival of the lakes, which would utilize our magnificent lake and lakefront for the presentation of spectacular water events; the institution of an annual harvest festival, which most appropriately should be held in Chicago, the food basket of the Nation; and dozens of other events which will reach into every neighborhood of our city: Now, therefore, be it

Resolved, That the mayor be authorized to appoint a citizens' commission representative of all Chicago to make plans, coordinate and supplement present plans, to recommend new facilities, to raise funds as needed from public and private sources, and to proceed with the conduct of a St. Lawrence Seaway celebration in 1959 which will, as did the Columbian Exposition and the A Century of Progress, bring to Chicago hundreds of thousands of visitors from all over the world and afford the opportunity for telling the true Chicago story.

RESOLUTIONS OF PAGE COUNTY, IOWA, BAR ASSOCIATION

Mr. HICKENLOOPER. Mr. President, the Bar Association of Page County, Iowa, met last week and adopted two resolutions. I ask unanimous consent that the resolutions be printed in the RECORD, together with the letter of transmittal sent by the Honorable Harold E. Davidson, judge of the 15th judicial district of Iowa.

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

DISTRICT COURT OF IOWA,
Clarinda, Iowa, July 2, 1957.

Hon. B. B. HICKENLOOPER,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: The Page County Bar Association last week held a very interesting and spirited meeting and much was said about the apparent usurpation of powers by the Supreme Court of the United States that are not delegated to the Court by virtue of the Constitution and the statutes of this country.

As a result of this meeting and discussion, two resolutions were adopted and I am enclosing herewith for your information and such other use as you care to make of them the two resolutions.

One of them involves the Girard case and the other the Jenks case. Of course, you are familiar with these cases and it occurred to us perhaps an expression or resolution from our association would be of some value to you. I may say this was passed unanimously by about 23 lawyers without a dissenting vote in either instance and some very sharp and critical remarks were made.

I personally think, although this was not discussed at the meeting, that a statute limiting the Supreme Court in its jurisdiction and preventing the Supreme Court by statute from usurping powers that are reserved to the States and have not been delegated to the Federal Government would be a good safeguard against such cases as the Nelson case in Pennsylvania and the recent case in Ohio where the Supreme Court reversed the supreme court of both States because they said the Smith Act controlled and that the States were without authority to legislate or judicially determine such cases. Congress never intended the Court to indulge in such usurpation of power and a specific statute no doubt would be very helpful.

Always with personal regards, I am,
Sincerely yours,

HAROLD E. DAVIDSON.

RESOLUTION OF THE PAGE COUNTY, IOWA, BAR ASSOCIATION UNANIMOUSLY PASSED AND ADOPTED AT THE ANNUAL MEETING OF SAID ASSOCIATION HELD AT SHENANDOAH, IOWA, ON JUNE 27, 1957

Whereas it has been brought to the attention of our association that a Supreme Court decision in the case of the *United States* v. *Jencks* in substance held that the defendant was entitled to investigate and have supplied prior to trial all the files of the Federal Bureau of Investigation pertaining to the defendant; and

Whereas it would appear to this association that such a decision places a burden upon the prosecution in cases of this kind far beyond that required by the Constitution or the statutes of the United States, is unreasonable, arbitrary, and provides an unwarranted avenue of escape for Communists and all traitors as well as all other violators of Federal laws; and

Whereas it would also appear that the citizenry of the United States should be protected against the invasion of such foreign ideologies and criminal conduct by not permitting the sources of the material resulting from investigation to be kept inviolate by the Federal Bureau of Investigation for such honorable use and benefit as may result therefrom and that if what appears to be the holding of the Supreme Court of the United States in the Jencks case is to be followed in the future, it will have a strong tendency, if not actually, to contribute to the elements desiring to destroy the security, safety, and sovereignty of our country: Therefore be it

Resolved by our association in meeting assembled, That the Member of Congress from this Congressional district, HON. BEN F. JENSEN, and the United States Senators from Iowa, Hon. BOURKE B. HICKENLOOPER and Hon. THOMAS E. MARTIN, be forwarded a copy of this resolution to the end that legislation be introduced in both of the Houses of the Congress of the United States for the purpose of passing a statute to nullify the dire, disastrous results that may come from this Jencks opinion and we commend to these legislators their wholehearted support of any such legislation.

HAROLD E. DAVIDSON,
Chairman of Resolutions Committee.
EARL C. FISHBAUGH, Jr.,
KENT H. THORNELL,
Members of Said Committee.

RESOLUTION OF THE PAGE COUNTY, IOWA, BAR ASSOCIATION UNANIMOUSLY PASSED AND ADOPTED AT THE ANNUAL MEETING OF SAID ASSOCIATION HELD AT SHENANDOAH, IOWA, ON JUNE 27, 1957

Whereas William Girard, a member of the Armed Forces of the United States, while serving in Japan is charged with criminal conduct while on duty on a United States military post with said United States forces; and

Whereas by executive agreement with the Japanese Government it is apparent that said Japanese Government has thereby been given authority to try the said Girard for such offense under the laws of Japan and without consideration to the Constitution or other statutory laws of the United States; and

Whereas said bar association, having a high regard for the provisions of the Constitution of the United States and believing it to be the supreme law of this land and having been adopted by all of the States and, among other things, for the protection of American citizens regardless of their location and particularly when serving officially on behalf of this country; and

Whereas it now appears that the said William Girard is being deprived of what would appear as reasonably to be his constitutional right by being turned over by some executive agreement to a foreign land to be prosecuted under the laws of said foreign land and in a foreign court; and

Whereas Hon. Joseph C. McGarraghy, judge of the United States District Court for the District of Columbia, has recently held that such prosecution, if permitted by the United States Government to be held in Japanese courts under Japanese law, would be a violation of the constitutional rights of the said William Girard: It is therefore

Resolved by this association in meeting assembled, That the said Judge Joseph McGarraghy of the Federal district court should be and he is hereby commended for his forthright and correct decision in concluding that the constitutional rights of said William Girard as defendant are or will be violated, if such prosecution as apparently has been authorized should be permitted; it is further

Resolved, That a copy of this resolution be sent to Hon. Joseph McGarraghy as a reminder to him that some of the lawyers in the Midwest, and all of the lawyers belonging to this association, thoroughly approve of and acquiesce in what appears to us to be a profound decision and, too, if it does, to encourage him to continue the upholding of the constitutional rights of our citizens and of the rights of our citizens as distinguished from Federal control.

HAROLD E. DAVIDSON,
Chairman of Resolutions Committee.
EARL C. FISHBAUGH, Jr.,
KENT H. THORNELL,
Members of Resolutions Committee.

RESOLUTION OF EXECUTIVE COMMITTEE, NATIONAL CATHOLIC RURAL LIFE CONFERENCE, DES MOINES, IOWA

Mr. HUMPHREY. Mr. President, I have just received a copy of a policy resolution issued by the executive committee of the national Catholic rural life conference. The conference's distinguished executive director is Rt. Rev. Msgr. Liugi Ligutti.

I ask unanimous consent that the resolution be printed in the RECORD, and appropriately referred.

I note in particular that this resolution deals with the problem of agriculture and family-sized farms; also with

the administration of Public Law 480, concerning the use of our food and fiber, which is in such abundance in this country.

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

RESOLUTIONS OF POLICY, EXECUTIVE COMMITTEE MEETING, NATIONAL CATHOLIC RURAL LIFE CONFERENCE, JUNE 25–26, 1957, DES MOINES, IOWA

The past two decades have been years of unprecedented prosperity in our Nation. During these years the farmer has discovered that economic security alone will not bring him peace of mind nor happiness. Now, more than ever before, he realizes that he must integrate his faith with his daily life and must reevaluate those cultural and social advantages which rural living makes possible. The National Catholic Rural Life Conference, in collaboration with rural pastors throughout the land, must teach, guide, and encourage the farmer in this tremendous task.

THE FARMER IN A CHANGING AGRICULTURE

We recognize and appreciate the fact that new techniques and equipment enable the American farmer to produce an abundance of food and fiber for all of us. We are concerned, however, about the impact this new technology is having on the farmer and his family. The cost of land and equipment is so great that an ever-increasing proportion of farmers are unable to own the land and tools they use. The complicated skills and specialized methods of modern agriculture are such that thousands of farmers will eventually seek employment or managerial services from a relatively few corporations and individuals.

In order to preserve as many of the traditions and ideals of farming as possible, we make the following recommendations:

1. We must teach in home, church, and school those virtues of thrift, diligence, prudence, and cooperation which are the safeguards of independent family farming.

2. We shall challenge and reject bigness of operation in those instances in which smaller units are equally economic.

3. We shall urge a continuous reexamination of the notion of efficiency, demanding that the effects of a particular technique upon religion, morality, health, and culture be kept in mind.

4. We shall not turn to large corporations nor to government for equipment or technical assistance which could be had through cooperation with relatives or neighbors.

NONAGRICULTURAL USES OF LAND

During the last 15 years many millions of acres of our most fertile lands have been converted to nonagricultural uses. These withdrawals are continuing at an increased rate. Within another 15 years, a total of 100 million acres once in cultivation will have been converted to nonagricultural uses.

Highways and developments accompanying them are fast becoming the principal users of agricultural lands, absorbing approximately 2 million acres per year. It is extremely important that the major portion of the land suitable for cultivation be protected and conserved for agricultural uses. Once covered with concrete or asphalt, these lands probably will never again be used to produce food and fiber. Moreover, land taken out of agricultural use causes a change in the hydrological pattern and increases runoff and flood hazards.

With the equipment now available for earth moving, we can afford to develop roads on poor lands and save the best lands for present and future agricultural uses.

Farmers and other local people alone cannot solve this problem. There is a State and national responsibility for wise use of land resources. A basic coordinated State and national policy is needed to properly allocate the amount and kinds of land to be used for highways and accompanying developments.

FOOD DISTRIBUTION

We urge a thorough reexamination of the food distribution system from producer to ultimate consumer. We believe that many of the intervening steps in processing, packaging, advertising, and transportation are neither essential nor useful, and often they are actually contributing factors to increasing prices and lowering nutritive values.

We commend the Congressional investigation efforts along this line, and we hope that demand will be regulated by sound and sensible knowledge of food values rather than by fancy packaging and imaginary values or false descriptions. We would like to see dietary specialists, home economists, and home economics teachers wage a campaign toward the formation of traditions and viewpoints in this regard. We believe that diet deficiencies and often, malnutrition are due in great measure to a poor understanding of what constitutes food values. This is not, indeed, offered as a solution to the surplus food problem, but it would contribute in part to the consumption of more and better food at a lower cost.

Another current problem and opportunity which deserves continued attention is the discovery of new agricultural products and of new and expanded uses of traditional crops. The recent report of the President's Commission on Increased Industrial Use of Agricultural Products indicates many promising avenues for research and development. The results already apparent of this Commission's work are most gratifying.

EMERGENCY PUBLIC HEALTH TRAINING ACT OF 1957—LETTER

Mr. HUMPHREY. Mr. President, recently I introduced Senate bill 2304, the Emergency Public Health Training Act of 1957. I have just received a letter from the president of the University of Minnesota, Dr. J. L. Morrill, endorsing legislation of this kind.

I ask unanimous consent that Dr. Morrill's letter be printed in the RECORD.

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

UNIVERSITY OF MINNESOTA,
Minneapolis, July 1, 1957.

Hon. HUBERT H. HUMPHREY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR HUMPHREY: My attention has been drawn to the bill recently introduced by you for aid to schools of public health as well as to a bill introduced in the House of Congressman RHODES (H. R. 6771), designed to accomplish the same purpose, though differing somewhat as to formula for allocation of funds.

The University of Minnesota is one of four State-supported universities accredited by the American Public Health Association for its graduate program in public health. During the academic year just completed, the school will have provided postgraduate professional training for 155 students in the general field of public health and 212 graduate nurses being given basic training for public health nursing responsibilities. Sixty-seven percent of the former and 50 percent of the latter were not residents of Minnesota, coming from 34 States and 19 foreign countries. Most of the foreign students were sent to the university by Federal agencies engaged in international work.

The University of Minnesota has wished to do everything possible to make its facilities available for this type of training but patently there must be a limit beyond which we cannot continue to expect the people of Minnesota, through legislative appropriations, to provide for the training of students from other States. The university is anxious to continue to meet the growing need for training of this character but feels that it must have some assistance beyond State appropriations if it is to continue to train and serve the increasing number of public health students from outside of the State.

I sincerely believe that Federal assistance is a logical means of distributing this financial burden for the training of persons for public service throughout the Nation. I earnestly hope that favorable consideration will be given to H. R. 6771 to this end. Dr. Harold S. Diehl, dean of medical sciences, and Dr. Gaylord W. Anderson, director of the School of Public Health, join me in urging your support of this legislation.

Sincerely,

J. L. MORRILL, *President.*

LETTERS FROM MINNESOTA AFL–CIO FEDERATION OF LABOR

Mr. HUMPHREY. Mr. President, I have just received two letters from the President of the Minnesota AFL–CIO Federation of Labor. Both deal with the difficult and complicated problems of Federal-State relations and the consequences of competition for standards among the 48 States.

The first letter deals with the fields of unemployment compensation and workmen's compensation. The second deals with the serious situation arising from jurisdictional declination of the NLRB over certain areas clearly conveyed by the legislative intent of Congress.

I ask unanimous consent that the two letters be printed in the RECORD.

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

MINNESOTA AFL–CIO
FEDERATION OF LABOR,
St. Paul, Minn., July 3, 1957.

The Honorable HUBERT H. HUMPHREY,
The United States Senate,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: The National Labor Relations Board has had a policy of declining jurisdiction in cases affecting interstate commerce unless the case meets the so-called jurisdictional standard of the NLRB. This has resulted in the peculiar situation where Congress has passed a law which was supposedly designed to cover representation cases and unfair labor practice cases affecting commerce, but the agency established to administer this law has declined to apply it unless jurisdictional standards higher than those established by the Congress obtain.

As a result, there has arisen the question of whether the State law will apply in cases where there is a question affecting interstate commerce, but the jurisdictional standards of the NLRB are not met, and the NLRB, therefore, refuses to act. In three recent cases, the United States Supreme Court has held that the State law does not apply (*Guss* v. *Utah Labor Relations Board* (32 Labor Cases 70,563); *Meat Cutters Local 427* v. *Fairlawn Meats, Inc.* (32 Labor Cases 70,564); *San Diego Building Trades Council* v. *Garmon* (32 Labor Cases 70,565)).

As a result, there is now a so-called no-man's land in this particular area. We have no doubt that many will urge that the remedy in this case is to cede to the States more and more jurisdiction, and that the States should enter into this vacuum which has been created. In our view, this is not the answer. It seems to us that only the Federal agency can administer national labor policy

and that where Congress has passed a law which is designed to establish national policy with respect to representation cases and unfair labor practice cases affecting interstate commerce, that there should be one agency administering that policy, and that the agency should administer the policy in accordance with the full coverage of the law as enacted by Congress.

It is, indeed strange that an agency can lessen its responsibilities by refusing jurisdiction over areas clearly covered by the legislative intent of the statute. We have always thought that Congress was the legislative body, and that the administrative agency was to apply the law as enacted by the Congress. Here, we have the peculiar result where the administrative agency is disregarding the standard established by Congress of matters "affecting commerce," and has set up entirely arbitrary administrative definitions, for the most part based on dollar volume of sales or purchases.

It would be our hope that the Congress would insure that the administrative agency would apply the law so as to eliminate the vacuum created by the administrative agency's own actions. If the agency needs more personnel to accomplish the task, then that request should be made of the Congress, and sufficient appropriations provided.

We sincerely hope that this will be the answer to the Congress to this "no-man's land" problem, and that the Congress will not, instead, decide to let 48 States set 48 policies with respect to labor relations affecting interstate commerce.

Very truly yours,

R. A. OLSON, *President.*

MINNESOTA AFL–CIO,
FEDERATION OF LABOR,
St. Paul, Minn., July 2, 1957.

Hon. HUBERT H. HUMPHREY,
The United States Senate,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: The Minnesota State Legislature recently adjourned from its 1957 session.

The legislature made certain modest increases with respect to the unemployment compensation and workmen's compensation laws. The maximum weekly benefit under the unemployment compensation laws was increased from $33 to $38 per week; under the workmen's compensation law, the statutory maximum was increased from $40 to $45.

Keeping in mind that average weekly earnings in manufacturing are now approximately $84 per week, and in construction, approximately $120 per week, the statutory maximums in each of these laws is failing to keep in step with the purpose of the legislation, which in the case of workmen's compensation is that the injured worker should receive approximately 66⅔ percent of his weekly earnings, and in the case of unemployment compensation, that the unemployed person should receive about 50 percent of his regular earnings.

Many States, of course, are substantially behind Minnesota, which always makes our job much more difficult when we seek improvement. It is my conviction that the Federal Government should set minimum standards in each of these fields requiring the States to observe such standards. On unemployment compensation, for example, such minimum standards should embrace coverage, benefits, eligibility, and disqualifications.

On the basis of past performance, it appears that leaving these matters to the 48 States is not productive of legislation which will sufficiently protect the rights of employees. Provision for minimum standards will, however, permit those States which desire to do better than the minimum standards, to take such desired action.

We solicit your support for the introduction and passage of such legislation.

Very truly yours,

R. A. OLSON, *President.*

REPORTS OF COMMITTEES

The following reports of committees were submitted:

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

H. R. 7522. An act to authorize the extension of certain rights to remove timber from lands acquired by the United States (Rept. No. 598).

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

H. R. 5341. An act for the relief of John J. Farrelly (Rept. No. 599).

EXTENSION OF SMALL BUSINESS ADMINISTRATION

Mr. CLARK. Mr. President, from the Committee on Banking and Currency, I report an original bill to extend the Small Business Administration for 1 year until July 31, 1958, and which would increase the authorization for business loans by $75 million—raising this fund from $230 million to $305 million, and I submit a report (No. 597) thereon.

Although the committee had extensive hearings on numerous bills concerned with changes in the programs of the Small Business Administration and with proposals to supplement existing sources of long-term credit and equity capital for small businesses the committee determined that it had insufficient time to consider thoroughly these proposals before the scheduled expiration date of the Small Business Administration on July 31 of this year.

That was done, of course, because of the business pending before the Senate, which would make it difficult, if not, indeed, impossible, to have a comprehensive bill discussed and adopted in the Senate before the Small Business Administration Act expired.

For this reason, the committee determined to take an emergency action and extend the agency for 1 year, with the understanding that the many other proposals on this subject now pending before the committee will be acted upon in the second session of this Congress.

I personally regret that it was necessary for the committee to forgo full consideration of the matter at this time. I feel that many of the proposals pending before the committee warrant favorable action by the Congress, and I am hopeful that such action will occur early in 1958.

Mr. President, I ask unanimous consent that following my remarks there be printed in the RECORD a letter on this subject dated July 8, 1957, addressed to Chairman FULBRIGHT, of the Banking and Currency Committee, by Chairman SPENCE, of the House Banking and Currency Committee.

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

HOUSE OF REPRESENTATIVES,
COMMITTEE ON BANKING AND CURRENCY,
Washington, July 8, 1957.

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

DEAR MR. CHAIRMAN: I am informed that the Senate Banking and Currency Committee has agreed to extend the Small Business Act for 1 year and to grant a corresponding increase in its business loan authority, and that this action was taken in the form of an amendment striking out all after the enacting clause of H. R. 7963.

This, of course, has the effect of killing the provisions of H. R. 7963, which was carefully worked out after extensive hearings by the House Banking and Currency Committee, and the House Small Business Subcommittee No. 2, and which passed the House by a vote of 392 to 2. Under the circumstances, I could not agree to accept the Senate amendment to the bill, and would have to ask for a conference with the Senate, and I would expect the House conferees to make a vigorous effort to preserve the provisions of the House bill.

I wonder if it would be possible for your committee to report a separate extension resolution, rather than amending H. R. 7963, thereby leaving H. R. 7963 before your committee for further consideration. I assure you that if the Senate passes such a resolution and sends it to the House, I will make every effort to obtain agreement to the resolution.

With kind regards, I am,

Very sincerely,

BRENT SPENCE.

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

The bill (S. 2504) to amend and extend the Small Business Act of 1953, as amended, reported by Mr. CLARK, from the Committee on Banking and Currency, was read twice by its title and placed on the calendar.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. FULBRIGHT, from the Committee on Banking and Currency:

Frank A. Southard, Jr., of New York, to be United States Executive Director of the International Monetary Fund;

Erle Cocke, Sr., of Georgia, to be a member of the Board of Directors of the Federal Deposit Insurance Corporation, vice Maple T. Harl; and

Edward N. Gadsby, of Massachusetts, to be a member of the Securities and Exchange Commission, vice J. Sinclair Armstrong.

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

Cecil Wayne Gray, of Tennessee, and sundry other persons for promotion in the Foreign Service; and

Leland C. Altaffer, of Ohio, and sundry other persons for promotion in the Foreign Service.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by

unanimous consent, the second time, and referred as follows:

By Mr. SMITH of New Jersey:

S. 2497. A bill for the relief of Mrs. Hildegard Porkert;

S. 2498. A bill for the relief of Matthew M. Epstein; and

S. 2499. A bill for the relief of Ilona Agnes Ronay; to the Committee on the Judiciary.

By Mr. JOHNSTON of South Carolina (by request):

S. 2500. A bill to make uniform the termination date for the use of official franks by former Members of Congress, and for other purposes; and

S. 2501. A bill to authorize the establishment of 88 positions for specially qualified scientific and professional personnel in the Department of Commerce at rates of compensation not to exceed the maximum rate payable under Public Law 313, 80th Congress, as amended, and Public Law 854, 84th Congress; to the Committee on Post Office and Civil Service.

By Mr. LANGER:

S. 2502. A bill to provide for the establishment of the Geographic Center of the North American Continent National Monument; to the Committee on Interior and Insular Affairs.

S. 2503. A bill for the relief of Maria H. Aguas and Buena M. Castro; to the Committee on the Judiciary.

By Mr. CLARK:

S. 2504. A bill to amend and extend the Small Business Act of 1953, as amended; placed on the calendar.

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

By Mr. KENNEDY (by request):

S. 2505. A bill to provide graduate fellowships for certain veterans for study, leading to a career in teaching; to the Committee on Labor and Public Welfare.

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

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

S. 2506. 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 Finance.

By Mr. DOUGLAS:

S. 2507. A bill to permit articles imported from foreign countries for the purpose of exhibition at the St. Lawrence Seaway celebration, to be held at Chicago, Ill., to be admitted without payment of tariff, and for other purposes; to the Committee on Finance.

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

By Mr. MAGNUSON (by request):

S. 2508. A bill to amend the Civil Aeronautics Act of 1938, as amended, so as to authorize the imposition of civil penalties in certain cases; and to increase the monetary amount of fines for violation of the criminal provisions; to the Committee on Interstate and Foreign Commerce.

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

By Mr. WATKINS:

S. 2509. A bill for the relief of Egriselda Toba de Quijada; to the Committee on the Judiciary.

By Mr. DOUGLAS:

S. 2510. A bill for the relief of Dr. Brant Bonner; to the Committee on the Judiciary.

S. J. Res. 119. Joint resolution authorizing the President to invite the States of the Union and foreign countries to participate in the St. Lawrence Seaway celebration to be held in Chicago, Ill., from January 1, 1959, to December 31, 1959; to the Committee on the Judiciary.

(See the remarks of Mr. DOUGLAS when he introduced the above joint resolution, which appear under a separate heading.)

PROPOSED VETERANS' FELLOWSHIPS IN EDUCATION ACT OF 1957

Mr. KENNEDY. Mr. President, by request, I introduce, for appropriate reference, a bill which would offer an immediate remedy for one of the most urgent aspects of the teacher shortage in the United States. The bill proposes to utilize the reservoir of talent in our Armed Forces by retraining military personnel upon retirement to teach in public and nonprofit schools.

We are all aware of the tremendous need for teaching talent. In many States youngsters are going to school in shifts, getting only half-time education, or doubling up in classrooms. Sometimes this is caused by the lack of schoolrooms, but, just as importantly, it is caused by a shortage of qualified teachers. Education experts tell us that the shortage will grow worse, not better, in the next few years. Already there are an estimated 80,000 teachers with inadequate qualifications teaching on temporary permits.

Men who have served in the Armed Forces have benefited from training and education of the highest standards, particularly in the scientific fields—the very field of education in which the teacher shortage is most severe. They have been educated at great Federal expense. Yet upon retirement, many at quite an early age, their talent is either allowed to go unused or is snapped up by private industry.

This bill would encourage these persons to go into the teaching field by offering fellowships, providing not more than 11 months of study. The veteran, who must be under 59 years of age and have served at least 10 years, would receive $100 a month for subsistence, plus tuition expenses, with the total not to exceed $2,000. In return he would be obligated to teach for at least 3 years in a nonprofit school or college after completing the study provided by the fellowship.

A great many of our military men and women already hold college degrees and graduate degrees, or experience and military training equal to or greater than graduate study. All they need to convert their knowledge to the teaching profession is a teacher-training course. With such a combination, they would be able to offer not only the same qualifications a college graduate with a teaching degree can, but the age and wisdom which the young graduate cannot.

Not only would this program provide a number of teachers concentrated in the scientific and technical fields where the need is greatest, but it would increase the number of male teachers available.

Many of these retired military personnel would be willing to accept teaching jobs where others turn them down because of low salary. For in addition to their salaries as teachers they would still be receiving retirement benefits and thus could afford to remain in the teaching profession.

The cost to the Federal Government would not be great. The bill provides an appropriation of $17,500,000 to finance the fellowship program. But the benefits to our educational system could be immense.

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

The bill (S. 2505) to provide graduate fellowships for certain veterans for study, leading to a career in teaching, introduced by Mr. KENNEDY, by request, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

THE ST. LAWRENCE SEAWAY CELEBRATION, 1959

Mr. DOUGLAS. Mr. President, I introduce, for appropriate reference, a bill and a joint resolution dealing with certain matters connected with the St. Lawrence Seaway celebration, to be held at Chicago, Ill., in 1959. I ask unanimous consent that the bill and joint resolution may be printed in the RECORD at the conclusion of my remarks.

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

The bill and joint resolution, introduced by Mr. DOUGLAS, were received, read twice by their titles, appropriately referred, and ordered to be printed in the RECORD, as follows:

To the Committee on Finance:

S. 2507. A bill to permit articles imported from foreign countries for the purpose of exhibition at the St. Lawrence Seaway celebration, to be held at Chicago, Ill., to be admitted without payment of tariff, and for other purposes:

"Be it enacted, etc., That any article which is imported from a foreign country for the purpose of exhibition at the St. Lawrence Seaway celebration (hereinafter in this act referred to as the celebration) to be held at Chicago, Ill., from January 1, 1959, to December 31, 1959, inclusive, by the St. Lawrence Seaway Celebration Commission, Inc., a corporation, or for use in constructing, installing, or maintaining foreign exhibits at the celebration, upon which article there is a tariff or customs duty, shall be admitted without payment of such tariff or customs duty or any fees or charges under such regulations as the Secretary of the Treasury shall prescribe.

"SEC. 2. It shall be lawful at any time during or within 3 months after the close of the celebration to sell within the area of the celebration any articles provided for in this act, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury shall prescribe. All such articles, when withdrawn for consumption or use in the United States, shall be subject to the duties, if any, imposed upon such articles by the revenue laws in force at the date of their withdrawal; and on such articles

which shall have suffered diminution or deterioration from incidental handling or exposure, the duties, if payable, shall be assessed according to the appraised value at the time of withdrawal from entry under this Act for consumption or entry under the general tariff law.

"SEC. 3. Imported articles provided for in this act shall not be subject to any marking requirements of the general tariff laws, except when such articles are withdrawn for consumption or use in the United States, in which case they shall not be released from customs custody until properly marked, but no additional duty shall be assessed because such articles were not sufficiently marked when imported into the United States.

"SEC. 4. At any time during or within 3 months after the close of the celebration, any article entered under this act may be abandoned to the United States or destroyed under customs supervision, whereupon any duties on such articles shall be remitted.

"SEC. 5. Articles which have been admitted without payment of duty for exhibition under any tariff law and which have remained in continuous customs custody or under a customs exhibition bond and imported articles in bonded warehouses under the general tariff law may be accorded the privilege of transfer to and entry for exhibition at the celebration, under such regulations as the Secretary of the Treasury shall prescribe.

"SEC. 6. The St. Lawrence Seaway Celebration, Inc., shall be deemed, for customs purposes only, to be the sole consignee of all merchandise imported under this act. The actual and necessary customs charges for labor, services, and other expenses in connection with the entry, examination, appraisement, release, or custody, together with the necessary charges for salaries of customs officers and employees in connection with the supervision, custody of, and accounting for, articles imported under this act, shall be reimbursed by the St. Lawrence Seaway Celebration, Inc., to the United States, under regulations to be prescribed by the Secretary of the Treasury. Receipts from such reimbursement shall be deposited as refunds to the appropriation from which paid, in the manner provided for in section 524 of the Tariff Act of 1930, as amended (19 U. S. C. 1524)."

To the Committee on the Judiciary:

S. J. Res. 119. Joint resolution authorizing the President to invite the States of the Union and foreign countries to participate in the St. Lawrence Seaway celebration to be held in Chicago, Ill., from January 1, 1959, to December 31, 1959:

"Senate Joint Resolution 119

"*Resolved, etc.*, That the President of the United States is authorized by proclamation or in such other manner as he may deem proper, to invite the States of the Union and foreign countries to participate in the St. Lawrence Seaway celebration, to be held in Chicago, Ill., from January 1 to December 31, 1959, inclusive, for the purpose of promoting foreign and domestic commerce and of fostering good will among nations."

AMENDMENT OF CIVIL AERONAUTICS ACT OF 1938, AS AMENDED, RELATING TO CIVIL PENALTIES IN CERTAIN CASES

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the Civil Aeronautics Act of 1938, as amended, so as to authorize the imposition of civil penalties in certain cases; and to increase the monetary amount of fines for violation of the criminal provisions. I ask unanimous consent that a letter from the Chairman of the Civil Aeronautics Board, requesting the proposed legislation, together with a statement of its purpose and need, may be printed in the RECORD.

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

The bill (S. 2508) to amend the Civil Aeronautics Act of 1938, as amended, so as to authorize the imposition of civil penalties in certain cases; and to increase the monetary amount of fines for violation of the criminal provisions, introduced by Mr. MAGNUSON (by request), was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The letter and statement presented by Mr. MAGNUSON are as follows:

CIVIL AERONAUTICS BOARD,
Washington, June 28, 1957.

Hon. RICHARD NIXON,
President of the Senate, United States Senate, Washington, D. C.

DEAR MR. PRESIDENT: The Civil Aeronautics Board recommends to the Congress for its consideration the enclosed draft of a proposed bill: "To amend the Civil Aeronautics Act of 1938, as amended, so as to authorize the imposition of civil penalties in certain cases; and to increase the monetary amount of fines for violation of the criminal provisions."

The Board has been advised by the Bureau of the Budget that there is no objection to the presentation of the draft bill to the Congress for its consideration.

Sincerely yours,

JAMES R. DURFEE,
Chairman.

STATEMENT OF PURPOSE AND NEED FOR PROPOSED LEGISLATION

A bill to amend the Civil Aeronautics Act of 1938, as amended, so as to authorize the imposition of civil penalties in certain cases; and to increase the monetary amount of fines for violation of the criminal provisions

The purpose of that part of the proposed amendment which authorizes the imposition of civil penalties in certain cases is to provide a statutory tool for the more effective enforcement of the provisions of title IV of the Civil Aeronautics Act and of the Board's economic orders and regulations issued thereunder and under section 1002 (i) of the act. At the present time violations of these provisions are subject to criminal prosecution under section 902 (a) of the act. This sanction is an effective deterrent in serious cases involving knowing and willful violations. With respect to many cases of minor infractions, violations of a less serious nature, and actions falling short of knowing and willful misconduct, the conventional criminal proceedings are either too drastic, too cumbersome or altogether inappropriate. It is in acting upon these less serious but more numerous violations that the Board believes it could avail itself of the remedy of civil penalty in a constructive manner toward improving the enforcement program.

The availability of the remedy of civil penalty would enable the Board to attack violations speedily and avoid situations such as have existed in the past where offenders have been able to persist in violations during the time required to prosecute a formal proceeding or court action.

The availability of the remedy of civil penalty would afford an adequate remedy as a substitute for criminal action except in serious cases where willful and knowing violations involving the necessary degree of criminal responsibility may be established. Moreover, the imposition of civil penalty would, in many cases, have a salutary effect comparable to that of criminal penalties without subjecting the offender to the serious stigma which follows imposition of criminal penalties.

The modifications proposed in existing sections 901 (a) and 902 (a) of the act have been drafted primarily for the purpose of making available this additional sanction. The changes to section 901 (a), in addition, incorporate amendments effected by Reorganization Plan III and IV of 1940, and Reorganization Plan V of 1950. In regard to section 902 (a), such changes have been made to preserve the effectiveness and applicability of the criminal penalties as are made necessary in view of the amendment of section 901 (a).

It is also proposed (1) to add to section 901 (a) a provision, that if the violation is a continuing one, each day of the violation shall constitute a separate offense, and (2) to amend section 902 (a) to increase the monetary amount of fines which may be imposed thereunder.

The amendment of section 901 (a) to provide that each day of violation shall constitute a separate offense is believed desirable in the interest of effective enforcement of the civil penalty procedure. Section 902 (a) already contains such a provision with regard to criminal violations.

With respect to the proposal to increase the monetary amounts of the fines which may be imposed for violation of the criminal provisions, the Board feels that the current provisions are no longer adequate. Knowing and willful violations of the Civil Aeronautics Act are serious offenses for which there should be a more effective deterrent than the present maximum of $500 for the first offense. Likewise, it is suggested that repeated offenses should carry a higher penalty than the $2,000 fine now specified as the maximum, and that there should be a mandatory minimum fine in all cases.

Accordingly, the attached draft incorporates: (1) amendments to authorize the Board to impose civil penalties in additional cases, (2) amendment of section 901 (a) to provide that each day of violation shall constitute a separate offense, and (3) amendment of section 902 (a) to provide for the imposition of a mandatory minimum fine of $100, with a maximum of $5,000 both for the first offense and for each subsequent offense.

There is attached an analysis of the proposed amendments and a comparison of the proposed amendments with existing law.

ENTRANCE INTO UNITED STATES OF CERTAIN ALIEN CHILDREN—ADDITIONAL COSPONSOR OF BILL

Mr. KENNEDY. Mr. President, I ask unanimous consent that the name of the Senator from Oregon [Mr. NEUBERGER] may be added as a cosponsor of the bill (S. 2410) to facilitate the entry into the United States of certain immigrants, to authorize the adjustment of status of certain aliens in the United States, to provide for the issuance of special nonquota immigrant visas to certain refugees, and for other purposes, introduced by me, for myself and other Senators, on June 27, 1957. The Senator from Oregon has been a consistent supporter of this type of legislation.

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

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

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

ordered to be printed in the RECORD, as follows:

By Mr. KEFAUVER:

Letter dated July 3, 1957, addressed by him to the President concerning chronology in Idaho Power Co. fast-tax writeoff matter.

By Mr. CASE of South Dakota:

Weekly News Letter, written by him on the subject Electric Power at Hells Canyon, TVA, and Niagara.

By Mr. NEUBERGER:

Article written by him on the 85th anniversary of Popular Science Monthly.

By Mr. CLARK:

Address delivered by Senator CHURCH at Independence Hall, Philadelphia, Pa., on July 4, 1957.

By Mr. KENNEDY:

Letters from him and Senator PAYNE, published in the Washington Post and Times Herald of July 5, 1957.

By Mr. WILEY:

Article entitled "Nation's Crime Tab Set at $28 Billion," published in the Washington Post and Times Herald of June 14, 1957.

FEDERAL LOAN PROGRAMS—NOTICE OF PUBLIC HEARING ON S. 2427

Mr. FULBRIGHT. Mr. President, on behalf of the Committee on Banking and Currency, I desire to give notice that a public hearing has been scheduled for Monday, July 22, 1957, at 10 a. m., in room 301, Senate Office Building, on S. 2427, to insure greater consistency among Federal loan programs, to avoid hidden subsidies, and to achieve more effective coordination between Federal loan programs and the fiscal and credit policies of the Federal Government.

All persons who desire to appear and testify at the hearings are requested to notify Mr. J. H. Yingling, chief clerk, Committee on Banking and Currency, room 303, Senate Office Building, telephone National 8-3120, extension 865, as soon as possible.

In order to make sure that all persons who may be affected by this bill will receive full notice I ask unanimous consent that the bill be printed in full in the RECORD at this point.

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

Be it enacted, etc., That notwithstanding any other provision of law (1) the interest rate on any loan hereafter made by the Treasury to any department or agency of the Federal Government to finance loans made by such department or agency shall be fixed by the Secretary of the Treasury, taking into consideration the current average market yields of outstanding marketable obligations of the United States having maturities comparable to the loans made by the department or agency, and (2) the interest rate on any loan hereafter made by any department or agency shall not be less than the rate the department or agency making the loan would pay if it borrowed from the Treasury at the time the interest rate on the loan is fixed, plus an additional amount deemed adequate to cover administrative expenses and probable losses to the extent consistent with the purposes of the loan program.

PRESERVATION OF MONTANA WILDERNESS AREAS

Mr. MANSFIELD. Mr. President, the State of Montana has varied topography, and in the western part of the State we are blessed with some of the finest mountain regions in the country. These mountains provide wonderful protection for a number of wild game—elk, deer, mountain goats and sheep, and bears. In addition, this wilderness area provides hunting and fishing difficult to find today.

One of the finest of these areas is the Bob Marshall wilderness area, which stretches some 60 miles north and south along the Continental Divide in the Flathead and Lewis and Clark National Forests.

This mountainous region has all the ideal conditions for the protection of wildlife and the preservation of scenic beauties, wonders, and recreational resources as Mother Nature originally created them. These wilderness areas are becoming fewer as the Nation's population grows and new areas are exploited. These few remaining wilderness areas ought to be protected.

Tom Deckert, of Billings, Mont., vice president of the Montana Wildlife Federation, has prepared a very fine article in defense of these primitive regions against the encroachment of man and the construction of dams, reservoirs, and flood-control projects which will not be any great benefit to man.

I ask unanimous consent that this feature article from the June 30 issue of the Billings Gazette be printed at this point in the CONGRESSIONAL RECORD.

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

CONSERVATION FORCES OPPOSE DAM PROJECT ON NORTH FORK OF SUN RIVER—SPOKESMAN SAYS PLAN WOULD DESTROY VALUE OF PRIMITIVE REGION

Montana conservationist forces have reaffirmed their opposition to a North Fork Sun River Dam after a horseback trip in the rugged wilderness area near Augusta, an official of the Montana Wildlife Federation said Saturday.

The consensus is that the area should be kept in its present state of primitiveness, Thomas H. Deckert of Billings, an MWF vice president, reported.

Deckert, said the tour party included livestock interests and representatives of the Montana Wildlife Federation, United States Forest Service, Montana Fish and Game Department, Wilderness Society, Dude Ranchers Association, Guides and Outfitters and the Sun River Conservation Committee.

The wildlife federation spokesman said conservationists have been aroused by the Corps of Engineers, hearing in Augusta last April 9 to discuss the possibilities of a flood control project and protection plan along the lower Sun River and the city of Great Falls.

Deckert said the plan as explained at the hearing would not jeopardize fish and game to any great extent as long as it did not involve storage above Augusta.

"However," he said, "the mere mention of flood control in the upper Sun River, irrespective of who would build the project, is a matter of grave concern to the invaluable recreational resources."

The Sun River drainage comprises about one-third of the Bob Marshall wilderness area, wintering ground for one of the State's largest elk herds. Members of the recent tour observed about 400 elk, 14 bands of mountain sheep and whitetail and mule deer, Deckert said.

"When viewing areas such as this and looking into the vast heavens, a man cannot help but realize how insignificant his contributions to earthly affairs really are," Deckert said.

"I wonder if the cost of maintaining and preserving such areas as the Bob Marshall wilderness is too great a problem for our Government when such benefits are appreciated by so many of our people."

WARNING GIVEN

Deckert cited a warning from Robert F. Cooney, coordinator of the State fish and game department wildlife restoration division, that the proposed Sun River Butte Dam would destroy upstream fishing and ruin part of the elk range.

Cooney also contends the dam would block mountain passes to the department's Sun River elk preserve.

Proponents of the dam say it would provide irrigation water and at least 100,000 acre-feet of flood control, minimizing danger of damaging floods such as occurred in 1953. The present Gibson irrigation dam on the Sun River, they maintain, offers no flood protection.

The fish and game department official asserts the Sun River Butte Dam cannot be both an irrigation and flood-control project.

"If the dam would be constructed to store water for irrigation," Cooney told the April 9 hearing, "it would not be a flood-control measure. The impoundment would have to be filled by the spring runoff, or it does not answer the purpose for which it is built."

The Bob Marshall wilderness area stretches some 60 miles north and south along the Continental Divide in the Flathead and Lewis and Clark National Forests. It includes the Sun River on the east and the Flathead River on the west.

Elevations in the wilderness area range from 5,000 feet in the valley floor to more than 9,000 feet along the Continental Divide.

Its varied topography includes towering and precipitous ridge tops and gently sloping alpine meadows.

Established in 1931 and reclassified in 1940 under regulation U-1, the area consists of 950,000 acres, of which 710,000 are in the Flathead and 240,000 in the Lewis and Clark National Forests.

The area is considered extremely valuable for scientific investigation in all fields of natural science. Geological formations are basicly quartzite, argillite, and limestone which has yielded trilobite fossilization indicating the formation to be hundreds of millions of years old.

Glaciers have carved broad valleys and many of the principal lakes in the area, and many smaller lakes lie in the shadow of giant peaks.

Forest cover is characterized by open, parklike stands of ponderosa pine, denser thickets of lodgepole pine, mixtures of western larch and Douglas-fir and the shorter alpine species at higher elevations.

GAME IS ABUNDANT

Besides one of the largest native elk herds in the northern Rockies, the wilderness area boasts large numbers of deer, mountain goats, mountain sheep, black and brown bear and the mighty grizzly bear.

For this reason the region is prized by big-game hunters throughout the Nation.

Small-game animals, birds and predators also are common in the area. Lakes and streams provide excellent fishing for native cutthroat, rainbow, Dolly Varden and brook trout.

An outstanding feature of special interest to all visitors is a 25-mile-long limestone reef on the crest of the Continental Divide. This obstruction, rarely broken by a mountain pass, has been appropriately dubbed the Chinese Wall because of its vertical face rising more than 1,000 feet.

Hundreds of miles of Forest Service trails enable horseback travelers and hikers to roam at will through the area, however.

"It is a paradise of nature's wonders," Deckert said. "Many think of it as God's gift

to man. It should be forever cherished and never impaired. Its cleanliness and awe-inspiring beauty and wonders should be preserved at all cost."

"The Bob Marshall wilderness area, the Sun River game preserve, and the State fish and game department's big-game winter-range located and fenced to collect wildlife from their established migration routes, comprise a combination of the most ideal conditions," Deckert said.

"The management of this native herd is considered to be the best in our country. Since these ideal conditions prevail, little controversy exists between farmers, ranchers and wildlife interests.

"If other migration routes were to be established by the elk because of the Sun Butte Reservoir, a large part of the winter range would be useless. The time, hard work and the large investment would be wasted.

"Wildlife interests would have a huge problem with private interests to try and solve differences all over again.

"The future of America's outdoor recreation depends upon how many of these unspoiled, well-managed areas that might be saved from exploitation. There is evidence that the Sun Butte Dam and impoundment would not solve the flood problem of the lower Sun River.

"Even with every precaution and control measures, it is doubtful that the 18.79 inches of rainfall in the 11-day period in 1953 could have been completely checked without serious damage. The 5.41 inches of rain that fell in the Sun Butte area during this storm could not have added very much to the overall picture.

"Poorly constructed and neglected canals always play a big part in floods; road construction, overgrazed lands, and overcut timber lands are responsible to some extent.

"With surplus crops in sight for many years, and with one Federal department trying to take land out of cultivation and another department trying to put more land under cultivation, the people are subsidizing both ends and the middle."

CITES VALUE OF FISHING

Pointing to the economic importance of fishing and hunting to Montana, Deckert said 1 out of every 3 persons in Montana are fishermen; 235,450 fishing licenses were sold in 1956. Since 1940, nonresident fishing licenses have increased almost 400 percent. During 1956, 200,910 resident hunting licenses were sold and nonresident hunters have doubled in number since 1950.

Expenditures for hunting and fishing in Montana each year exceed $50 million.

"Add the hundred-million-dollar tourist business, and this gives us some idea of what our scenic beauties, wonders, and recreational resources are actually worth," the conservationist said.

"Industry and many in our Government have recognized the value of the great outdoors. They have and are encouraging their eemployees to participate whenever possible, and it has paid dividends.

"The people have demonstrated how they appreciate the outdoors by their tremendous increased usage.

"By proper planning, by all interests on a give-and-take basis without selfishness or greed, there must be a way to solve differences in some way other than what has been done in the past, or we are failing to uphold the principles of democracy."

Continuing, Deckert said, "The outdoor people are trying to understand and take a broad concept of the problem involved when destruction of areas of major importance is at stake.

"We endeavor to enter into controversial issues with a wide-open mind and weigh the true resource values at what they are actually worth today and for the future—not for a quick dollar that destroys $100."

According to Cooney, Montana's opposition to a dam at Sun Butte site, a short distance from the head of Gibson Lake, "is based upon the very serious detrimental effects such a structure would have on irreplaceable wildlife and recreational resources of the area."

He said the Sun River elk herd, consisting of somewhat over 3,000 animals, presents one of the most valuable groups of this big game species on the continent.

"The present balance between the State-owned winter range in the foothills, and the spring, summer, and fall range on national forest lands to the west, represents an almost ideal condition. The acquisition and development of approximately 20,000 acres making up the winter elk range represented an investment for Montana sportsmen of approximately $200,000. Its continued use by a majority of the Sun River herd presents one of the most important factors in the future successful management of elk in the area."

A dam at the Sun Butte site or elsewhere in that general locality would, in Cooney's opinion, disrupt the present ideal pattern of game use. Due to the precipitous reef-type cliffs found throughout the Sun River range, elk migration trails are restricted to low passes by which the main herd moves east onto the winter game range in the foothills.

WOULD OBSTRUCT MIGRATION

The proposed dam and resulting impoundment would obstruct the main migration trail to the foothills. Such an obstruction would undoubtedly cause elk to scatter widely in attempting to find other passes, thus causing them to emerge from the mountains long distances either north or south of the presently provided game range.

This would cause serious problems of damage to private lands and virtually eliminate the present benefits of the State-owned game range.

A dam at the Sun Butte site would flood approximately 2,565 acres of vitally needed calving ground, he said. Elk have been found to be very specific in their choice of calving range. It is therefore probable that this major loss of spring range would present a serious limiting factor in the production of this major game herd.

"The present back country type of highly valued hunting opportunity would be lost by the presence of access roads penetrating the construction area. It is quite probable that undesirable 'firing line' type hunting would result," Cooney said.

Construction and operation of the Sun Butte Reservoir would flood and thus eliminate somewhat in excess of 7 miles of valuable stream fishing on the North Fork of the Sun River.

"This loss would be particularly important as the Sun River drainage above Gibson Reservoir now represents some of the relatively few trout waters in the United States which have not been altered materially. A careful qualitative appraisal of this area ranks the upper portion of the Sun River Basin as one of the outstanding trout fishing areas of the Nation.

"This rare and natural type of stream fishery, which would be inundated by the proposed reservoir, could never be replaced."

Cooney pointed out the proposed impoundment would back water approximately 7 miles into this Bob Marshall wilderness area; it would seriously jeopardize the present wilderness aspect which is recognized as of national significance.

"From a wildlife point of view alone, the wilderness habitat now afforded presents an environment highly valuable in the perpetuation and survival of several rare game species. Wilderness type hunting and fishing is becoming increasingly difficult to find and is, therefore, considered of inestimable value," Cooney concluded.

ADDRESS BY POPE PIUS XII TO A DELEGATION OF THE AMERICAN JEWISH COMMITTEE

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed in the RECORD an address delivered by Pope Pius XII to a delegation of the American Jewish Committee in Rome on June 28, 1957. Pope Pius urged the governments of the world to resettle refugees driven out of their native countries by the "evil blight" of racial persecution, and condemned anti-Semitism and racial discrimination in any form as a "violation of fundamental rights inherent in a human person." This address appeared in the New York Times on Tuesday, July 2, 1957.

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

The American Jewish Committee, which you honorable gentlemen represent, has just rounded out 50 years of service in behalf of the right and status of those of your race who, with other minority groups, have been subjected to the violation of fundamental rights inherent in the human person.

Forced to forsake the land of their birth and seek on far-off unfamiliar shores a refuge where they might begin anew a family life, how many have then had to experience the almost desperate situation added to their miseries of not being welcome where they had hoped for hospitality.

Your desire to visit us this morning is a testimony to your confidence in the interest we have in the sad plight of the peoples just described.

Again and again, as did our predecessor of happy memory (Pope Pius XI) before us, we have strongly urged that the fundamental principles of justice and charity and the long-recognized practice of offering asylum to those not guilty of crime be the norm of government conduct today.

It is a consolation to our paternal heart to know that our appeal has been generously heeded in many countries; and we like to cherish the hope that so long as that evil blight endures, states will not be lacking in their obligation to succor those who have been forced to emigrate.

We have been happy to welcome you gentlemen and our heart goes out in a fervent prayer to God that in His bounteous goodness He have pity on those who are suffering injustice and enlighten those who are perpetrating evil.

A PERMANENT SOLUTION NEEDED FOR THE FARM PROBLEM

Mr. MUNDT. Mr. President, in my opinion the major domestic problem in the calendar year 1958 will be to evolve and legislate a long-term solution of the farm problem. It seems unlikely we will succeed in that achievement during the congressional session of 1957, but I can think of nothing to which we should more earnestly devote our concentrated efforts in the next calendar year than to find a permanent solution to this very serious domestic problem.

During the course of the past few years we have tried fixed high price supports, and have found them to be inadequate to give the farmer the parity of income to which he is entitled.

We have also tried, in the past few years, flexible price supports, and have also found them to be inadequate to give the farmer the parity of income to which he is entitled.

We are now operating primarily under the soil bank program. While it is still too new a program to evaluate completely, I do not believe anyone holds that it will prove to be a total and permanent solution of the farm problem.

Concurrently, we have a stepped-up program of foreign utilization of farm products under Public Law 480 and other export programs, which are very commendable, but they have not proved to be a solution of the farm problem, and it has not provided the farmer with the parity of income to which he is so richly entitled.

We have before us a number of challenging and constructive new suggestions for the utilization by industry of farm products. The Senate committee on Agriculture expects to hold hearings, I hope this year, on some of the great opportunities which these new programs provide.

However, none of the programs operating as of this time give the farm population of the United States the equity, the parity, and the justice to which it is entitled as a very significant segment of the American body politic. We need constructive action on new programs at the earliest possible time.

One of the reasons why we have not succeeded, Mr. President, is that the great farm organizations of America have been unable to get together, pool their thinking, and agree on even the general outlines of a long-term farm program. There are 5, 6, 7 or 8 great farm organizations, some of them general in nature and some of them representing specific producers. If, as, and when those great farm organizations can come before Congress with a concentration of ideas and with a singleness of purpose, such as the labor organizations of America, for example, have been able to demonstrate for labor, I am confident they will carry us a great big Trojan step forward toward the ultimate goal of giving parity to the American farmer.

In that connection, Mr. President, I was highly gratified to read an editorial in a great newspaper published in South Dakota, the Daily Plainsman, which serves some of the best agricultural areas of the United States. The Daily Plainsman is published in Huron, S. Dak., the seat of our great State fair.

This editorial is entitled "Farm Meeting Step in Right Direction," and reports a most encouraging development which I hope Senators will watch and which I hope Senators will encourage in every way they can. The beginning of the editorial states:

National farm organizations finally are going to try to get together to restore unity to a badly disorganized agriculture.

A meeting will be held in Washington, D. C., in August to draft programs to meet the needs of the individual farm commodities. The purpose, of course, is to stabilize prices and income at levels satisfactory to producers.

Mr. President, I should state that the editorial goes on to say:

Promoting this attempt to develop new farm programs is the National Milk Producers' Federation, a major dairy organization.

I wish to commend the National Milk Producers' Federation for its leadership and vision in trying to bring together around one table the great farm organizations of this country, so that we may cease to have the bickering and the fighting among farm organizations and among producers which is demonstrated so lamentably, for example, in connection with the proposed self-help bill for livestock. The livestock organizations favor it. Some of the general farm organizations oppose it. The result has been costly inaction, acrimony, and conflict.

The PRESIDING OFFICER. The time of the Senator from South Dakota has expired.

Mr. MUNDT. I ask unanimous consent, Mr. President, that there may be printed in the RECORD at this point, as a part of my remarks, the stimulating editorial from the Daily Plainsman to which I have referred concerning what may be a great forward step in agriculture.

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

FARM MEETING STEP IN RIGHT DIRECTION

National farm organizations finally are going to try to get together to restore unity to a badly disorganized agriculture.

A meeting will be held in Washington, D. C., in August to draft programs to meet the needs of the individual farm commodities. The purpose, of course, is to stabilize prices and income at levels satisfactory to producers.

Promoting this attempt to develop new farm programs is the National Milk Producers' Federation, a major dairy organization. The federation said it was stepping into the general farm legislation field because the Grange, the Farm Bureau, the Farmers Union and the Council of Farmer Cooperatives have been unable to arrive at any general agreement on a national farm program.

The federation feels the difference between these groups have brought about the clashing views in Congress and have resulted in defeat for efforts to bring about changes in the Federal farm laws.

Under the coalition plan as offered through the federation, each commodity group will develop its own program. Once these individual commodity programs are developed, all will join hands to push each program through Congress.

Although we applaud this effort toward unity, we doubt that the approach is sound. It would be difficult, for instance, for the livestock producer who wants cheap feed to support a program which would raise his feed costs—yet feed growers will be after the highest possible price in any program which they might evolve.

That's only one example of conflict. There are other instances in which what is good for one commodity group is disadvantageous to another. Some farm groups are protectionists in the matter of foreign trade, for instance, while others oppose rigid trade barriers for different economic reasons.

Even among meat producers there are differences which arise from the competition for the housewives' dollars just as corn and wheat growers are competitors for the stock feeders' dollars.

Because of these differences—which are basic and have resulted in emotional attitudes toward what should be factual problems—it will be most difficult, if not impossible, for individual planning by commodity groups to bring about the necessary unity. The various commodity groups will have to meet jointly to work out compromises. Each will have to give a little.

Furthermore, any program which is planned piecemeal isn't going to be coordinated as a whole. A workable farm program will depend upon harmonious economic relationships between its various parts. There are complicated patterns of interdependence between the various groups which must be considered if a workable total program is to be evolved.

There is another difficulty, too. Some segments of the farm economy aren't organized on the national basis. These segments aren't just splinter groups either as is amply demonstrated by the fact that the corngrowers aren't organized.

However, despite the fact that the prospect for any immediate results is dim, the August meeting certainly will be a step in the right direction. It will focus attention on the desperate need for farm unity and will help stimulate thinking which possibly could bring about the desired results sometime in the future.

Certainly it will demonstrate to those unorganized commodity groups the need for joint action. Corngrowers certainly would want some voice in any movement such as the one proposed by the milk producers.

And certainly the meeting will spawn ideas. For instance, why not organize a National Farm Congress at which each community group would send representatives with the number of delegates based on the number of farmers raising the commodities? There could even be a senate, too, with equal representation from each commodity group. Wouldn't a delegation such as this, representing all segments of the economy, be likely to come up with a fair, workable farm program which would meet the main objectives which is to raise the general level of farm prices?

This is just one idea. There must be many more. The main consideration now is to put ideas to work. The National Milk Producers' Federation has provided the spark. It is up to the farmers at the grassroots to fan that spark into a flame.

ISRAEL'S ARAB CITIZENS

Mr. JAVITS. Mr. President, the renewed interest in the most nettling problem of the Near East, that of the Palestine Arab refugees, is long overdue. I welcome the suggestion of my friend and colleague, the Senator from Minnesota [Mr. HUMPHREY], concerning this very great and important subject, and for perceiving, as he obviously does, its critical influence on the effort to bring about peace and stability in that great area; I came to exactly the conclusion expressed by the Senator from Minnesota.

The Senator knows I have a very deep interest in the area and in its problems, and that I have constantly tried to get something done. I can think of no finer advocate in the Senate for the solution of the problems of this region than the distinguished Senator from Minnesota, and I welcome the initiative he has demonstrated.

Mr. President, by way of contribution to that discussion, there is a very interesting report in the New York Times of June 20, written by its correspondent in Israel, Seth S. King, on the position of the 200,000 Arab citizens of that country and how they have fared since 1948. The report is written objectively, as will be seen from the fact that it contains criticism, as well as some commendation. I think it is of great value in the effort to bring about a balanced understanding

of the situation, and I therefore ask unanimous consent, Mr. President, that the article may be printed in the RECORD as a part of my remarks.

Mr. King points out that there is no discrimination or animosity against these Arab citizens. He reports that Israel has made it possible for its Arab citizens to have better schools, better health and welfare services, and far greater prosperity. They enjoy free speech and a free press. They have the right to joint the Histadrut—the general labor federation—and to enjoy all its social and health benefits. They also have the right to vote and they are represented in the Knesset—Israel's parliament—by eight members of their own choice. The report does not minimize the restrictive measures under which the Israel Arab must live and which are necessitated by the continuing expressed hostility against Israel by Arab states surrounding it. Mr. King, however, attributes the basic difficulty in integrating the Arab citizen to the refusal of many to accept western progress and industrialization. Despite all the benefits of political and economic democracy which Israel makes available, many of Israel's Arabs apparently still hope for the liquidation of the Israeli state. The obstacles which Mr. King reports that Israel officials are trying to overcome are so great as to lend great weight to Israel's belief that large-scale repatriation of Arab refugees is impossible in the interests of the security of Israel.

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

ARABS IN ISRAEL STILL A PROBLEM—MANY EXPECT A SECOND CONFLICT—DESPITE GAINS UNDER JEWISH REGIME, MOSLEM RESIDENTS STILL BELIEVE THEY ARE SECOND-CLASS CITIZENS

(By Seth S. King)

NAZARETH, ISRAEL, June 12.—In the spring of 1949, when a tenuous peace had settled over Israel, 145,000 Arabs suddenly became citizens of a new state made up largely of Jews.

Almost overnight the Arabs ceased to be a majority and became a minority. They began living under people they had just been fighting. These people were different in background, religion, and language, and until then had themselves always been the minority.

Today, after 8 years, Israel's Arabs still consider themselves second-class citizens.

They still are not fully—or officially—trusted. There is no evidence that they are any closer to accepting Israel as a permanent entity. Many of them admittedly still are waiting for a second round, when they hope the armies of the Arab States will come back and push the Jews into the sea.

There still is just as much emotion present today in any consideration of their problems. It still is just as difficult to find a true neutral who can fairly assess their position.

Everyone concerned with them admits that under the Israeli Government these Arabs are physically far better off now than in the days of the British mandate over Palestine.

Their numbers have risen to more than 200,000. By natural growth they now are adding 7,000 each year. Since the fighting stopped in 1949, more than 33,000 who had fled to adjoining states have been reunited with their families in Israel through the machinery of the United Nations.

EIGHT ARABS IN PARLIAMENT

They now have better schools and better health and welfare services and, in many instances, they are making more money and living in much better houses.

Politically they are free to say nearly anything they please. They also are free to vote for whom they choose. Eight of the 120 members of Israel's Knesset (Parliament) are Arabs.

But if an Israeli Arab lives, as most of them do, in one of the three special military government zones opposite the borders, he must carry a special identity card at all times. He cannot leave his assigned area without getting a special permit to travel. In theory this law must apply to anyone living or visiting in these zones, whether he be Jew or Arab. But in practice it is applied only to the Arabs.

If an Arab once owned land in certain areas and fled from that land to another part of Israel, it is unlikely that he has been permitted to return to it.

Unless he is a Druse, his children will not be conscripted into the military forces, as all other Israeli youth are. If he is a Christian, they might be allowed to volunteer. In most cases, if he is a Moslem, they cannot even do that.

An Arab is allowed to join a labor union in the Histadrut, the powerful general federation of labor. He is entitled to all social and health benefits of the federation. But he cannot hold an office in its central committee. Nor can his children join the federation's special youth branch.

For all these restrictive measures the Government has an explanation.

Israel is surrounded by Arab countries that still threaten to destroy her. Many Israeli Arabs have relatives and close friends in those countries. Despite the efforts of the border police, there still are numerous illegal crossings of the boundary line. Without the permit system, the Government says, there would be no check on or control over the movements of local Arabs, nor would there be any way of knowing how many outsiders had infiltrated into Israel.

Many Arabs have not been allowed to return to their land because it now is part of some Israeli agricultural settlement. But these Arabs were offered other nearby land in exchange. If this was not enough, they were offered additional cash payments.

DRUSES LOYAL TO ISRAEL

If they disagreed with these terms, they could challenge them in the civil courts. Many Arabs eligible for this compensation have refused it. This, the Government says, is not its fault.

The Druses, members of a small Arab group with a religion of its own, have been conscripted because they always have been loyal to Israel. They fought on the Israeli side in 1948.

The basic cause of friction between the Arabs and the Jews, many observers believe, is the head-on clash of a western culture that is energetic pragmatic and determined with an eastern culture that considers itself older and wiser.

There are few persons here who accuse the Israeli majority of deliberate discrimination or animosity toward the Arabs. The greatest difficulty appears to lie in the deep reluctance of the Arabs to be integrated into a society they have historically opposed and toward which they have no sympathy.

Nazareth, the largest Arab community in Israel, offers a good example.

For many years this sleepy mountain town has been a center of Christian shrines. It has not been an economically sound unit. There is no solid industry. It is overpopulated and many of its residents are unemployed.

Early this winter the first units of a modernistic housing project for Jewish immigrants were completed. Eventually 550 Jewish families will live in it. A chocolate factory and a textile plant soon will be built to provide work for them.

In addition, within the next year, the Government expects to move its regional offices from Tiberias to Nazareth.

These projects, the Government says, will mean new business activity for Nazareth and possibly some new jobs for its Arab residents. For these reasons, the Government says, all this should be welcomed.

But Nazareth's Arabs say they probably will be shut out of the better employment. They think, instead, that the projects will mean only that a large Jewish population will descend upon them and eventually take over their community.

THE ARABS REMAIN WARY

In many other Arab areas of Israel the Government has sponsored projects to improve living standards. The Arabs have contributed to the cost of these projects. But in most instances the Government has had great difficulty persuading them to accept help of any kind. They have feared that there would be political strings attached to this aid, and that by accepting it they would compromise themselves for the future.

For those who hoped Israel would prove that the Jew and Arab could live together in peace, the progress to date has been disappointing.

A neutral European, who has spent several years in Nazareth, said recently: "I'm afraid these people still cannot accept the State of Israel. They are certainly better off now than they were before. But they've sold themselves on the idea that they are second-class citizens and are likely to remain that way until there is another round to the fighting."

The Government specialists, all Jews, who supervise affairs of the minority group have no illusions about the future. But they do not share the Europeans' pessimism.

One of them recently stated the Government's attitude in this way:

"For us it has been 8 years since the armistice. For the Arabs it has been 8 days. They still cannot get used to the idea that the Jews now run this state.

"We know they don't like us and we don't expect them to. We are not trying to force them into integration.

"What we are trying to do is to give them every advantage we can. We also have tried to give them better schools and make it easier for them to live. In this way we hope it will be difficult for them to translate their feelings against us into action.

"We believe we are making some headway. You can say that one of our biggest objectives is to get every Arab boy and girl to go as far as he can in school. We hope to teach them to be proud enough to become leaders of their own people—and realistic enough to accept the State of Israel."

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

Mr. JAVITS. I am glad to yield to the Senator from Minnesota.

Mr. HUMPHREY. I wish to thank the distinguished Senator from New York for his generous and kindly comments. I know of the Senator's keen interest in these problems—not only his interest, but his understanding, and his great contribution toward their settlement.

I believe the report to which the Senator from New York alludes is the report of Seth King.

Mr. JAVITS. The Senator is correct.

Mr. HUMPHREY. I met Mr. King while I was in Palestine. I have known him for some time. He is an extremely competent and most distinguished reporter.

The PRESIDING OFFICER. The Chair must inform the Senator from New York that under the procedure adopted for the session this morning the time the Senator is yielding is running against his 3 minutes.

Mr. HUMPHREY. Mr. President, I merely wish to associate myself with the comments of the Senator from New York, and I wish to thank him.

Mr. JAVITS. I thank the Senator from Minnesota.

Mr. President, I ask unanimous consent that I may be permitted time to introduce two other items.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New York?

Mr. JOHNSON of Texas. Mr. President, reserving the right to object—and I shall not object—I should like to have the Senator be definite as to the amount of time he is requesting.

Mr. JAVITS. I ask for 2 minutes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New York? The Chair hears none and the Senator from New York is recognized for 2 minutes.

Mr. JAVITS. I thank the Chair.

ANNOUNCEMENT AS TO QUORUM CALLS AND PRESENCE OF STAFF MEMBERS

Mr. JOHNSON of Texas. Mr. President, I have an announcement of importance to all Senators.

It is my desire that during the debate on the pending issue there be the fullest possible attendance of Senators on the floor of the Senate at all times. Each Senator should know—and I now serve notice to that effect—that I think it is unlikely that during this debate consent will be given to rescind an order for a quorum call. Therefore, every Member should assume that every quorum call will be completed, and completed in the shortest possible time. I urge each Member to make every effort, when the quorum call bells are sounded, to come to the Chamber as quickly as possible after he hears the quorum bell. It is my hope that we can constructively use all the time during which the Senate will be in session for debate on the issue before us.

I wish further to announce that beginning July 9, 1957, there will be set aside at all times 4 rows, with 56 seats, in gallery No. 3, which is the gallery just to the right of the clock which I am facing. Those 56 seats will be reserved for members of the staffs of Senators, and members of committee staffs. Admission will be by identification cards which have been issued by the Sergeant at Arms. Guests of staff members will not be admitted.

Of course, we realize that from time to time it will be necessary for Senators, under the rule, to have members of their staff present with them when they are addressing the Senate or when they are participating in the debate. It may be necessary, on occasion, for a Senator to have two staff members present. I know that certain Senators will wish members of their staffs to follow the debate closely. For that reason, in order to keep at a bare minimum the number of staff members present on the floor of the Senate, we have arranged with the Sergeant at Arms to make it possible for a special section of the gallery to be occupied by those whose presence on the floor is not essential to Senators for whom they work.

Therefore I hope Senators, in accordance with the announcement made last evening, will follow the rules of the Senate and cooperate in order that the debate may be conducted in the minimum time, and in order that all Senators may have an opportunity to be heard.

SUPPORT FOR THE CIVIL RIGHTS BILL

Mr. HUMPHREY. Mr. President, I have just received a letter from the United Steelworkers of America, Local 1028, of Duluth, Minn., asking my support for the civil-rights bill. Needless to say that support will be forthcoming.

I ask unanimous consent that the text of the letter be printed in the RECORD at this point.

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

UNITED STEELWORKERS OF AMERICA,
Duluth, Minn., July 6, 1957.

Hon. HUBERT H. HUMPHREY,
United States Senator, Senate Office Building, Washington, D. C.

DEAR SENATOR HUMPHREY: Local Union, No. 1028, United Steelworkers of America have gone on record supporting H. R. 6127, civil-rights bill.

We urge you to do everything within your power to support this bill without any crippling amendments.

Sincerely yours,

EDWARD E. SKARP,
Secretary, Local Union, No. 1028, United Steelworkers of America.

NEED FOR INCREASED SUPPORT FOR RESEARCH AND TRAINING IN THE SOCIAL SCIENCES

Mr. HUMPHREY. Mr. President, the distinguished vice president of the University of Minnesota, Dr. Malcolm M. Willey, has recently directed my attention to the growing urgency of increased support for research and training in the social sciences. He notes with gratification the establishment by the National Science Foundation of a small program that supports projects in these all-important fields. However, he is impressed by the very smallness of this program, in view of the fact that the needs for research are far greater than are now being met through grants for research assistance and for fellowships in the social sciences. Most of our great universities, the University of Minnesota among them, would derive numerous benefits from an expanding National Science Foundation program of social science grants and fellowships.

I was one of the original sponsors of the National Science Foundation's program. I have always watched over it in every session of Congress—working for increased appropriations in order that its activities could be properly developed and expanded. I have paid particular attention to the Foundation's expanding social science program and have looked forward to the time that an adequate amount of its funds would be allocated to support research grants and fellowships in the social sciences.

I was therefore gratified to learn from the statement inserted in the RECORD on June 12, 1957 by the senior Senator from Oregon [Mr. MORSE] that he and the distinguished Senator from Washington [Mr. MAGNUSON] are agreed that it would be appropriate and desirable for the National Science Foundation to spend $1 million of the $40 million appropriated for fiscal year 1958, or only 2½ percent, for research grants and fellowships in the social sciences.

I should like to express my unqualified endorsement of the views of my able colleagues and to add my own voice to theirs in support of expanding the social science programs of the National Science Foundation. There can be no question of the importance and urgency of the matter. I assume that the Director of the Foundation and the National Science Board will proceed immediately and directly to the implementation of the suggestion of my colleagues, with respect to both research grants and fellowships, and that they will prepare the groundwork for an even more extensive social science program in the years to come.

My recent experience in the Middle East has impressed upon me more than ever the urgency of getting on in the social sciences. There is immediate and crying need for trained and knowledgeable personnel to deal intelligently and rationally with a variety of social science problems. For example, the question of equitable distribution of agricultural surpluses, the need for better understanding of the obstacles and impediments to reasonable interpersonal and intergovernmental relations in the area, and insight into the mentalities and personalities of the individuals and masses with whom we have to deal. The effectiveness of our various assistance programs depends in large measure upon having reliable information about, and understanding of, the hopes, aspirations, motivations, and expectations of the peoples involved. In so many different ways there was impressed upon me the tremendous benefits which would accrue to us as a Nation from having available a well-trained corps of social-science technicians and experts.

I deem it essential, therefore, that the National Science Foundation set about with dispatch to broaden its research and fellowship programs in the social sciences. The needs are considerable, but the program levels recommended by my colleagues from Oregon and Washington provide at least a reasonable minimum effort upon which a stronger and broader program can be developed in the future. As stated in the RECORD of June 3, 1957:

> The imperative necessities of the current social crisis suggest that excessive timidity is a luxury we cannot afford.

My distinguished colleague from Oregon has remarked that curtailment of funds in this area will prove not to represent economy but a very expensive reduction. I agree with him and trust that

the Foundation will overcome its unwarranted reluctance to move forward in the social sciences.

It is gratifying to note the increasing evidence of a general recognition of the importance of basic scientific studies of human social behavior. The unequivocal position of the Senate's Subcommittee on Juvenile Delinquency of the Committee on the Judiciary is a case in point. On several occasions the subcommittee urged the National Science Foundation to expand its work in the social sciences and in its final report the subcommittee stated:

> The subcommittee strongly recommends that ample funds be made available for the next fiscal year to permit the National Science Foundation to embark upon a program of social science support on a reasonable scale. The Foundation already possesses legislative authority to undertake programs in the social-science fields. The subcommittee believes that such a program would clearly be in the national interest and would provide for meeting an important national need. (S. Rept. 130, 1957, 85th Cong., 1st sess., p. 128.)

It is inconceivable to me that the National Science Board and the staff of the Foundation will fail to give proper attention to this serious recommendation of an able group of Senators. I am confident that the director of the Foundation and the Board, by virtue of their concern with promoting the national interest and national welfare, will not long delay in adopting and carrying out the wise suggestions of Senators MORSE and MAGNUSON, and of the members of the Subcommittee on Juvenile Delinquency, regarding the development of an expanded program of research grants and fellowships in the social sciences. It seems to me that the suggested allocation of $1 million for this purpose is the very least we can spend for this important national program.

HURRICANE AUDREY DAMAGE IN TEXAS

Mr. JOHNSON of Texas. Mr. President, a portion of Texas was hard hit by the recent hurricane Audrey, although we did not suffer the appalling loss of life that came in our neighboring State of Louisiana.

But I am told that we might be less fortunate if another such hurricane should strike in the same area.

I have received a telegram signed by the mayors of five cities and towns in the Port Arthur area that gives a needed warning.

These city officials suggest that Federal assistance in projects designed to prevent loss of human life and property loss from floods or tidal waves will be most effective if it is rendered before rather than after disaster strikes.

Mr. President, I agree.

The mayors who sent me the telegram were speaking specifically of a seawall that needs to be repaired and extended. The city officials called for new dredging in the Sabine-Neches Canal so that the seawall will not be undermined in the future, as it has been in the past.

If this area loses its seawall—

The five mayors said in their telegram to me—

and if the seawall is not extended to protect the city of Groves, the Cameron disaster may be repeated here.

Mr. President, I submit that there has been too much hindsight, not enough foresight, in our planning for flood control and water conservation projects.

We have not done enough.

What we have done, we have not done fast enough.

Whenever we spend a Federal dollar for these projects, we are making a sound investment. We will get the dollar back, and more.

We must go forward with a vast program of developing our water resources. We must move faster than we have been moving.

The telegram I received from the 5 Texas mayors is evidence from just 1 section of just 1 State of the need that exists. I ask unanimous consent that the telegram be appended to my remarks in the RECORD.

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

PORT ARTHUR, TEX.

Hon. LYNDON B. JOHNSON,
United States Senate,
Washington, D. C.:

Thank you for your telegram offering Federal relief should it be needed in consequence of Hurricane Audrey. Because of seawall, levee was still intact (despite, it seems, undermined in five locations by dredging in and by erosion of the Sabine Neches Canal), area of the city of Port Arthur, Pear Ridge, Lakeview, and Griffin Park were not flooded by Audrey. However, at one point only 4 feet of the undermined levee remained intact; had the dredging undermining eaten away this section, serious flooding damage probably would have occurred. The city of Groves with no seawall protection and subject to being flooded by the tidewater was spared on this particular occasion. Once again it is requested that the Federal Government take immediate steps to repair the seawall damage caused by erosion and by dredging in the Sabine Neches Canal to aid in the extension of the seawall and to plan new dredging so that the seawall will not be undermined in the future. If this area loses its seawall and if the seawall is not extended to protect the city of Groves the Cameron disaster may be repeated here. The undersigned city officials suggest that Federal assistance will be of greater good if it is rendered before rather than after disaster strikes.

Z. Q. JOHNSON,
Mayor of the City of Port Arthur.
C. B. DRAPER,
Mayor, City of Groves.
DAIL BEACH, Jr.,
Mayor of the City of Lakeview.
L. R. VAN DEVENDER,
Mayor, Town of Pear Ridge.
J. C. RAYBUCK,
Mayor, Town of Griffin Park.

THE PROJECTED FOREIGN POLICY SPEECH BY SENATOR MANSFIELD ON SATURDAY

Mr. MANSFIELD. Mr. President, I should like to ask a question of the distinguished majority leader. For some time I have been working on a speech dealing with the subject of foreign policy. I do not wish to become involved in what might be termed a filibuster during this week or next week or the weeks following. However, I should like to know if during the course of the debate this week, perhaps on Saturday, I could be given the opportunity to make the speech and to have the speech interpreted in its own right and in its own capacity.

Mr. JOHNSON of Texas. I am sure the Senator from Montana will have the opportunity he desires at any time he cares to address the Chair and to seek recognition. I know of no Member of the Senate who would wish to silence any other Senator or require him to discuss any specific subject. We all know the Senator's interest in the field of foreign relations, and we all look to him for advice and counsel in that field. I should be delighted to hear the Senator at any time he chooses to address himself to the Chair and can get recognition.

Mr. RUSSELL. Mr. President, I should like to take this opportunity to assure the Senator from Montana of my complete cooperation in his effort to secure the floor so that he may make his speech, which I know will be a well-reasoned and thoughtful speech on the very important subject of our foreign policy.

I should like to assure him that he will not become involved in a filibuster, but I have no way of giving him that assurance, and therefore I cannot extend it to him.

Mr. MANSFIELD. I appreciate the words of both the Senator from Georgia and the majority leader. I have been working on the speech for some months now. I do not wish to become involved in what may happen on the floor this week or next week. I wish it to be clearly understood that the speech which I intend to make is on a subject entirely apart from the question being considered by the Senate, and is not to be construed in any shape or form as a filibuster of any kind.

Mr. JOHNSON of Texas. The Senator from Montana may be assured of the full cooperation of the leadership. All of us recognize his leadership in the field of foreign policy and his sincerity, and all of us look forward to hearing him. He may be sure of the full cooperation of the leadership in his desire to address himself to a subject which is not under discussion before the Senate.

Mr. MANSFIELD. If I may respond briefly to the distinguished majority leader, it is my hope and anticipation that I will be recognized on Saturday to make the speech, which I have been in process of preparing for some time.

Mr. JOHNSON of Texas. If the Senate follows the leadership of the Senator from Texas, there will be a session on Saturday. If the past can be used as any criterion for the future, I believe the Senator from Montana will have ample opportunity on Saturday to address himself to his subject.

THE PRESIDENT'S PROPOSAL THAT STATES TAKE OVER SOME OF THE FUNCTIONS NOW ADMINISTERED BY THE FEDERAL GOVERNMENT

Mr. NEUBERGER. Mr. President, I ask unanimous consent to include in the body of the CONGRESSIONAL RECORD a thoughtful and effective editorial from the Oregon Statesman of Salem, Oreg., for June 27, 1957, entitled "States Not Eager To Relieve Uncle Sam." This editorial, which is written by a former distinguished Governor of Oregon, Charles A. Sprague, editor of the Statesman, punctures the notion that State governments are sincerely and conscientiously interested in taking over many of the responsibilities now incumbent upon government at the Federal level.

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

STATES NOT EAGER TO RELIEVE UNCLE SAM

President Eisenhower's proposal that States take over some of the functions now administered by the Federal Government drew a mixed reception at the governors' conference at Williamsburg, Va. Most of the governors are fresh from struggling with legislatures over balancing their present budgets. The prospect of taking on additional burdens gives them the shivers, and audible groans were heard from some of them. Governor Harriman, of New York, made some political hay by calling attention to the fact that President Eisenhower is increasing rather than diminishing the area of Federal responsibility. He underscored his point by referring to the President's program of aid to education, expansion of Federal aid for highways, increased urban renewal and introduction of disaster relief.

Truth to tell, States and local governments have been busier than the Federal Government in expanding their spending programs. The following table shows changes at intervals since 1946. Federal expenditures, of course, were affected by continued war spending in 1946 and by renewed spending for the military through the Korean and cold wars.

Government expenditures

[In billions]

	Federal	State	Local
1946	$60.9	$6.2	$7.0
1950	40.8	12.6	12.7
1954	71.5	15.8	17.8
1956	72.5	20.0	21.6

The important fact for John Taxpayer is that he has to provide the sinews of war for all the taxing units. A shift of functions from one unit to another will not lighten his burden unless some economy results. The assumption is general that State administration is less costly than Federal, and this is probably true. The great reason for Federal expansion is the reluctance or unwillingness of States and local governments to take on the extra burdens which are demanded. It is much easier for advocates of new programs to center their pressures on the Federal Government than on the governments of 48 States and several thousand local units of government.

Nothing will come of the President's suggestion. States and local governments will continue expanding their services, and so will the Federal Government, though more slowly. A few years ago the President set up a commission to study relations of Federal and State-local government. After its first chairman, Dean Manion, resigned (on request) the commission under Meyer Kestnbaum as chairman worked and turned in a report. But nothing came of it. The States still are irked because the Federal Government collects gasoline taxes; but all are on hand to get a bigger chunk of Federal highway funds which are derived in part at least from such revenues.

On one thing we are all agreed: the American people are getting a lot of government these days; also a lot out of government; also they are paying a lot to government.

FEDERAL AID TO SCHOOLS

Mr. NEUBERGER. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a hard-hitting editorial from the St. Louis Post-Dispatch of July 5, 1957, entitled "School Aid Runout." This editorial emphasizes the extremely pallid and unenthusiastic nature of the support which Federal aid to education is receiving from the Eisenhower administration. In effect, the administration seems to damn Federal aid with faint praise. I was particularly disturbed when the Vice President of the United States told the 100th anniversary meeting of the National Education Association that school aid has only a 50–50 chance of passage. The next night in Philadelphia, I told the Future Teachers banquet that if the administration would push Federal aid to schools with all the vigor and zeal that it has pushed the claims of the Idaho Power Co. to Hells Canyon, that Federal aid to schools would be enacted. The full text of the editorial from the St. Louis Post-Dispatch will be of interest to all Senators who favor Federal aid to schools.

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

SCHOOL AND RUNOUT

Speaker RAYBURN wields a great deal of power in the House, and he ought to use as much of it as necessary to obtain clearance from the Rules Committee for the school-construction bill. The signs are multiplying that the Eisenhower administration is not seriously interested in getting the bill passed. It is essential that a rollcall vote of the whole House shall be held, so that the responsibility for success or failure of the measure will be clearly fixed.

Republican Leader JOSEPH W. MARTIN, JR., says it is very doubtful that school-aid legislation can get clearance from the Rules Committee. The chances are that it can do so if Speaker RAYBURN impresses upon the majority Members his view that it must.

Entirely too many Congressmen, both Republicans and conservative Democrats, would be too easily let off the hook if the Rules Committee buried the bill. All should be required to go on record individually so that their constituents will know where every one of them stands.

Vice President NIXON did the cause little good by telling the National Education Association that school aid has only a 50–50 chance of passage in the House and none at all in the Senate. It is not up to such a high leader in the Eisenhower administration to utter public forecasts of defeat for a measure the administration is supposed to be sponsoring.

His job should be to work with Senators and House Members, especially those of his own party, to see to it that the bill passes. When the Vice President can take a curiously detached attitude, as if he were only a spectator at the contest, the evidence is persuasive that the administration is not throwing its full weight behind school aid.

INCREASED FUNDS FOR CANCER RESEARCH AND OTHER HEALTH NEEDS

Mr. NEUBERGER. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an excellent and effective editorial from the Denver Post editorial page of July 4, entitled "The Battle Goes On." This editorial, appearing in a newspaper which has demonstrated great leadership in the realm of health legislation, commends several Senators in general and the distinguished senior Senator from Alabama [Mr. HILL] in particular for the courage and resourcefulness recently demonstrated in increasing appropriations for vital phases of the National Institutes of Health.

Having just returned from Boston, Mass., where I visited the famous "Jimmy Fund" Hospital for children who are cancer victims, under the guidance of the great director of that hospital, Dr. Sidney Farber, I think I can testify vividly and fervently to the urgency of the program which the Denver Post supports in this outstanding editorial. I urge that all my colleagues read it carefully.

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

THE BATTLE GOES ON

The Senate, refusing to economize at the expense of the Nation's health, has voted a $38.4 million increase in House-approved funds for medical research and training programs. Now the bill goes to a conference committee where the increase is expected to be accepted—and should be.

The bulk of the Senate increase will finance stepped-up attacks on cancer, mental ailments, arthritis, heart disease, nervous disorders, and blindness. While the Senate Appropriations Subcommittee noted significant advances have recently been made in these fields, it added:

"To increase and sustain momentum in medical research, two general objectives appear to be clear and imperative. The first is that training for medical science should be further strengthened. The second is that research on the massive problems generated by the major diseases should not be limited by lack of money."

Of the $38.4 million increase, nearly one-third—or $11.6 million—was earmarked for cancer research, particularly into possible relationship between viruses and cancer, and into cancer chemotherapy under Government contracts with private drug firms.

Other increases are: $8.8 million for expanded mental health training programs, to develop the full potential of tranquilizers which have reduced mental patients in the Nation's public hospitals by 7,000 in 1 year; $5.7 million for fundamental research in metabolism, endocrinology and biochemistry toward the ultimate prevention and cure of arthritis and metabolic diseases such as diabetes, ulcerative colitis, hepatitis, and peptic ulcers; $5.3 million for intensified heart disease studies and training, primarily in the fields of hypertension and arteriosclerosis; and $5.2 million for a full scale effort to learn the extent to which prenatal

influences are responsible for nervous and blinding diseases among children.

If the Senate figures stand, the Federal Government in the coming year will spend $58.5 million on cancer, $39.4 million on mental health, $38.8 million on heart disease, $23.5 million on arthritis, and $24 million on nervous disorders—all major increases over administration recommendations.

In hiking administration requests by $32 million and last year's funds by $33 million the Senate Appropriations Subcommittee took cognizance of strong signs that the world of medicine appears to be on the verge of a series of disease breakthroughs.

"Cancer of the cervix, the subcommittee said, is technically a problem which is on the brink of solution * * * developments in heart surgery have been spectacular * * * a new technique has been developed for detecting the precise location of most brain tumors without opening the skull * * * a diagnostic method has been developed for the early detection and treatment of a virulent form of uveitis, a blinding disease."

But throughout the subcommittee report ran disturbing references to delays, neglected areas of study, and limitations imposed on research progress by personnel shortages. Too often these perennial weaknesses have been obscured by the rapid strides medicine has managed to make in spite of them.

Senator LISTER HILL (Democrat), of Alabama, the man who put through the Senate increases with valuable assists from Senators RICHARD NEUBERGER (Democrat), of Oregon, and MARGARET CHASE SMITH (Republican) of Maine, observed:

"Every 2 minutes during which we have been considering this bill, a man, woman, or child in this country has died from cancer. More people die each year from diseases of the heart and circulatory system than from all other causes combined. More than 50 percent of the hospital beds of the country today are occupied by people suffering from some form of mental illness.

"We have made progress, but the battle must continue."

COMMITTEE MEETINGS

Mr. KEFAUVER. Mr. President, I should like to ask a question of the distinguished majority leader and of the acting minority leader on the subject of procedure.

The Subcommittee on Antitrust and Monopoly Legislation of the Committee on the Judiciary this morning began hearings on the question of prices, particularly as that subject relates to inflation, which is causing us a great deal of concern at the present time. It was our hope to have a number of economists testify this week.

I understand that the Senate will convene tomorrow at 11 o'clock in the morning. I was hopeful that we might be able to secure permission of the Senate to hold brief sessions of the subcommittee during the time the Senate is in session. I wish to inquire, therefore, whether any policy has been determined as to subcommittee meetings under those circumstances.

Mr. JOHNSON of Texas. I wonder whether my good friend from Tennessee has read in the RECORD the comments I made yesterday in connection with the transaction of other Senate business during the time the present matter is pending before the Senate.

I do not believe it would be possible to obtain unanimous-consent agreements for committees to meet during the time when the Senate is in session. The majority leader made an announcement earlier this morning in which he expressed the hope that all Senators would be in attendance during the course of the debate. I think that if that hope can be realized, perhaps at an early date a solution can be found to the problem which confronts us all.

I have been informed by the minority leader and by other Senators that they do not wish to have proposed legislation considered, except measures of a highly emergency nature which can be considered by unanimous consent. That is a decision which was made by the Senator from California, and he took it into consideration before he made his motion which is now pending.

I have been informed by other Senators that they have committee duties which they cannot perform and be on the floor at the same time; they cannot be in two places at once. If an exception is made for one committee, then all the committees will feel that they should have the same privilege.

I shall be glad to talk to the Senator from Tennessee in an attempt to work out a program with him, because I realize the importance of the work he is doing. I commend him for his diligence in this field. The Senator knows that only yesterday I discussed with him the work of his committee and the hopes which I have for it.

It may be that it will become necessary for committee sessions to be scheduled earlier in the morning than is customary. It may be that committees can meet at 8:30 or 9 o'clock.

I hope it will not be necessary to ask the Senate to convene earlier than 11 o'clock during this week, and that the time lost in the morning can be added at the end of the day. Yesterday the Senate remained in session until about 6:30. I would be prepared to have the Senate continue in session until 7 or 7:30 o'clock today, if Senators desire to address themselves to the motion under consideration or to any other subjects which they feel are important.

The majority leader is not going to screen the speeches, he is not going to censor comments, and he is not going to prevent Senators from exercising the rights which they have. There are some Senators who will want to make statements on other subjects, as the Senator from Montana [Mr. MANSFIELD] has indicated this morning he wishes to do. He has prepared a speech on foreign relations on which he has been working for many weeks. It is not of great length, but it cannot be made under the 3-minute rule.

I hope the Senator from Tennessee will confer with me privately, to see if we cannot make some arrangement whereby his committee sessions may be scheduled ahead of the sessions of the Senate, because I do not think it will be possible to hold committee meetings during sessions of the Senate, or to consider other business, whether executive business, or other legislative measures, except measures of the highest emergency, until the civil rights matter is disposed of. I think that view is shared by a great many Members of the Senate.

Mr. KEFAUVER. I appreciate the cooperation of the majority leader.

THE FORCES OF COMMUNISM

Mr. HUMPHREY. Mr. President, may I ask the Senator from Montana if we are still in the morning hour.

Mr. MANSFIELD. I so understand.

Mr. HUMPHREY. I have a brief statement to make.

Mr. President, I ask unanimous consent that I may speak for not more than 5 minutes. I understand that I am entitled to only 3 minutes under the rule during the morning hour.

Mr. MANSFIELD. That is correct.

The PRESIDING OFFICER (Mr. KERR in the chair). Is there objection to the request of the Senator from Minnesota? The Chair hears none, and the Senator is recognized for 5 minutes.

Mr. HUMPHREY. Mr. President, I wish to direct my remarks to an aspect of the international scene which I feel has not been given appropriate attention.

In the fast moving international situation which confronts us, it is unfortunate but nevertheless understandable that occasionally great events can happen without gaining the notice and attention they deserve. For some time past and for a long time in the future the great East-West conflict will continue. The stakes in this conflict are immensely high. What is involved is the survival of the Free World and the preservation of the freedoms which we cherish.

The forces of communism are using many weapons. We would indeed be strategically nearsighted, historically ignorant, and grossly uninformed as to the tactics of communism if we do not recognize that the men in the Kremlin are astute, and, from the standpoint of their position, willing and eager to use every weapon and device that will further their efforts to make further gains against the Free World.

Only recently we have learned of the shakeup in the Kremlin; of the conflict or contest between the forces of Khrushchev and Bulganin versus those of Molotov, Kaganovich, and Malenkov, the latter having been purged by the first secretary of the Communist Party, Mr. Khrushchev. To some persons, this action indicates weakness in the Soviet Union. I think it is fair to say, certainly, that there is an indication of instability, but it should be remembered that in a period of so-called instability in the Soviet Union her policies internationally have become more intransigent and more dangerous.

I happen to believe that this is one of the reasons why the disarmament negotiations at London have taken a turn for the worse. It is not because the Soviet Union has basically changed its policy, but because of the instability at home she has a tendency to become more flexible and more arrogant abroad. This is a paradoxical situation, but one which history reveals to be true.

Furthermore, Mr. President, with the forces of Khrushchev and Bulganin in the ascendancy in the Soviet Union, there is reason to believe that our task in the days to come may be even more difficult. The forces of Khrushchev are presently directing their attention to competition with the West in the political, the economic, and the cultural

areas. I happen to believe that in the days to come the Soviet will be a more sinister, more adroit, and more subtle in its activities on the international front than at the present time. We must be prepared to compete and win in each of these areas.

But, Mr. President, another event needs to be noted. Recently, there occurred on the military front an event which I firmly believe constitutes the most significant development in the East-West controversy in recent years. On June 20, the sleek, new Soviet cruiser, *Katuzov*, passed through the Turkish straits, and entered Mediterranean waters. Accompanying her were two modern destroyers. Only a few days prior to the *Katuzov's* entrance into the Mediterranean, she was preceded into those waters by three Russian submarines, which apparently were destined for Egypt.

These Russian naval forces have not been slow to show the Soviet flag and to make their presence felt in the Mediterranean. Within the last few days, according to news reports, two Soviet destroyers escorted a Soviet tanker through the Suez Canal.

On June 24, the cruiser *Katuzov* and her destroyer escorts steamed through the Mediterranean waters where NATO naval forces were scheduled to begin maneuvers.

This emergency of Soviet seapower in the Mediterranean has implications of incalculable magnitude. No longer does the Western World enjoy a seapower monopoly in the Mediterranean.

The Communist leaders have, in this case, keenly appraised the strategy of the Mediterranean world. They know that the Mediterranean is a seapower theater. The peoples of its littoral have for centuries been sensitized to naval power.

The sailing of the Soviet task force into the Mediterranean underlines the dogged determination with which Russia—Czarist or Communist—has pursued the goals of her aggressive imperialism. The Mediterranean world has, from the days of Russia's Varangian kings, been a major target of Russian expansion. The policy of western European governments for centuries has been to prevent Russia from exercising maritime power in the Mediterranean. That was a goal of Napoleon's Dardanelles policy. While the real causes of the Crimean War are involved and obscure, the fact remains that the then growing threat of Russian influence in the Mediterranean was a fundamental and underlying reason for combined action of Western European Powers to block Russian pressure against the eastern Mediterranean world.

On January 7, 1957, I invited the attention of the Senate to the alarming growth of Soviet seapower and its limitless consequences.

What now has happened is that we are beginning to see some of the tangible results of the vast buildup of Soviet naval power that has taken place since the end of World War II. With the passage of the Soviet task force through the Dardanelles into the Mediterranean, the Western World has been brought face to face with a great strategic reality of our time. With this new *Sverdlov*-class cruiser and her escorts steaming in the Mediterranean, the Western World can no longer view the rise of Soviet Russian seapower merely as an interesting academic development.

Today, Soviet men-of-war are showing the hammer and sickle in the same Mediterranean waters where, in the late 18th century, the Imperial Russian squadrons under Orlov threatened the Dardanelles, and gave the Western Powers a fright that was long remembered.

As members of the Senate may recall, it was my privilege to visit the Mediterranean area and Middle East shortly after the Suez crisis, and during the Jordanian developments. I am firmly convinced that the presence and prompt use of our 6th Fleet, with its carriers and Marine landing forces, restrained those who sought to destroy the Jordanian Government and, with it, United States and Western prestige in that area. The dramatic and meaningful sailing of the 6th Fleet to the eastern Mediterranean once again underlined the inescapable fact that balanced seapower is undoubtedly a necessary and useful instrument of national policy in the troubled age in which we live.

The Soviet Union recognizes the importance of modern seapower. With her growing naval forces, which, numerically, have now permitted Russia to supersede Great Britain as a ranking world seapower, the Soviet Union has turned the Baltic into a Russian lake. From the Far East we hear periodic reports of the movement of Soviet surface and submarine forces southward along the China coast. Thus, in the western Pacific, too, our seapower monopoly has been challenged by the rising Russian seapower.

Now Soviet seapower moves into the Mediterranean. Until now, the presence of the United States 6th Fleet in those waters was a wise and strategically sound policy. From the moment that the *Katuzov* and her escorts appeared in the Mediterranean, the maintenance of the 6th Fleet, with its carriers and Marine landing forces, in the Mediterranean became an inescapable necessity.

The issue for control of the Mediterranean world has now been joined on the most fundamental strategic level. Soviet naval access to, and use of, Mediterranean waters signals a new and alarming phase of the East-West conflict. It underlines the long-range determination of the Communist world. It serves notice on the United States that, even more than in recent years, our Nation must shoulder the burden of seapower primacy, only a few years ago relinquished by Great Britain.

If we do not assume that burden, and if we do not assure the continuation of our naval superiority, the Soviet Union, with her rising tide of seapower, which within the last few days has flowed into the Mediterranean, will eagerly grasp seapower leadership and all the prestige and decisive strategic advantages that go with it.

Mr. President, I believe that this matter is of such great importance that we should consider it within the context of the total developments which are taking place in the Soviet Union and her probing actions on both the political and the military fronts throughout the world. An effective foreign policy requires a clearcut understanding of our objectives, our commitments, and our capacity to achieve and fulfill those objectives and commitments. The political, economic, and military strength of the United States and her allies are being tested and challenged. We must not ignore or underestimate the power or the ruthlessness of the Soviet.

CALL OF THE ROLL

The PRESIDING OFFICER. Is there further morning business?

Mr. JOHNSON of Texas. Mr. President, before the morning hour is concluded, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum having been suggested, the clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

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

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Delaware [Mr. FREAR], the Senator from Washington [Mr. JACKSON], and the Senator from West Virginia [Mr. NEELY] are absent on official business.

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

Mr. DIRKSON. I announce that the Senator from New Hampshire [Mr. BRIDGES] is absent because of illness.

The Senator from Maryland [Mr. BUTLER] is absent on official business.

The PRESIDING OFFICER. A quorum is present.

Are there further items for the morning hour?

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President——

The PRESIDING OFFICER. The Senator from Texas.

Mr. JOHNSON of Texas. The quorum seems to have disappeared. [Laughter.]

Mr. President, I desire to accommodate all my colleagues, but I do not want to ask Senators to address themselves to the all-important question now engaging the attention of the Senate when there are so few Senators present. My colleagues on the minority side have a very important policy meeting to attend. We have some very important policy decisions to be made here on the floor. I do not want to interfere with their meeting. I was not aware that a minority policy committee meeting was being held until I suggested the absence of a quorum; but since we have, as the pending business, the motion of the distinguished minority leader, and since we are going to discuss the wisdom of adopting that motion, I do want Members of the Senate to have an opportunity to be heard by their colleagues.

Therefore, I ask unanimous consent that the Senate stand in recess until 2:15.

The PRESIDING OFFICER. Is there objection?

Mr. DIRKSEN. Mr. President, I think that under the circumstances, and because of the gravity of the question, so well described by the majority leader, it would be infinitely better to have another quorum call rather than have the Senate take a recess.

Mr. JOHNSON of Texas. Of course, I will do that if that is what my friend insists on. We have just wasted the time of the staff and Members of the Senate, including the leaders, while we had a quorum call. We wound up with a net loss on this side of the aisle. There is only one member of the minority present. There are some 10 or 12 of the majority.

I apologize to the acting minority leader for taking him away from his policy committee, because it is necessary to have meetings of that kind. I do not know what policy discussion they are engaged in. I do not want to make an issue of it. But I think that if we had a quorum call there would not be any more Senators present, since the policy committee is meeting. I think the best thing to do is notify all Senators that the Senate will resume its deliberations at 2:15, and run a little later this evening.

Mr. DIRKSEN. This is a regrettable matter. It will catch the Members somewhere between the soup and the chicken, or the salad and dessert.

Mr. JOHNSON of Texas. I do not want to have them called to the Senate again, immediately, and I ask unanimous consent that the Senate stand in recess until 2 o'clock. Then the Senators will have a chance to finish their meeting, and all of them will be on notice that there is a very important speech to be delivered by the Senator from Arkansas [Mr. FULBRIGHT].

The PRESIDING OFFICER. If there is no objection, the Senate will stand in recess——

Mr. DIRKSEN. Mr. President, reserving the right to object, I should like to ask the Senator from Arkansas if he particularly wants a full attendance on the Senate floor.

Mr. FULBRIGHT. I will say to the Senator from Illinois I am accustomed to speaking when very few Senators are in attendance. It is not a personal matter with me, but I wish to follow the suggestion of the majority leader. I think his point is well taken.

RECESS TO 2 P. M.

The PRESIDING OFFICER. Without objection, the Senate will stand in recess until 2 o'clock p. m.

Thereupon, at 1 o'clock and 19 minutes p. m., the Senate took a recess until 2 o'clock p. m.

On the expiration of the recess, the Senate reassembled, and was called to order by the President pro tempore.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7441) making appropriations for the Department of Agriculture and Farm Credit Administration for the fiscal year ending June 30, 1958, and for other purposes; that the House receded from its disagreement to the amendment of the Senate No. 12 to the bill, and concurred therein, and that the House receded from its disagreement to the amendment of the Senate No. 24 to the bill, and concurred therein, with an amendment, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H. R. 1359) for the relief of Mrs. Theodore (Nicole Xantho) Rousseau, and it was signed by the President pro tempore.

FEDERAL-STATE-LOCAL COOPERATION ON TORNADO AND FLOOD DISASTERS IN MISSOURI

Mr. SYMINGTON. Mr. President, the value of close Federal-State relations is never more evident than in a time of emergency. Recent floods and tornadoes in Missouri emphasize this value.

At approximately 7:45 p. m., Monday evening, May 20, a tornado, in which 38 persons lost their lives, struck in Missouri, south of Kansas City, and traveled in a northeasterly direction across Jackson County. This tornado struck Martin City, Grandview, Hickman Mills, Ruskin Heights, and finally blew itself out at the Missouri River, near Sibley.

Gov. James T. Blair, Jr., of Missouri, immediately upon learning of the disaster, ordered the 110th Engineer Battalion and the 205th Medical Battalion of the Missouri State National Guard, all State highway patrol posts in the vicinity of Kansas City, and personnel and equipment from the State highway department to report to the devastated areas and to provide all possible assistance in rescue work, immediate debris clearing, and necessary police action in guarding and protecting the property of the stricken population.

Although most of the devastation was in new suburban housing developments south of the Kansas City limits, Mayor H. Roe Bartle, of Kansas City, was at the scene within the hour, and worked throughout the night, in cooperation with county and State officials.

Kansas City police and fire detachments were soon joined by similar units from 20 other nearby communities. These were augmented by the enlisted and officer personnel of the Richards-Gebaur Air Force Base, under the command of Maj. Gen. Jarred V. Crabb. In the words of Mayor Bartle, "Air corps men literally dug dead and injured out of the debris with their bare hands."

The same night, Federal Civil Defense Officials made an initial survey of the damaged areas. They determined that 600 residences and 115 business establishments were destroyed or received major damage. In addition, five school buildings were destroyed. The total estimated damage was over $10 million.

The next day, May 21, Governor Blair made a personal inspection of the damage along the tornado path, and then sent to President Dwight D. Eisenhower a telegram requesting Federal assistance to supplement State and local efforts.

At the same time, the Kansas City Red Cross Chapter and the Salvation Army mobilized their resources, and sent first-aid teams and mobile feeding stations into the area. The citizens of Kansas City subsequently raised over $750,000 for the Red Cross to cover the expenses it incurred in this relief work.

As of June 21 the Red Cross had spent about $640,000 of the $1 million allotment for relief work in the area. Indeed, it seems that the citizens of greater Kansas City, the heart of America, have contributed enough money to cover the heavy expenses of the Red Cross in Jackson County, a record almost unique in the annals of that heroic organization.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a letter, dated May 28, 1957, from Mayor H. Roe Bartle, of Kansas City, together with the mayor's account of that first crisis-ridden day.

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

CITY OF KANSAS CITY, MO.,
May 28, 1957.

The Honorable THOMAS C. HENNINGS, JR.,
The Honorable STUART SYMINGTON,
Washington, D. C.

MY DEAR SENATORS AND BELOVED FRIENDS: Please know that I am deeply and profoundly grateful for the magnificent help I have received from the offices of both of you fine Senators of Missouri. You have undoubtedly read the issues of the Kansas City Star which have proclaimed fully the devastation which was wrought by the recent disaster in suburban Kansas City and Jackson County as well as in Spring Hill, Johnson County, Kans.

Your telegraphic information that the President of the United States had declared the Greater Kansas City area as a major disaster area was appreciated greatly, and the way in which you vigorously prosecuted this matter will not be soon forgotten by me or by those who have been close to this problem extraordinary.

Frank O. Starr, regional director of civil defense, has been on the job. He has coordinated the Federal agencies magnificently and if the opportunity presents itself I wish you would commend him to his superiors for his forthright and intelligent approach to the problem and the dispatch with which it was effectively handled.

Governor Blair was with me for a day and a half and as a result thereof has intimate knowledge of all of the trials, tribulations, and perplexing personal problems and has full information as to the magnitude of the disaster.

Again, my heartiest and sincerest thanks. Pardon this hasty note but the pressure is terrific, as you may well appreciate.

Faithfully yours,

H. ROE BARTLE, *Mayor*.

A little chat with Mayor H. Roe Bartle relative to the recent tornado in this community, dictated Monday morning, May 27, 1957, at 10:25 a. m., in the office of the mayor, city hall, Kansas City, Mo.:

"In view of the fact that literally hundreds of letters have come to me expressing sympathy in the great disaster which has visited the suburban area of Kansas City, Mo., I am taking a fleeting moment from the pressure of the hour to dictate a short, concise statement of facts as they relate themselves to the disaster. I am personalizing this statement, as many of my friends have inquired as to the relationship of the mayor of Kansas City to this unfortunate disaster."

On Monday evening, May 20, 1957, at 7:50, a police officer came to the table where I was sitting in the colonial ballroom of the Hotel Muehlebach, and informed me that 10 minutes earlier a vicious tornado had hit Ruskin Heights, Hickman Mills, Grandview, and Martin City, in Missouri, and Spring Hill, in Johnson County, Kans. I was attending the annual meeting of the Midwest Research Institute, which I proudly serve as a trustee. Mr. J. W. (Twink) Starr, my friend of long standing, was sitting next to me, and I asked him to join me. My car was in front of the hotel. The minute that I started for the scene of the disaster the police radio in my car indicated the gravity of the situation. Our police dispatchers were calm and deliberate, but the messages that they were transmitting as related to ambulances, doctors, and nurses disturbed me terrifically.

All of the territory involved is outside of Kansas City, Mo. When I was 3 or 4 miles from the scene the roads were completely blocked. I used my 3-way radio, and before arriving at the scene called for about 80 percent of the on-duty police officers to move immediately to the scene. Because my car is equipped with siren and emergency red lights and the like, I arrived at Ruskin Heights at 8:30. I saw hysteria in its worst form, and no bombed area in any section of the world could have been more chaotic. Within 2 minutes after I had arrived at Ruskin Heights my trusted friends, Col. Lyman Field, police commissioner, and Chief of Police Bernard C. Brannon, were by my side. We immediately designated Maj. Donald Bishop, who had arrived at the scene, as officer in charge, and I called for all off-duty police officers, all off-duty firefighters, and all off-duty municipal employees from the public works, park, and water departments to report as quickly as possible.

The complete lack of lights made the situation doubly horrifying. Fathers were looking for children, mothers were looking for their husbands and families, men and women both were digging with their hands in the debris in hundreds of homes looking for those who were injured or dead. With Chief Brannon and Colonel Field, we moved with great speed and rapidity to Hickman Mills, Grandview, and Martin City. At 9:50 I called His Excellency Gov. James T. Blair, Jr., in Jefferson City. I spent but a fleeting moment describing the situation and called upon the Governor to declare the distressed area as being under martial law. The Governor heeded my request and asked me to wait 5 minutes before calling National Guard units to action and instructed me to proclaim martial law in the name of the Commonwealth of Missouri.

Colonel Howard of the 110th Engineers had 90 percent of their personnel on the scene of action by 11 o'clock and other units moved rapidly as did the State highway patrol. Maj. Gen. Jimmie Crabb, who is my personal friend, who serves as commanding officer of the Richards-Gebaur Air Base (which is the Central Air Defense Command headquarters) turned out 98 percent of the enlisted personnel and the officers of the base, which is located only a few miles from the communities visited by the tornado. The Air Force was invaluable. We immediately set up roadblocks as the curiosity seekers came by the tens of thousands.

The trio of Field, Brannon, and Bartle moved from one sector to the other all night long checking on the progress made and coordinating the efforts of the good neighbors who had arrived to be of assistance. Certainly county lines and State lines meant nothing. We had firefighting apparatus and police officers from at least two dozen communities across the State line in Kansas. Likewise, the adjacent communities in Missouri responded faithfully and nobly. The Salvation Army and the Red Cross canteens moved in with dispatch and all night long I saw men of faith, courage, and valor in action. Monday night our first effort was to get the casualties to hospitals. We did not pause for identification but kept ambulances moving to every hospital in the area. As we worked through the night and all through the next day, late on Tuesday afternoon we began to put together the casualty list and by midnight Tuesday night we had a roster of the known dead and those severely injured.

This whole week has been nothing but a nightmare which I sincerely wish I could blot out of my memory. There has been little or no sleep for the whole week and I am exceedingly tired and very, very weary this morning, but I am happy to tell you that the complete situation is well in hand. I wish that you might have been with me on Saturday afternoon at the hour of 2 when we had all of the governmental agencies represented, such as the FHA, Veterans' Administration, Small Business Loan Corporation, and others, 12 in number, and had a meeting of all of the residents in the territory which is designated a disaster area.

It was Tuesday afternoon at the hour of 3 when Governor Blair joined with me in asking President Dwight D. Eisenhower to designate the affected areas as being eligible for disaster relief. The President responded momentarily with a positive affirmative answer.

The meeting on Saturday afternoon indicated to me the character of the people involved. Most of the homes were owned by GI's of World War II and the Korean conflict. They were youngsters who had just started building their families and all of their worldly goods were involved in their homes and their cars. There was not a single car that was not completely demolished by this vicious tornado which had terrific power and swept a path some 70 miles long and about 1,000 feet wide. At the meeting Saturday afternoon those youngsters who had only a hole in the ground to call their home possessed a sense of humor and had courage in their hearts to rebuild, and the only thing that disturbed the meeting was the loss of life on the part of their neighbors and the more than 200 who still remain in hospitals in Kansas City, some of them still in a very critical condition.

Yesterday morning I was in the services of the Presbyterian congregation whose church had just been completed and dedicated a few months before but yesterday morning it was a mere pile of rubble. The congregation met with debris all about them and the minister, who had lost everything that he possessed in his home and had only the clothes on his back, kindled faith extraordinary in the hearts and minds of the disaster victims. Immediately following that service I attended a pontificial mass celebrated by His Excellency, the Most Reverend James P. Cody, bishop of the diocese of Kansas City-St. Joseph, as held at St. Catherine's Parish in Hickman Mills. It was a requiem high mass for the dead and a mass of thanksgiving for the living.

The Red Cross is doing a herculean job. The Salvation Army, God bless them, is on the job and will so remain. The various churches are responding nobly on a denominational basis and rehabilitating the citizens of their fellowship. The American Legion and the Elks Clubs are in the harness, as you might expect. The streets have been cleared of all debris by the public works department of Kansas City even though the area is beyond our territorial concern. Our fire department is stationed about the afflicted area. Our police department has remained on duty throughout and will continue until the homes have been rebuilt and we get back to normalcy. The entire business sections of Ruskin Heights, Hickman Mills, and Martin City were destroyed. No churches and only one schoolhouse remains.

I could ramble on here at length, but we still need dynamic action in its best form. I can assure you that the needs of hundreds of families are really great and yesterday afternoon I pledged my fellow Kansas Citians to a gift of a million dollars within the week to the tornado disaster fund of the Red Cross.

Out of a terrific disaster of this type come cooperation and helpfulness in their finest and best form which indicates that the American people are fundamentally Christian insofar as their acts of charity are concerned and their willingness to love their fellowman. My appreciation is herein conveyed to you and others who have written me conveying sympathy for the disaster victims. I would like to acknowledge personally, but this communication will have to suffice.

Gratefully yours,

H. ROE BARTLE, *Mayor*.

Mr. SYMINGTON. Mr. President, on Tuesday afternoon, May 21, at approximately 4:30 p. m. central standard time, several other tornadoes struck in the southeastern section of Missouri, at Fremont and Van Buren, in Carter County, and at Desloge and Cantwell, in St. Francois County, causing extensive damage to both public and private property.

A total of 13 people lost their lives as a result of the May 21 tornadoes. These areas were also included in President Eisenhower's declaration of major disaster areas. The declaration was later extended to include flooded disaster areas, particularly in southeast Missouri.

Representatives from the Federal civil defense regional office were dispatched to all the stricken areas, to make damage surveys, and to report on any Federal assistance needed in the areas.

Following President Eisenhower's declaration, which qualified the affected areas in Missouri for Federal assistance, a meeting of all the Federal agencies which would be involved in providing the

required aid was held in Kansas City, to assure coordination of their efforts.

The Federal agency representatives reviewed their actions to date, and plans were formulated for providing further assistance under their broadened authorities with the President's declaration that the affected areas qualified for Federal assistance under Public Law 875.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article of June 3, 1957, from the Kansas City Times, recounting an inspection, by myself and other public officials, of the disaster-struck area immediately south of Kansas City.

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

[From the Kansas City (Mo.) Times of June 3, 1957]

AMIDST RUINS, PLEDGE OF HELP—SYMINGTON TOURS AREA AND PROMISES TO AID IN GETTING FEDERAL ASSISTANCE—VICTIMS' SPIRIT NOTED—SENATOR IS AMAZED AT THEIR DETERMINATION DESPITE THE DESTRUCTION

Speed in obtaining Federal assistance for the rehabilitation of the Ruskin Heights-Hickman Mills-Grandview area was promised by Senator STUART SYMINGTON after he toured the tornado-devastated areas yesterday.

"The spirit of these victims is absolutely amazing and it is one of the most impressive things about the tragedy to me," Senator SYMINGTON said. "They are not bitter or despondent. They are alert and ready to go again at getting themselves back in business.

PROMISES SPEEDY HELP

"You can bet that I will do everything I can to see that they get any assistance they need from the Federal Government. Plans have been made for rebuilding these homes and getting everything reestablished. The job now is to get this thing finished."

Senator SYMINGTON toured the areas street by street, stopping here and there to get a closer look at the debris. His motorcade wound past row after row of battered and destroyed homes in the late morning and early afternoon.

"I know a lot of other people have said it, but you just can't picture this damage until you actually see it," the senator said, "I have seen newspaper, magazine and television pictures of the disaster but somehow your mind doesn't grasp the extent of it all."

ACCOMPANIED ON TOUR

Accompanying SYMINGTON on the tour were Mayor H. Roe Bartle; Arvid Owsley, Jackson County sheriff; Ray G. Cowan, presiding judge of the county court and disaster area coordinator; Joseph Stewart, board member of the American Red Cross; Sen. Floyd Gibson of Independence; Judge Marcus Kirtley of the circuit court, and Glen Gerred, Bill Wall and Russ Millin, members of the Hickman Mills school district board.

Paul Winckler, natural disaster coordinator for the Federal Civil Defense Agency, Battle Creek, Mich., conferred with SYMINGTON at the trailers set up at the entrance to Ruskin Heights for use by the Red Cross, insurance firms, county police and other agencies.

Winckler gave SYMINGTON a detailed report of what Federal agencies have done in the disaster area.

Winckler said the FCDA representatives would meet this morning with Jackson County representatives on the cost of clearing debris and litter from county roads and highways and assisting residents in moving debris from their home areas.

"For instance, a completed bridge on a country road was blown out by the tornado," Winckler said. "It was a 35-foot span of concrete and steel and had an 18-foot roadway. We will participate in rebuilding that."

AT 103D AND OLIVER

The bridge is located at 103d and Oliver Streets north of the Ruskin Heights area and south of Bannister Road.

Winckler also gave SYMINGTON this rundown on other Federal assistance being given:

Department of Agriculture: A representative of the Farm Home Administration has surveyed the area assisted by the Jackson County extension service agent. A temporary field office has been established for the processing of loans at Ruskin Heights.

Department of Health, Education, and Welfare: Representatives of the Public Health Service and the Food and Drug Administration were ordered on the night of the tornado to coordinate with their State and county counterparts in taking necessary actions on sanitation, water, and food. Food and Drug representatives condemned approximately $80,000 worth of foodstuffs in damaged areas and it was disposed of by the land-fill method. Water was tested and found drinkable. Federal, State, and county officials cooperated in spraying the area to control pests to protect the health of persons in the area.

Federal Housing Administration, Small Business Administration, and Veterans' Administration: Each has established temporary field offices at the disaster site. They are aiding tornado victims in getting reestablished.

At the Ruskin Heights High School, SYMINGTON got out with other officials and walked among the pieces of wreckage. Steel girders were crumpled like paper. Aluminum letters which had spelled "Ruskin Heights" dangled from a part of a brick wall. Great wooden arches, however, still stood in place over the wreckage.

"You wouldn't think the wind could do this, would you?" SYMINGTON asked.

The motorcade moved on past still more wrecked houses. Finally, it stopped at what had been a house at 7509 East 109 Street Terrace. It was now just a pile of wreckage. Millin, one of the school board members, walked up to it.

"This used to be my house, Senator," Millin said. "My wife and four children were down there in that basement. Luckily, they got out of there without a scratch after it was over."

CANTEEN UNITS WITHDRAWN

Red Cross and Salvation Army mobile canteen units were withdrawn from the disaster areas last night after serving the evening meal. Red Cross disaster centers in five areas remained open to process applications for gifts for rebuilding homes or replacing home furnishings.

The contributions to the Red Cross disaster relief fund stand at $527,643.55, the total reached Saturday morning. No mail deliveries were received at the chapter house yesterday, but Red Cross officials were hopeful that a new surge of contributions would arrive this morning.

Mr. SYMINGTON. Mr. President, on June 6, the President approved the allocation of $2 million, from funds appropriated under Public Law 875, 81st Congress, for assistance to the tornado-damaged schools in Missouri.

Exactly 1 month after the first Missouri tornado, on June 20, 1957, flash floods hit the St. Louis area, and resulted in at least five deaths and several injured. Over 3,000 persons were evacuated from flooded homes, and at one time 135,000 homes were without electric power. Linemen were borrowed from cities as far away as Cleveland and Chicago. The Coast Guard had a rescue unit on hand, and the Red Cross set up emergency shelters.

Late that day, Gov. James T. Blair, Jr., sent to President Eisenhower a telegram asking that the eastern Missouri flooded area be designated as a disaster area, and stating that $500,000 in emergency funds was needed. In keeping with this request, the President, on June 22, declared the St. Louis and east-central Missouri area a major disaster area under Public Law 875.

Since the first tornado in Missouri this spring, there have been several minor misunderstandings as to procedure and extent of Federal assistance available, but, in each case, these difficulties have been worked out speedily when we have called them to the attention of the Federal Civil Defense Administration and the other agencies responsible.

The flood damage in the seven southeast Missouri counties, in the loss of agricultural production alone, is now estimated at $56 million.

On several occasions, the Department of Agriculture has been asked to study the possibility and advisability of extending the acreage reserve signup time, so that these stricken farmers might put their damaged lands into the soil bank. Department spokesmen have repeatedly said this could not be done.

With incomes reduced, both by flood and by lower prices, credit needs in this area have been estimated at as much as $43 million.

During the conference on disaster assistance, called by the junior Senator of Minnesota [Mr. HUMPHREY] on July 1, True D. Morse, Under Secretary of Agriculture, and Kermit Hansen, Director of the Farmers' Home Administration, assured us that the Department of Agriculture would be sympathetic in meeting the credit needs of these people later this summer and fall.

In order that the problems may be worked out to the best advantage possible, Representative PAUL JONES, of Missouri's 10th District, banking and farm leaders of southeast Missouri, and officials from the agricultural credit agencies, both private and governmental, are arranging a conference to be held there later this month.

Based on our experience in Missouri and in other disaster areas this spring, we agree with Senator HUMPHREY that some improvement can be made in the procedure in getting the help to the people who need it, in accordance with the intent of Congress. In preparing for the future, it is good that these procedures are to be reviewed by the Senate Subcommittee on Reorganization of the Committee on Government Operations.

However, as to the tornado and flood emergencies in Missouri this year, Mr. President, there is real satisfaction in recounting this story of Federal-State-local cooperation.

In times of crisis, all of our agencies, public and private, not only should, but in the best American tradition can, and do, cut through redtape and get help on its way in the shortest possible time.

Mr. President, I ask unanimous consent to have included at this point in the RECORD a résumé, prepared by the civil-defense officials, of actions taken by Federal agencies to provide relief and assistance to areas affected by the recent disasters in Missouri; a letter from Gen. Alfred M. Gruenther, president of the American Red Cross, dated May 24, 1957; a letter from Hon. James T. Blair, Jr., Governor of the State of Missouri, dated May 29, 1957; a letter from Mayor H. Roe Bartle, of Kansas City, Mo., dated June 7, 1957; and an exchange of correspondence between my office and the Honorable Val Peterson, Federal Civil Defense Administrator, dated June 13, 1957.

There being no objection, the résumé, letters, and exchange of correspondence were ordered to be printed in the RECORD, as follows:

BRIEF RÉSUMÉ OF THE ACTIONS WHICH HAVE BEEN TAKEN BY VARIOUS FEDERAL AGENCIES IN PROVIDING ASSISTANCE

SMALL BUSINESS ADMINISTRATION

On Tuesday, May 21, 1957, with the recommendation of Regional Director C. I. Moyer, the disaster-struck cities and counties in Missouri were proclaimed major disaster areas, which thereby enabled this Administration to make 3-percent loans to businesses and private individuals in accordance with their existing rules and regulations.

FEDERAL HOUSING ADMINISTRATION

District Director Herb E. Studer immediately ordered Federal housing inspectors to the disaster area with instructions to furnish a written copy of a damage report for each of the homes that had previously been purchased with an FHA-guaranteed loan. He also made these inspectors available for intermediate inspections during and upon completion of reconstruction of the homes. These actions assured the homeowners that their replaced or repaired houses would be equivalent to that destroyed. Under their broadened powers, emergency loans at 5 percent interest rates, 30 years, no downpayment, could be made where needed.

VETERANS' ADMINISTRATION

Authority from the Washington office was obtained to provide for inspections by approved inspectors prior to and during reconstruction.

Field offices with representatives from the above three agencies were established in the disaster areas to provide advice and guidance to all affected persons, and to expedite the processing of new emergency loans.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Regional Director James Doarn on the night of the disaster received a report from representatives of the Public Health Service and the Food and Drug Administration who, working with their State and local counterparts, took necessary actions concerning the provision of emergency sanitation measures and inspection of the food and water supplies to protect the health of the people involved in the disaster and those in the immediate vicinity. On a later inspection, it was found necessary to spray the stricken areas as a public-health measure.

This Department, in conjunction with General Services Administration and the Missouri State surplus property director immediately surveyed all available surplus property warehouses and began processing applications for many different types of equipment requested. No delays were experienced in receiving this equipment in areas where requests originated.

Personnel were also furnished from the Office of Education to provide information relative to required temporary replacement space for the destroyed schools.

HOUSING AND HOME FINANCE ADMINISTRATION

This Administration furnished engineers who were experienced in estimating costs for temporary structures to replace the destroyed school facilities.

FARMERS' HOME ADMINISTRATION

Representatives surveyed all of the stricken areas and established offices where necessary to give advice and guidance to the disaster victims and for the rapid processing of emergency loans to affected persons in the rural areas.

BUREAU OF PUBLIC ROADS

The regional engineer, Mr. W. V. Buck, made available engineers who assisted in making damage surveys in the flooded counties in southwest and southeast Missouri.

The damage from flooding in certain counties of Missouri was principally confined to crop destruction. However, some counties have experienced considerable highway damage. Surveys are still in progress to assure that all of the Federal assistance that is needed to the flood-stricken areas will be provided.

Project applications are now being reviewed at the State and Federal regional level with most of the applications expected to be submitted by the eligible applicants during the month of June or early July 1957.

THE AMERICAN NATIONAL RED CROSS,
NATIONAL HEADQUARTERS,
Washington, D. C., May 24, 1957.

The Honorable STUART SYMINGTON,
United States Senate,
Washington, D. C.

DEAR SENATOR SYMINGTON: I want to share with you our latest report on tornadoes that hit your State. This tragic news came with the opening of our convention and I extend not only my own sympathy but also that of the other officers and delegates.

Our local chapters acted immediately to render emergency aid. The Jackson County Chapter at Kansas City, Mo., immediately sent first-aid teams into their suburban areas and mobilized additional personnel to help the hospitals care for the 100 hospitalized. Mobile and other feeding stations were operated around the clock. In another hard-hit community, Desloge, Mo., the St. Louis Chapter sent disaster workers to help the Desloge community. The people from the almost destroyed town of Freemont were evacuated, sheltered, and fed by volunteers from Winona, Poplar Bluff, and West Plains. These reports of mutual aid and volunteer service again inspired our delegates in their devotion to volunteer service principle of Red Cross.

Kansas and Missouri operations will be administered by a field office at Kansas City, Mo. Each county affected has one or more local disaster relief offices where victims are served. These offices will plan with those families in need and who apply to us for assistance in reestablishing themselves. Mr. Robert C. Edson, our national director of disaster services, is in Kansas City now completing these arrangements.

Surveys in Lewis, Cape Girardeau, Madison, St. Francois, Carter, Douglas, and Jackson Counties in Missouri reveal the following damage—45 killed, 265 injured, 1,068 families affected with 445 of their homes destroyed.

I am sure you are aware that Red Cross disaster reserves have been depleted by the unusually heavy disasters of the past 22 months. Red Cross disaster relief during this time has amounted to over $50 million. Despite this drain and the fact that our resources are lower than at any time since 1940, I want to assure you that the Red Cross will stay on the job in Missouri until all those who need Red Cross assistance have been started on the road to recovery.

Sincerely,
ALFRED M. GRUENTHER.

P. S.—And Stu, will you please pray for no more floods or tornadoes. We are in real financial difficulty.

EXECUTIVE OFFICE,
STATE OF MISSOURI,
Jefferson City, May 29, 1957.

Hon. STUART SYMINGTON,
United States Senator,
Senate Office Building,
Washington, D. C.

DEAR STU: Thank you so much for the telegram in regard to the fact that Missouri is now eligible for emergency credit.

I am greatly pleased over the manner in which the Federal Government has cooperated with us here in Missouri in time of need and I know, Stu, that much of the credit for this aid has been through your efforts. I deeply appreciate what you have done and I also greatly appreciate your keeping me advised as to the effectiveness of your efforts back in Washington.

Sincerely,
JAMES T. BLAIR, Jr.

CITY OF KANSAS CITY, MO.,
June 7, 1957.

The Honorable STUART SYMINGTON,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR SYMINGTON: As you well know, the territory south of the corporate limits of Kansas City, Mo., was hit by a tornado and as a result thereof the disaster is unquestionably the worst in the history of the State of Missouri.

There were many individuals who contributed much in caring for the needs of the unfortunate citizens who were hit by this devastating tornado. Within a period of 30 minutes after the tornado had hit I was on the scene of action and as you are possibly well aware, it was I who called His Excellency, the Governor of Missouri, to declare martial law.

Very frankly I do not know what would have happened if it had not been for Maj. Gen. Jarred Crabb, the commanding officer of Richards-Gebaur Air Force Base, who moved with such speed and unusual effectiveness in making available both officers and enlisted personnel from the Richards-Gebaur base. All of the equipment that was essential and necessary, such as ambulances, medical and hospital corpsmen, firefighting equipment, and literally hundreds of personnel who served as protectors of property, moved to the scene with dispatch.

The base is located only a few miles from the communities of Grandview, Hickman Mills, Martin City, and Ruskin Heights, where the disaster was at its worst. Air Corps men literally dug dead and injured out of the debris with their bare hands. Their conduct reflected the very finest in the way of discipline and the spirit of both enlisted personnel and officers indicated their most earnest desire to cooperate fully and completely with all of the energy and talents at their command.

It would be impossible for the citizens of this great city and our neighbors in the environs to adequately express appreciation to the Air Force and its personnel for the matchless service which was rendered so valiantly and efficiently.

May I humbly and most sincerely beg and beseech you to see that the proper authorities are given due credit for their valiant service to the citizenry of our Republic, who reside in the suburban territory of Kansas City.

With deep and abiding respect, please know me always as

Faithfully yours,

H. ROE BARTLE, *Mayor.*

JUNE 13, 1957.

Hon. VAL PETERSON,
Administrator, Federal Civil Defense Administration, Washington, D. C.

DEAR GOVERNOR: We of Missouri are very grateful to you and your staff for the effective work done by Civil Defense in effort to meet the need as the result of the recent tornadoes and floods in Missouri.

Mr. Frank O. Starr, Regional Director for that area, has been particularly helpful in coordinating the work of the various Federal agencies with the State and local efforts.

On May 25, Mr. Starr met me in St. Louis, reporting on the civil-defense work in the State up to that time. On June 2, during a tour of the tornado disaster area south of Kansas City, your special representative, Mr. Winkler, reported on the work in that section.

The President's initial allocation of $2 million for disaster assistance in Missouri will help a great deal as a start toward meeting the needs of our schools that were destroyed by tornadoes.

We of Missouri also deeply appreciate the fact your representatives are continuing to meet with and advise our local leaders in regard to additional assistance which may be available under Public Law 875.

Many thanks again to you and your fine staff.

Sincerely,

STUART SYMINGTON.

FEDERAL CIVIL DEFENSE ADMINISTRATION,
Washington.

Hon. STUART SYMINGTON,
United States Senate,
Washington, D. C.

DEAR SENATOR SYMINGTON: It is gratifying to me that you have found Mr. Starr, our Regional Director, and members of his staff helpful in the recent disasters in your State. I am taking the liberty of sending a copy of your letter on to them.

You can be sure every member of the Federal Civil Defense Administration staff will continue to be of all assistance possible.

Kindest regards.

Sincerely,

VAL PETERSON.

CALL OF THE ROLL

The PRESIDENT pro tempore. Is there further morning business?

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

The PRESIDENT pro tempore. The clerk will call the roll.

The LEGISLATIVE CLERK called the roll, and the following Senators answered to their names:

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

The PRESIDING OFFICER (Mr. SCOTT in the chair). A quorum is present.

Is there further morning business? If not, morning business is closed.

Mr. FULBRIGHT obtained the floor.

CIVIL RIGHTS

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California [Mr. KNOWLAND], that the Senate proceed to the consideration of H. R. 6127, the Civil Rights Act of 1957.

Mr. FULBRIGHT. Mr. President, I wish to thank the majority leader for requesting the quorum call and for having asked for the recess, in order to help to get some Senators present on the floor.

Mr. JOHNSON of Texas. Mr. President, may we have order, so that we can hear the Senator; and will the Senator speak a little louder, please?

Mr. FULBRIGHT. I observe some 15 of the minority party, and about the same number of the majority party, present for this debate.

I say that because of the importance of this particular issue. I am encouraged to believe, after having observed the reaction of the President of the United States——

Mr. JOHNSON of Texas. Mr. President, will the Chair ask the pages to take their seats, and ask the Members to take their seats?

The PRESIDING OFFICER. The pages will please take their seats. The Chair also asks Members to take their seats.

Mr. FULBRIGHT. Mr. President, I am encouraged to believe, after having observed the reaction of the President of the United States to the very fine speech of the senior Senator from Georgia [Mr. RUSSELL] the other day, as a result of which the President observed, in his press conference, that there were some aspects of this proposed legislation which perhaps he did not understand completely, together with the change in the point of view of the editorials of the Washington Post and Times Herald, that perhaps these debates on the floor of the Senate do actually serve a very good and effective educational purpose.

I am encouraged to believe by the editorial in this morning's Washington Post and Times Herald that there has been a change of heart. When I say "change of heart" I do not mean that the Post has done an about face and now opposes the proposed legislation but it has materially changed its point of view toward it and is now admitting that it is very possible amendments are justified.

I invite the attention of the Senate to the attitude in the principal editorial of April 7, 1957, which was entitled, "Question of Jury Trials." This editorial was published in the Washington Post and Times Herald shortly after the proposed legislation was brought up in the House and in the committee of the Senate. I should like to quote 2 or 3 sentences, and then compare them with the attitude expressed in the editorial of this morning's edition, simply to draw attention to the difference in attitude which I believe is due to the debates and serious discussions by Members of the Senate, such as the Senator from Georgia [Mr. RUSSELL], the Senator from North Carolina [Mr. ERVIN] who also delivered a very informative speech, and the Senator from Wyoming [Mr. O'MAHONEY], who made a speech on yesterday, discussing the significance of jury trials.

The following statement, among others, appeared in the Washington Post and Times Herald of April 7:

> Along with many other southern Senators, the chairman of the Senate Judiciary Committee is trying to defeat the administration's civil-rights bill by the pretense that it would encroach upon the sacred right of every accused person to a jury trial. This argument has collided with the fact that there is no right of trial by jury for persons who are accused of disobeying court orders, except in limited categories of cases.

I read another item appearing a little later in the editorial:

> The whole concept of equity in our judicial system grew up because there were many situations that could not be handled properly by criminal prosecutions or by regular lawsuits. Equity proceedings permit the issuance of court injunctions as a means of protecting the rights of the parties before the court. These injunctions are enforced through the power of the courts to inflict punishment for contempt.

Mr. President, I ask unanimous consent that the entire editorial be printed at this point in the RECORD.

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

[From Washington Post and Times Herald of April 4, 1957]

QUESTION OF JURY TRIALS

Senator EASTLAND has launched a crafty flanking movement with his bill to grant jury trials to persons accused of contempt for disobeying Federal court orders or injunctions. Along with many other southern Senators, the chairman of the Senate Judiciary Committee is trying to defeat the administration's civil-rights bill by the pretense that it would encroach upon the sacred right of every accused person to a jury trial. This argument has collided with the fact that there is no right of trial by jury for persons who are accused of disobeying court orders, except in limited categories of cases. So Senator EASTLAND, with the support of Senators BYRD and THURMOND, is seeking to overcome that deficiency by means of new legislation.

Much confusion surrounds the subject because of the popular belief that every accused person has the right to trial by jury. Actually, the Constitution guarantees trial by jury in only criminal prosecutions and civil actions at law for money damages in excess of a certain amount. In addition Congress has required jury trials in some equity proceedings, notably some labor disputes, but these are very limited.

Sponsors of the Eastland bill seem to regard these limitations on jury trials as an oversight. Of course, they were not. The whole concept of equity in our judicial system grew up because there were many situations that could not be handled properly by criminal prosecutions or by regular lawsuits. Equity proceedings permit

the issuance of court injunctions as a means of protecting the rights of the parties before the court. These injunctions are enforced through the power of the courts to inflict punishment for contempt.

Many critics of the bill buttressing the right to vote have feared that it involves an arbitrary swing away from jury trials because of the reluctance of southern juries to convict anyone of civil rights offenses. But this ignores the general practice of not requiring juries in contempt cases. The reason for this practice is that, under a government of laws, the courts must be obeyed, unless reversed on appeal. If a person could defy the courts, relying on a friendly jury to prevent his punishment, law and order would suffer a perilous blow. And if the Federal Government, having obtained an injunction against a person threatening to make a mockery of the law, had to rely upon a jury trial to enforce such an injunction, many of its operations would be crippled in different parts of the country.

The present law does provide for jury trials in some cases where the willful disobedience of a court order also constitutes a criminal offense. But the same statute also expressly provides that jury trials shall not be required in case of contempt in disobedience to court orders in any action brought by the United States. Senator EASTLAND would sweep away this safeguard and leave the courts at the mercy of juries to enforce their orders, whether or not the action had been brought by the United States.

Enactment of this bill would not protect the right of trial by jury but would gravely impair the right of effective government. It is an ill-conceived assault on our judicial system. The right of trial by jury is indeed a sacred right wherever it is properly applicable—a right that must be upheld and protected; but it is not enhanced by projecting it into situations where it is not appropriate.

The real question at issue in the civil-rights bill is whether the Government may institute civil proceedings (as well as criminal prosecutions) to protect the right of citizens to vote. Wherever criminal prosecutions may be resorted to, trials would be by jury. But if civil proceedings should result in injunctions, those injunctions should be enforced by the established and traditional means now in use. Certainly the country cannot permit Senator EASTLAND and his colleagues to destroy these time-tested procedures in their effort to make any civil-rights legislation meaningless in the South.

Mr. FULBRIGHT. The import of that editorial is that there was nothing to be done about the civil-rights bill, that the questions raised regarding jury trials were purely a pretense and the whole argument was dismissed as of little consequence.

This morning, some 2 or 3 months later, I read an editorial in the same newspaper entitled "Big Debate Begins," in which it is stated:

Despite the basic purpose of the bill, some of its provisions are controversial among legislators who thoroughly accept the principle behind it. The Senate must satisfy itself not only that the measure has a worthy purpose, but also that its specific provisions are well adapted to the accomplishment of this purpose. Insofar as the debate is aimed at the elimination of defects and a tightening up of language, it should be welcomed.

I submit that is a very substantial change in attitude toward the bill on the part of the Washington Post. They now recognize that there may be something wrong with the method which is being used to accomplish a worthy purpose, as they put it, and that is exactly the point which I shall seek to develop in the course of my remarks.

Mr. President, I also ask unanimous consent that this entire editorial be printed in the RECORD at this point.

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

[From the Washington Post and Times Herald of July 9, 1957]

BIG DEBATE BEGINS

The Senate has begun what may become its most momentous filibuster. In proclaiming that they will fight the right-to-vote bill until they "fall in their tracks, if necessary," the southern Senators have laid down a challenge which the Senate as a whole must meet. The bill sailed through the House by a vote of 286 to 126. It seems to have the approval of an overwhelming majority of the American people. Every consideration of logic and of democratic principle demands that at long last it be brought to a vote in the Senate.

Of course, the measure ought to be thoroughly debated, and this may require a couple of weeks. Despite the basic purpose of the bill, some of its provisions are controversial among legislators who thoroughly accept the principle behind it. The Senate must satisfy itself not only that the measure has a worthy purpose but also that its specific provisions are well adapted to the accomplishment of this purpose. Insofar as the debate is aimed at the elimination of defects and a tightening up of language, it should be welcomed.

At the outset, therefore, sponsors of the bill would do well to clear up any misconceptions as to its meaning or intent. It has been repeatedly denounced as an instrument through which the Federal Government could enforce racial integration in the schools of the South. Undoubtedly this will be the focal point of the assault against it, although Attorney General Brownell has denied that it would have any bearing on the liquidation of segregation in the schools.

Senator WATKINS also has said that, in contributing to the drafting of the bill, the idea it might be used to enforce integration in the schools was farthest from his thought. The fact remains that one provisions of the bill as it now stands can be reasonably interpreted as authorizing the Attorney General to bring suits for the enforcement of equal rights in the schools. If that was not the intention of its authors, the matter should certainly be clarified before several weeks of debate are wasted on mere semantics.

The Senators who are trying to avoid this inflammatory issue are not saying that the Supreme Court's ruling against segregation in the schools should not be enforced. Rather, they are saying that compliance with the High Court's ruling is being worked out by normal judicial processes and that that issue should not be injected unnecessarily into the new contest which centers in the right to vote. Something more than oral assurances will be needed, however, if the school issue is to be kept out of the controversy now before the Senate.

The debate may show that other changes in the bill are also desirable. The important thing is not to force acceptance of the letter of the measure as it now stands but, in the end, to pass a bill that will make the right to vote an actuality. To this end, we think the Senate should be prepared to hold night sessions, to remain in continuous session if necessary to break the filibuster and to modify its outmoded rule which requires 64 votes to limit debate.

The Senate ought to be mindful that the eyes of the world are upon it. Now that the showdown is at hand it cannot fail to meet this issue without gravely undercutting American prestige in all other countries. The spectacle of our Senate locked in futile combat for several months or indefinitely paralyzed in regard to so fundamental an issue as the right to vote would be a blow to the whole Free World. The debate should be conducted in the light of these potential repercussions and the issue should then be courageously faced with full understanding of the impact the Senate's action will have on the processes of government as well as on the rights of individual citizens.

Mr. FULBRIGHT. I should like to read one further statement from this editorial:

The Senators who are trying to avoid this inflammatory issue are not saying that the Supreme Court's ruling against segregation in the schools should not be enforced. Rather, they are saying that compliance with the High Court's ruling is being worked out by normal judicial processes and that that issue should not be injected unnecessarily into the new contest which centers in the right to vote. Something more than oral assurances will be needed, however, if the school issue is to be kept out of the controversy now before the Senate.

The debate may show that other changes in the bill are also desirable.

Again, it is admitted that other changes in the bill may be desirable.

The important thing is not to force acceptance of the letter of the measure as it now stands but, in the end, to pass a bill that will make the right to vote an actuality.

Again, this editorial writer of the Washington Post and Times Herald evidently has also discovered something in the bill which he did not know about when he wrote the first editorial. That something, in my opinion, has arisen from a study of the speeches by the Senator from Georgia [Mr. RUSSELL], the Senator from North Carolina [Mr. ERVIN], and the Senator from Wyoming [Mr. O'MAHONEY].

I confess that I do not feel capable of making any comparable contribution to the enlightenment either of the Washington Post, the President, or the Senate on this subject. I have not served on the committee, and I do not pretend to be an expert in this field. The three Senators I have mentioned are clearly experts—the best experts, I believe, in this body on the subject. However, there are certain aspects of the problem which I should like to develop.

Mr. President, I should like briefly to recall some of the circumstances and some of the reasons which accompanied the foundation of our country. I believe it may give all of us a little better perspective if for a moment we refresh our memories about the origin of our governmental institutions.

The earliest settlers came to this country seeking freedom from oppression by temporal as well as by religious authority. Of course, there were other considerations involved, but the dominant desire of the great majority was that of personal freedom—freedom from being pushed around, told what to think or not to think, and how to act under any and all circumstances. They were sick and tired of self-righteous people who presumed to have a private pipeline to God, who knew how everyone should

act and think, and who insisted on conformity in every respect to the way they thought and acted.

Our forefathers wanted to be free from the arbitrary tutelage of the king, or any religious leader, just as the Hungarians want to be free from the domination of the Kremlin—domination of their political institutions as well as of their thoughts and their views about religion or personal conduct.

One of the principal protections to the freedom which our forefathers wanted and in search of which they came to this country, was the right of trial by jury. The Constitution is the basic charter of the freedom which our forefathers desired, and which we still retain. The Bill of Rights is the essence of that charter.

These rights were the indispensable ingredients without which there would have been no United States of America, and without which there could have been no Federal Union.

In the Bill of Rights, the sixth and seventh amendments expressly and unequivocally guarantee the right of trial by jury.

The trial by jury, of one's peers, of course, has its origins far back in history, so far back that I shall not attempt to review its history at this time, other than to remind my colleagues that in 1215 when King John was called to account by the barons at Runnymede a trial by jury was one of the chief items of interest to the barons. Even at that early date it was considered an important element in the freedom of the individual from oppression by an arbitrary executive.

Since King John's day, a trial by jury has become so well established that most of us have taken it for granted, without appreciating how important it is to our basic fredom from arbitrary governmental oppression.

One trouble with our present generation is that, having taken for granted the trial by jury, when unexpectedly it comes under attack few of us are prepared to defend it—We did not fight it—we inherited it from our forefathers and many of us do not seem to understand its significance.

The Constitution as originally written, including the Bill of Rights, expressly and in no uncertain terms guarantees the right to a jury.

I wish to read four references, in four different places in the Constitution, which I think should be reiterated on every suitable occasion, to draw attention to the significance and importance which the Founding Fathers attached to the right to trial by jury, as contrasted with some of the other rights under consideration here.

The sixth amendment to the Constitution provides as follows:

> In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

I ask Senators, Does anyone believe that that amendment should be lightly set aside by a play on words which amounts to saying that we now should give jurisdiction to a court of equity to enjoin all crime? If that be true, this amendment means nothing. If, as the bill attempts to do to a limited degree, we can turn the acts which have traditionally been considered crimes, and were considered crimes when this provision was written, into acts which may be enjoined, as the bill attempts to do, we shall have effectively negated the sixth amendment.

The seventh amendment to the Constitution provides as follows:

> In suits at common law, where the value in controversy shall exceed $20, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any court of the United States, than according to the rules of the common law.

The fifth amendment to the Constitution provides as follows:

> No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Article III, section 2, provides as follows:

> The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed.

Thus, in four different places in the Constitution and the Bill of Rights we find a specific guaranty of the right to trial by jury. In four places in the Constitution the Founding Fathers sought to insure and retain the right to trial by jury, which right would be impaired by the proposed legislation.

The Constitution does not provide in any place that every citizen shall have the right to vote. The truth of the matter is that during the early days of this Republic few if any responsible leaders of the country believed in universal suffrage. The percentage of the population entitled to vote under the laws in existence at the time of Washington and Jefferson was quite small. The idea that in some mysterious way vast masses of voters possess a wisdom and a sanctity superior to that of a more restricted electorate gained its greatest momentum under Hitler and Mussolini, in rather recent days. It will be recalled that Hitler used to poll 99.44 percent of all the votes of all the people. He made them all vote, and he received virtually all the votes. That was a wonderful example of mass voting. I leave it to Senators to judge the relative merits of the two systems, namely, the unanimous vote under the system once in vogue in Germany, and the vote under our own system.

Personally I have no objection to universal suffrage, although it certainly is not a panacea. In Arkansas in recent years there has been increasing participation by the Negro population in voting, to the point where, I dare say, today almost as high a percentage of the eligible Negro population vote in our elections as is the case with the white population.

It is true that not all of them vote. However, whatever the fact may be as to that, the truth of the matter is that in the Constitution, in the beginning, there was no guaranty that every citizen should have the right to vote. On the contrary, later on, amendments such as the 15th amendment, with regard to discrimination on account of race, color, or previous condition of servitude were added, and in those amendments—certainly in the 15th amendment—there is implicit the fact that there may be other qualifications for voting. But it is forbidden by reason of this amendment to deny the vote to anyone simply because of his race, color, or previous condition of servitude. Therefore, there are many other reasons why the vote may be restricted. In fact, it can still be restricted under the Constitution for appropriate reasons. Insane people, criminals, and minors under 21, or 18 years of age in some cases, are not permitted to vote.

The point I wish to make is that we are faced with a bill which, in a sense, requires the Senate and the people of the country to give up the right of trial by jury in order to accord to a limited number of people the right to vote. It is, therefore, being assumed, apparently, that the right to vote is of far superior worth than the right to trial by jury. I submit that that is an erroneous and false assumption.

There is one other point I should like to make before I pass on to another subject. It deals with a rather curious aspect of the question of the right to vote. The 14th amendment, as all of us know, has been considered one of the most important amendments with regard to individual rights. I wonder whether my colleagues have often thought of this part of that amendment. I read section 2:

> SEC. 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the legislature thereof, is denied to any of the male inhabitants of such State, being 21 years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens 21 years of age in such State.

The clear implication of that provision of the 14th amendment is that there are

perfectly proper grounds on which male citizens of 21 years or over may be denied the right to vote. It merely says that when they are denied the right to vote—perhaps for educational reasons, or by reason of other standards, which would bear a reasonable relationship to the function of voting—the representation of that State in Congress shall be reduced proportionately. It clearly contemplates that it is constitutional that such restriction may be placed upon the right to vote.

I emphasize that point, not because I wish to belittle the significance of the right to vote as such, but because I wish to emphasize the relative importance of the right to trial by jury, which in four places in the Constitution was mentioned by the Founding Fathers, and which provisions are of course still contained in the Constitution.

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

Mr. FULBRIGHT. I am glad to yield to the Senator from Florida.

Mr. SMATHERS. When the Founding Fathers, as he has so well expressed it, provided the right to trial by jury in four instances in the Constitution, so that every burglar, rapist, Communist, and thief, is guaranteed the right of trial by jury, does the Senator have any explanation of the reason why the sponsors of the bill should want to take away the right of trial by jury from a limited number of people, most of whom live in the South? Can the Senator account for it? Can he give a reason why the proponents of the bill should want to do that?

Mr. FULBRIGHT. I will say to the Senator from Florida that later in my remarks I shall go into that particular aspect of the question in greater detail. At the moment I should like to say, however, that the only explanation I can think of is a political explanation. The principal sponsors of the bill feel that this particular issue has developed through the years into a potent political issue in certain of the great metropolitan areas. It is rather curious, perhaps, and I do not think it is wholly coincidental, that the primary sponsors and the most enthusiastic supporters of the measure come from Chicago, New York, Philadelphia, and San Francisco.

Mr. SMATHERS. Does not the Senator agree that that is a most dangerous method of seeking to gain what may be obviously a temporary political advantage, in that the sponsors and the supporters of the bill would erode away a basic protection provided not only by the Founding Fathers but by decisions of the Court? In other words, is it not true that they would take away that basic protection, and that, if they were to succeed in their effort, we would eventually see other protections eroded away? Furthermore, in time, those who had obtained a personal or political advantage would finally wind up with a great disadvantage and would cause a great disservice to all Americans?

Mr. FULBRIGHT. The Senator is entirely correct. The principal point I am seeking to make in emphasizing the importance of the right to trial by jury is that it would not be wise to give up the right or begin the process of relinquishing the right to trial by jury in return for the right to vote on the part of a few people.

It has already been pointed out by the distinguished Senator from Georgia [Mr. RUSSELL] that the right to vote is more or less a smokescreen for other powers within the bill which also remove the right to trial by jury, in the guise of using the injunction power of equity courts.

However, the primary excuse on which the proposed legislation is based is the right to vote. Therefore I was seeking to emphasize the shallowness of the reasoning which supports giving up the right to trial by jury in order to enable some people to vote.

So far as voting is concerned in my own State within the past 10 years there has been a tremendous increase in the participation of the Negro population in voting. I certainly know of no concerted effort to prevent them from voting. It is always dangerous to say that not a single man has ever been prevented from voting by an arbitrary interference on the part of someone, either in official life or in private life, and I cannot say that any more than I can stand here and say that there has not been a single murder or any other crime committed in my State.

Of course misdeeds take place in all fields of life. But, no one has cited any wholesale restrictions as a result of which groups of persons have been denied the right to vote. Certainly I say that I know of no such cases having occurred in my own State. I cannot speak for other sections of the country, but I do important. But the voters must be free have not come to my attention.

I do not wish to suggest that the right to vote is an unimportant right or an unnecessary function in a democratic society. Of course the right to vote is important. But the voters must be free men for the vote to be significant.

If the right to vote is to be meaningful, then the right to trial by jury as one of the principal attributes of retaining the freedom of the voters must be retained. If there is not to be the right of trial by jury, if there is not to be freedom on the part of the individuals who are doing the voting, then there will be nothing but an empty gesture, such as we witnessed in Germany, where 94 percent of the people all voted alike—for Mr. Hitler. There was in that period the right to vote in Germany—not only the right but the compelling duty; otherwise the people would have been thrown into jail, but I ask, What good was that kind of voting?

I should say the right to trial by jury, which is a symbol of free men, is the essential ingredient for making the right to vote of any significance. If we disassociate the right to vote from the freedom which trial by jury insures, I think we will have nothing but an empty symbol.

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

Mr. FULBRIGHT. I yield.

Mr. EASTLAND. I am certain the distinguished Senator from Arkansas knows that Winston Churchill, in his great work, English Speaking Peoples, said that trial by jury constitutes the charter of liberty of every Englishman; it "constitutes the charter of every self-respecting man at any time, in any land. Trial by jury of equals, only for offenses known to the law, if maintained, makes the difference between bond and free."

The bill provides for the injunction process. It would legalize what was done at Clinton, Tenn., where acts, even though innocent, would have violated the injunction. An act committed on one day would not violate the injunction; an act on another day would be in violation of the injunction, and the man would be tried without a jury.

Does the bill not violate that which is fundamental in the American system of government, namely, that no man shall be imprisoned for any crime except that which is written in the law and is legally enacted?

Mr. FULBRIGHT. I think the Senator is absolutely correct. Logically, if we carry out the basic theory of section 3 of the bill, we could go a step further and give the court the authority to enjoin all citizens of the United States from committing murder. Any time anyone committed murder, all the court would have to do would be to exercise the contempt power, throw him in jail and keep him there without a trial by jury, simply because the person violated the court's order. That would be the ultimate development of such a theory. It would violate completely the whole concept of justice, as the Senator from Mississippi has just said.

Mr. EASTLAND. We might go one step further. The bill provides "if the Attorney General has reasonable grounds to believe." Every principle of criminal law is evaded. He could say that someone told him that he had reasonable grounds to believe that a certain person was going to deprive a man of equal protection of the laws. Then that person would be enjoined. He could be put in jail. He would not even have the benefit of being proved guilty beyond every reasonable doubt and to a moral certainty, as is provided by the law.

Mr. FULBRIGHT. There is no doubt that that is exactly what could happen under the bill, especially under title III, which is very broad and vague. The law which this section amends is still so uncertain that no one knows how broadly that title could be interpreted.

Mr. EASTLAND. Two remedies are provided under section 3. First, the court could issue an attachment against one charged with violating an injunction, and he could be sentenced to jail for contempt. The second is that the President himself, or by delegation to some minor official, could send in the Armed Forces to implement an injunction. Is not that correct?

Mr. FULBRIGHT. That is certainly correct. If there were disobedience of a court order, and there were no other way to assure obedience, I suppose it would be the duty of the Executive to do that. Defiance of constituted authority should not be permitted. It would be our responsibility, the responsibility of Congress, if such a situation were created to place the Executive under the

duty of taking such action. We should not create such a situation.

Mr. EASTLAND. Specific standards upon which soldiers could be sent into an area are not written into the law; but the power of injunction is very broad. In fact, at Clinton, Tenn., it was used for intimidating and coercing the people there. A man who was sitting on the runningboard of a car and who saw a fight was arrested. He had heart trouble, and had just got out of bed, and he later went to the police station and offered to make bond. He was picked up and was thrown into jail.

The assumed power to issue injunctions would include, even the prohibiting of children from wearing badges or carrying signs. It would even prohibit meetings and the right of free speech in a county. To enforce that kind of injunction, that kind of tyranny, the bill provides that the armed services may go into such areas in order to implement and carry out the law.

Can the distinguished Senator from Arkansas think of anything which is more far reaching, more deadly, more destructive of the basic principles of this Government than the powers contained in section 3?

Mr. FULBRIGHT. No. I agree with the Senator from Mississippi. I think it is a very evil section, and that a very evil theory is sought to be carried out in the bill. I see no excuse for it. The Government has not produced, and I do not think it can demonstrate, any kind of emergency or any set of facts which would justify anything like the powers which are contained in the bill. As a matter of fact, anything less than a wartime invasion or an emergency in which the security of the Nation is involved should not, I think, justify the granting of these unusual powers to a court of equity to be imposed upon the citizens of the United States.

Mr. EASTLAND. As the distinguished Senator knows, there is no such thing as criminal equity.

Mr. FULBRIGHT. I was very much impressed by the change of attitude—even though it was a slight change—on the part of the Washington Post and Times Herald from its first editorial on the subject, which seemed to assume that the use of an equity court in this field was a matter of course, and that advocacy of the retention of the right of jury trial was a pretense under which we who opposed the bill were acting. But now it is seen that the right to trial by jury is not some pretense. It is a real, fundamental protection of the liberty of the individual. To that extent, I was encouraged by the change in attitude on the part of the Washington Post and Times Herald. They are beginning to see that the matter of enforcing criminal laws in a court of equity is phony; that it is a fraud. Equity courts were never intended to play any such role in our judicial system.

Mr. EASTLAND. The purpose of equity courts, primarily in the United States courts, was to preserve the status quo of property until a final decision could be made. What is sought to be done by the bill is to take criminal acts which constitute a violation of the criminal code of the Federal Government and of the States and to bring them into an equity court. That is a perversion of equity. It is also a perversion of the American system of government.

Mr. FULBRIGHT. I certainly agree with the Senator that it is exactly that. It is certainly a perversion of the constitutional basis for our liberty.

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

Mr. FULBRIGHT. I yield.

Mr. SPARKMAN. I must say it has been a long time since I have had a very close contact with the law except in the making of it, as we do here; but as I remember my first studies in law, equity was originally devised as a means of reaching cases where manifest wrong, as between parties, existed, when the wrong could not be reached by a writ of the King.

Mr. EASTLAND. That is correct. But the primary purpose of the injunction—a moment ago, when I used the word "equity," I meant "injunction"—was simply to maintain the status quo of property until the court could render a final decision.

Mr. SPARKMAN. As I understand the reasoning of those who wish to have the Senate proceed to the consideration of this bill, it is that such matters should be handled as equity matters. I certainly agree with what the distinguished Senator from Arkansas and the distinguished Senator from Mississippi have said, namely, that equity never was intended to have any application to crimes or criminal offenses. Equity was originally devised for the purpose of reaching cases in which otherwise there would result a manifest injury to which a writ of the King could not be addressed. But in the lawbooks there is no crime that cannot be reached by a writ; and historically that has been true at all times. Therefore, to attempt to deal in this manner with equity is to attempt to bring about a perversion of the very fundamentals of the law.

Mr. FULBRIGHT. Mr. President, I appreciate the contribution the Senator from Alabama has made. He has expressed the matter very simply and clearly.

Mr. LAUSCHE. Mr. President, will the Senator from Arkansas yield to me for a question?

The PRESIDING OFFICER (Mr. SCOTT in the chair). Does the Senator from Arkansas yield to the Senator from Ohio?

Mr. FULBRIGHT. I yield.

Mr. LAUSCHE. I should like to hear the views of the Senator from Arkansas about what the reaction might have been in the case of those who wrote the Constitution, if someone had raised the point that throughout the years the original jurisdiction in equity was to be expanded so as to cover actions which historically in England found their relief in a court of law.

Of course, I know there was a very clear division between the jurisdiction of a court of law and the jurisdiction of a court of equity. Let me say that, regrettably, throughout the country it is not generally understood that there are in the United States two types of courts. I believe it is only in New Jersey that there is still a chancellor in equity and a judge in law.

Mr. FULBRIGHT. Arkansas has the same system.

Mr. EASTLAND. So does Mississippi.

Mr. LAUSCHE. In Ohio, we have the common pleas court, with a judge sitting at times in equity, and at other times in law. The average citizen does not understand the difference between the two jurisdictions.

We know that historically there were specific writs in law to which the complaint of the petitioner had to be fitted; and frequently the petitioner found that in a court of law there was no writ which would provide him with relief. My best recollection of the problem is of the lady who wrote to the King, "I am a poor Mary, a servant in the Lord's house. My rights have been abused. I have gone to a court of law but cannot get relief. I, therefore, ask you, the King, to provide poor Mary with relief."

The King referred the complaint to the Chancellor, the possessor of the King's conscience. If the Chancellor found that there had been committed a wrong for which there was no remedy at law, he said, "Equity will provide the relief for you."

The difference between the two was that in the court of common law, the trials were by jury; whereas in the court of equity, the trials were by judge.

My question of the Senator from Arkansas is this: What would have happened if, at any time when the Constitution was being written, someone had asked, "What will be the situation if, by legislative action, efforts are made to convert what is now an action in law into an action in equity?" What can the Senator from Arkansas say about the right of trial by jury in those instances?

Mr. FULBRIGHT. Mr. President, before the Senator from Ohio entered the Chamber, I referred to four different places in the Constitution where a trial by jury is guaranteed. I think that without any question there would not today be a Constitution or a United States of America if the Bill of Rights, including the sixth and seventh amendments, had not been adopted and if the leading citizens, we may say, of the country at that time had not been assured that the Bill of Rights would be adopted. Those two instances are the most specific ones, although in two other places in the Constitution there is a guaranty of the right of trial by jury.

Before the Senator from Ohio entered the Chamber, I was trying to contrast the difference between the importance the Founding Fathers attributed to the right of trial by jury and the importance they attributed to the right to vote. Nowhere in the Constitution is there a provision that every citizen of the United States shall vote. The right to vote is referred to only in later amendments to the Constitution. Specifically, the 15th amendment provides, in part, that—

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account

of race, color, or previous condition of servitude.

But not even there is it said that a person shall not for any reason be denied the right to vote.

On the other hand, there is no exception to the guaranty of the right of trial by jury, except in the specific cases mentioned—for instance, as set forth in the fifth amendment:

Except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger—

Or, in the case of the seventh amendment, in the suits at common law, where the value in controversy is $20 or less.

However, those are unusual cases, and certainly they are not the ones involved in the present instance.

I think the Senator from Ohio has described quite graphically, Mr. President, what we might call the origin of the concept of equity. Equity was to reach cases in which there was no adequate remedy at law. It was an appeal to the keeper of the King's conscience.

The bill being considered specifically undertakes to eliminate from the law the requirement that the remedies in the regular procedures of the courts be exhausted. That is the usual requirement. Instead, the bill provides that recourse may be had immediately to equity, without any reference whatever to the established law courts.

Mr. SPARKMAN. Mr. President, will the Senator from Arkansas yield to me?

Mr. FULBRIGHT. I yield.

Mr. SPARKMAN. In reference to the question of the Senator from Ohio as to what the Founding Fathers would have thought about the matter of denying the right of trial by jury, of course it will be recalled that in the Declaration of Independence one of the principal charges made against King George III was "for depriving us in many cases of the benefits of trial by jury."

The right of trial by jury has been one of the basic attributes of our Government, from its very beginning.

Mr. FULBRIGHT. Yes.

In the very fine speech the Senator from North Carolina [Mr. ERVIN] made yesterday, he pointed out that, when the bill denies the right of trial by jury, in a sense it attempts to give the same kind of jurisdiction that was given to the admiralty court—in which there was no trial by jury—in the cases under the Stamp Act.

Mr. EASTLAND. Mr. President, will the Senator from Arkansas yield for a further question?

Mr. FULBRIGHT. I yield.

Mr. EASTLAND. The Senator from Arkansas knows that section 3 of the bill by implication amends section 1985 and 1986.

Mr. FULBRIGHT. Yes.

Mr. EASTLAND. Let us consider this circumstance: Is it not correct that if a newspaper man, while gathering the news, obtains information that some people are conspiring and that there is about to be committed an overt act to carry out the conspiracy, under the provisions of the bill if he has reasonable grounds to believe that that might occur, and if he neglects to tell the Attorney General and the wrong occurs, then, under section 1986—the compulsory informant statute—a damage suit may be filed against him and against his newspaper, because of his failure to inform?

Mr. FULBRIGHT. I think that could possibly be the effect of that provision of the bill.

Mr. EASTLAND. In fact, that would provide the power of intimidation over the press. If that power were provided, politicians would have the power to attempt to intimidate the press of the country.

Does the Senator further know that, because there is a sly, devious scheme here, to amend by reference, if a judgment is obtained against a newspaper, then, under this bill, the Armed Forces of the country—its soldiers—can be sent to collect the judgment against the newspaper? Yet the Judiciary Committee is criticized because it has been studying this bill to work out "bugs" like that.

Mr. FULBRIGHT. I think the Senator may well be correct. Of course, the Senator knows I did not approve, and do not now approve, the procedure by which the bill was placed on the calendar without being subjected to study by the committee. Nevertheless, it is here. Therefore, we have tried to study it as best we could on the floor of the Senate. But I think what the Senator has just said about it is most likely true.

I should like also to agree with what the Senator from Alabama stated in answer to the question of the Senator from Ohio. I do not think the Founding Fathers for a moment would have entertained such a proposal as this bill. They would have been shocked indeed by a proposal to deny trial by jury in cases of this kind.

Mr. EASTLAND. We say that one of the worst forms of the Russian tyranny is the practice in that country of inducing children to tell on their parents. Does not the Senator realize that, under section 3 of this bill, if a child hears his parents plan to picket a school or to deny to some other person the right guaranteed under section 1985, and does not immediately tell the Attorney General of the United States and give him that information about his parents, the child is liable to a suit in damages?

Mr. FULBRIGHT. The interpretation could be stretched to include that.

Mr. EASTLAND. I am not stretching it. It is very plain in the bill. It would force a person who did not tell on his neighbor to become liable in damages.

Mr. FULBRIGHT. What I should like to stress is that the language of sections 1985 and 1986 is very broad. I am informed it has received very little interpretation. I think it is so vague that almost any kind of coercion, such as the Senator has mentioned, could very well be read into the language.

Mr. EASTLAND. Let me tell the distinguished Senator I intend to speak at length on those features of the bill, which I think are very, very plain.

Mr. FULBRIGHT. I hope the Senator will. I think what has already been said by members of the committee and the Senator from Georgia [Mr. RUSSELL] has opened the eyes of many of us already to the implications of the proposed legislation.

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

Mr. FULBRIGHT. I yield.

Mr. BUSH. Perhaps the Senator intends to come to this point later in his address. If so, I shall defer my question until that time, but I think somebody should point it out to us so that we can understand it. I am not a lawyer; perhaps that is the reason I have not been able to find the provision; or it may be implicit in the bill; but what I should like to know is, Where is the threat of the use of the Armed Forces contained in this bill? A great point was made of that by the Senator from Georgia [Mr. RUSSELL] when he first spoke on the bill a day or two ago. I was very much surprised to hear that there was something in the bill that seemed to make it clear that the Armed Forces of the United States might possibly be used under the provisions or the authority contained in the bill in enforcing a decision of the courts in any State in the South. I have examined the bill, and I do not find in it the danger which has been pointed out in that respect. I should like to have it stated for the RECORD, and I myself would like to know where that danger exists in the bill.

Mr. EASTLAND. Does the Senator refer to the Armed Forces?

Mr. BUSH. Yes.

Mr. FULBRIGHT. I shall yield to the Senator from Mississippi, so that he may comment on that point. All I can say, while the Senator from Mississippi is getting ready to answer the Senator from Connecticut, is that one of the evils of this bill is that it itself does not set forth the terms; it incorporates by reference section 1985 of title 42 of the United States Code. If the Senator has the volume on his desk, he will find it on page 6215.

On page 9 of the bill there is a very involved incorporation by reference. It is an amendment of that section. The penalties, by way of use of force, are provided in connection with the other sections. It is true that is not set forth in the bill itself. Yet, by incorporating the existing law into the section, it is done. It is vague, but I think the real danger in that technical point should be explained. I am not an expert on it.

Mr. EASTLAND. Let us take a school integration case. The Brown case in 1954 held that a child has a right to attend a nonsegregated school. To deny that right is a violation of section 1985. According to the Attorney General's testimony, what is proposed by the bill is the granting of certain additional remedies to protect such rights. What he would do would be to bring suit for an injunction under section 1985 of title 42 of the Code. He would get a decree to integrate the school and give the child the right to attend a nonsegregated school. If the decree were violated, he would have two remedies. First, the person who violated it could be brought into court under an attachment, tried without a jury, and put in jail for criminal contempt. But under section 1993 of title 42 of the United States Code the President of the United States can use

the Armed Forces to enforce judgments rendered under section 1985.

Mr. BUSH. The bill does not refer to that. Can the Senator show me where the bill refers to that, or is he saying it is implicit in the bill?

Mr. EASTLAND. I shall get that information for the Senator and put it in the RECORD.

Mr. BUSH. I would appreciate it, not only for myself, but there has been a good deal of discussion about the use of the Armed Forces, and it is a very important matter.

Mr. EASTLAND. Of course it is an important matter.

Mr. FULBRIGHT. If the Senator will permit me, this is normally the type of question which should be explained in a report of a committee on a bill. The great tragedy of the situation is that we have no report. I sympathize with the Senator. I am not on the committee. I have a passing knowledge of some of these items, but I would say the great tragedy of the bill and the reason why it should not be taken up at this time by the adoption of the pending motion, is that, as has been pointed out, there ought to be a written report on the bill prepared by experts in the field, by members of the Judiciary Committee and their very large, efficient staff, explaining in detail the point the Senator has raised.

Mr. BUSH. I feel this is such an important matter that, in view of the fact that the Senate is discussing it and has declined to refer the bill to the Judiciary Committee, the opponents of the bill should inform those of us who are not lawyers, and discuss the matter with reference to the use of the Armed Forces of the United States. That is one of the important charges that has been made against the bill.

Mr. EASTLAND. There can be no question about that. The question was raised at the hearings when the Attorney General of the United States was testifying. He did not deny it. He refused to discuss it.

Mr. BUSH. What I am asking the Senator to do is to point out to us by what authority, either in the existing law or in the provisions of the bill, the Armed Forces could be used.

Mr. EASTLAND. As I told the Senator, I am going to get the specific references and place them in the RECORD. I think the Senator has asked a very frank question on a specific item, and one which the RECORD should certainly reflect.

Mr. BUSH. Mr. President, may I say to the Senator from Mississippi and to my friend, the Senator from Arkansas, that I asked this question in all good faith and not in a frivolous way.

Mr. EASTLAND. I think the Senator did.

Mr. BUSH. We are entitled to know what is the basis of this charge, and where the language is in the bill that makes it right or possible, even, for the President of the United States to send the Armed Forces to any place in the South to enforce a decree of the court or anything else in connection with this whole issue.

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

Mr. BUSH. I do not have the floor.

Mr. FULBRIGHT. First, I should like to compliment the Senator from Connecticut for raising this point in the way he has, because he emphasizes in this discussion that it is all important that such questions be cleared up.

I certainly do not wish to leave the impression that the Senator from Connecticut was being frivolous. This is a very serious matter. I think there can be no more serious question than the question of the right to trial by jury, with regard to the long-term freedom of the people of the United States.

The larger and more complex this country becomes, the more important it is to preserve the constitutional protections of individual freedom. When one looks over the world, one finds that all the large totalitarian countries have become impatient with individual freedom and have largely subjected such freedom to the convenience of the state. That is what the Attorney General is seeking to do here in this bill—make easy and certain, the process of controlling the people of the South. That trial by jury and the freedom of all people may be put in jeopardy thereby apparently does not concern him.

This is the only great country where individual freedom prevails—I should not say it is the only great country, but the countries behind the Iron Curtain have no semblance of the kind of protection of the individual which we enjoy; and we ought to be slow to destroy it.

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

Mr. FULBRIGHT. I yield to the Senator from New York.

Mr. JAVITS. Regardless of which side of the argument we are on in this issue, I think we all wish to be precise. I thoroughly agree that the distinguished Senator from Arkansas has a very distinguished record in his effort to be precise.

May I ask the Senator from Arkansas a question? I refer to section 1993 of title 42 of the United States Code. Is it not a fact that whatever the President can do with respect to the Armed Forces of the United States, to enforce the process of the courts, is already provided in the law and that such power would not be added to by this bill? I think that is the central point.

Mr. FULBRIGHT. Ah——

Mr. JAVITS. May I finish?

Mr. FULBRIGHT. Yes.

Mr. JAVITS. As I understand, that is the central point of what the Senator from Connecticut wants to ascertain. Is or is not that authority put into the law by the provisions of this bill?

Mr. EASTLAND rose.

Mr. FULBRIGHT. Does the Senator from Mississippi [Mr. EASTLAND] wish to answer that question?

Mr. EASTLAND. Yes.

Mr. FULBRIGHT. I think I know the answer, but I would rather have the chairman of the Committee on the Judiciary answer the question, because he has been studying this subject far more than I.

Mr. EASTLAND. Section 1985 of title 42 of the United States Code, as amended, sets up some new remedies, injunctive remedies, and the remedies set up in the bill are the heart of the matter. There is an additional remedy under section 1993 to use the Armed Forces to implement section 1985 including the injunctive orders issued under this bill.

Mr. JAVITS. Mr. President, if the Senator from Arkansas will yield further, and I assume he will, is it not a fact—which is what we maintain—that whatever is in the law is there, it is not added to and it is not repealed by the provisions of this bill? The law now states, in section 1993, that the President may use the Armed Forces of the United States to enforce judicial process. That authority is in the law. That authority is not being added to by this bill.

Mr. FULBRIGHT. But the present law does not entitle one to use the injunction process against the particular activities mentioned in the bill.

Mr. JAVITS. I am sorry, but if the Senator will forgive me, I will state that the present law—the Brown case, to which the distinguished chairman of the Committee on the Judiciary referred—is the law, too.

As I say, I am very anxious to be precise. The only difference is that under this bill the Attorney General would be given the right to go into court and seek to require a public body, an agency of a State, to do what the Supreme Court says it should do. The only difference is that instead of Joe Jones, who is a citizen of the particular area and a taxpayer to the school board, doing it, the Attorney General would have the power to do it. That is provided by this bill.

Mr. ERVIN rose.

Mr. FULBRIGHT. The Senator from North Carolina [Mr. ERVIN] has studied this matter at great length. I should like to yield to him for his comments on the Senator's question.

Mr. JAVITS. The Senator from North Carolina and I have debated this question, I will say.

Mr. ERVIN. The answer to the question is that title 42, section 1985, in its present form, merely provides for the private person aggrieved to bring a suit for damages. It is inconceivable that a President would ever call out the Army, the Navy, or the militia to collect a judgment for a few dollars.

But if section 1985 of title 42 should be amended, as it is proposed to be amended by this bill, the Attorney General would be made the dictator of all the Southern States, and could bring suits to integrate schools or to do anything that is covered by the equal protection of the laws clause of the 14th amendment. It is quite conceivable that a political party, which is willing to introduce and sponsor a bill which would give to the Attorney General such dictatorial and autocratic powers, would not hesitate to call out the Army, the Navy, and the militia to enforce decrees obtained by him.

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

Mr. FULBRIGHT. Before we go too far from this subject, since I do not wish

to interrupt that train of thought, the Senator from Connecticut [Mr. BUSH] asked a moment ago about the use of military and naval forces. Has the Senator looked at section 1993?

Mr. BUSH. No, sir.

Mr. FULBRIGHT. If the Senator has the Code before him, will he look at section 1993, which refers specifically to that matter.

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

Mr. ERVIN. Furthermore, under section 1985 of title 42 in its present form, the defendant in the suit for damages by the aggrieved individual, would have the right of trial by jury.

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

Mr. BUSH. Mr. President, will the Senator permit the section to be read? The Senator from New York [Mr. JAVITS] has his finger on it. The Senator from Arkansas asked me to read it.

Mr. FULBRIGHT. Section 1993?

Mr. JAVITS. Yes.

Mr. FULBRIGHT. If the Senator from New York wishes to read it, that is agreeable.

Mr. JAVITS. Section 1993 reads:

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.

Mr. President, I should like to ask one further question of the Senator from Arkansas, which of course he can have any one of his colleagues answer if he chooses. Is it not a fact, therefore, that the section which I have just read would be equally applicable to section 1981, which guarantees equal rights under the law, to wit, the right to vote, and that this proposal does not represent money damages but represents an inalienable and fundamental right of every American, the right to vote?

Mr. FULBRIGHT. The last statement of the Senator, to be taken in reverse, I think is without justification. I know of nothing in the Constitution or in the law which says the right to vote is an inalienable right of every American. The Constitution certainly makes no such statement. Why does the Senator bring that in?

Mr. EASTLAND. May I say to the distinguished Senator that what we were discussing and what the Senator from Connecticut was talking about was the power to use the Armed Forces to integrate the schools.

Mr. FULBRIGHT. Let me come back again to this question——

Mr. EASTLAND. That power is implicit in the bill. The Attorney General now cannot bring suit under section 1985 to integrate a school. It is proposed to give him such power under this bill. At present he has not the right to use the Armed Forces of the country for such a purpose.

Mr. FULBRIGHT. Let me answer the question of the Senator from Connecticut. Under the existing law there would be the right to trial by jury. It is sought, by the proposed legislation, to give to the Attorney General the right to seek an injunction, without a trial by jury, and to deal with violations of the injunction by the use of the Armed Forces. Under existing law, if Mr. Jones goes to court to enforce his civil rights, those charged with violation of his rights have the right to trial by jury. That is what we are really talking about. It is proposed to take away that right. Under the proposed legislation, such a defendant would have no right to a trial by jury. The Attorney General would seek an injunction. He would say, "I have reason to believe that there may be a violation of these rights, and I want an injunction." The injunction might be violated; and, if it were violated, the Army and the Navy might be called in to compel compliance with the order of a court of equity.

The Senator from North Carolina has just pointed out that it is true that at present, if there were trial by jury, and if the right could not be enforced, the President would have authority, under section 1993 to employ the Armed Forces. But it is so clearly unnecessary that such authority has never been used, and it is not likely to be used. At the time this provision was written, of course, there was no authority whatever to integrate schools, if we wish to use that example as a specific—and to us objectionable—procedure, although many other things are involved.

Does not the Senator from New York see that there is a great difference between an individual who is accused of certain violations having the right to trial by jury, and an individual who has no such right, but who can be subjected to arbitrary procedure of a court?

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

Mr. FULBRIGHT. I yield.

Mr. JAVITS. It seems to me that the Senator has pinpointed admirably two fundamental points in connection with the use of the Armed Forces. We have read the pertinent section. The section referred to is now in the law, and the fact that it has not been used during all these years should certainly be some evidence as to whether or not it will be used in the future, because, after all, these laws have been on the statute books for some time. That is the main burden of our argument; namely, that we seek to import nothing new into the law.

Second, on the question of trial by jury, again the same situation exists. It is a fact that without the proposed legislation—and the proposed legislation has nothing to do with the question—when the United States is a party plaintiff in a contempt proceeding there is no jury trial. That situation would not be created by the proposed legislation.

What is being argued is that that provision should be included in the law, despite the fact that the United States is the plaintiff in the proceeding; and very importantly—and I argued this question out with our distinguished colleague from North Carolina [Mr. ERVIN]—we are not leaving a defendant defenseless and at the mercy of some autocratic judge. We have a circuit court of appeals and a Supreme Court. We have an established body of law and equity which was in existence long before this country was formed.

This is the fundamental point of the argument to which I wish to return: These are not new provisions which we are seeking to place in the law. They have been in the law. We have had generations of experience with them. That is why so many of us say that the idea that they will be suddenly misused is only a hobgoblin in the closet.

Mr. FULBRIGHT. The Senator can argue in his own time his interpretation of the bill, and the question as to whether it would be wise to do away with jury trials and have a purely judicial administration of the law. That is a matter for argument. What we are trying to pinpoint, for the information of Members of the Senate, is the question, What does the bill do?

The Senator from New York is entitled to approve the bill if he so desires. The people in Russia, in the Kremlin, approve this kind of procedure. It was approved in Germany.

Mr. JAVITS. Mr. President, this is not going to improve the argument.

Mr. FULBRIGHT. In those countries the people have not the same respect for jury trials and the traditions of justice which we inherited from our forefathers.

The Senator from New York makes statements about the inalienable right of every American to vote. That is nonsense. There is no such inalienable right; and I challenge him to find anything in the Constitution which provides that every American shall have the right to vote.

There are four places in the Constitution where it is provided that a man shall have the right to trial by jury in the circumstances set out.

Mr. JAVITS. Mr. President, will the Senator yield? The Senator challenged me.

Mr. FULBRIGHT. I do not yield further to the Senator from New York. He is not seeking to enlighten the Senate as to what the bill provides. He is merely arguing whether or not it is a good bill, which he is entitled to do on his own time.

Mr. JAVITS. I regret that the Senator has come to that conclusion.

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

Mr. FULBRIGHT. I yield.

Mr. EASTLAND. The distinguished Senator from Arkansas heard the statement of the Senator from New York on the floor of the Senate that the provision with respect to use of the Armed Forces was already in the law, and that the law would not be changed in any way by the proposed legislation. It is perfectly plain that it is sought to give the Attorney General the right to bring suits to force school integration, and to give him the right to use the Armed Forces for that purpose. There can be no question about that.

Mr. FULBRIGHT. I think the Senator is quite correct. Let me go further. The issue relates not only to school integration. That is the present probability as to the purpose for which the power would be used. However, the issue is much broader than that.

Mr. EASTLAND. Under the Girard College case, such authority would extend to swimming pools, and many other things.

Mr. FULBRIGHT. It goes much further than has been indicated. The essential thing is that the procedure by which the right to trial by jury comes into being would be eliminated.

Mr. EASTLAND. We are on the high road to dictatorship, when we go to military government and government by bayonets.

Mr. FULBRIGHT. Of course, the Senator is quite correct.

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

Mr. FULBRIGHT. I yield.

Mr. SPARKMAN. The Senator from Mississippi mentioned a couple of proposed changes. There is another change which would be made under this proposal, which is quite material. A judge could impose a penalty without a defendant ever having had the right to have the facts determined by a jury of his peers.

Mr. EASTLAND. Certainly he would be deprived of the guaranty against double jeopardy. He would be deprived of the right to have the Government assume the burden of proof. In fact, this bill would violate and bypass the Bill of Rights. It is a slick, devious scheme to circumvent the Bill of Rights. That is all anyone can make of it.

Mr. FULBRIGHT. I certainly believe that the bill would bypass the Bill of Rights in the respects which have been mentioned, especially in connection with amendments Nos. 6 and 7.

Mr. ERVIN. Mr. President, will the Senator from Arkansas yield for a question?

Mr. FULBRIGHT. I yield.

Mr. ERVIN. The Senator from New York has talked about the right of a person to appeal to higher courts. I will ask if the Senator from Arkansas does not know that virtually all the cases which would be brought by the Attorney General under the provisions of the bill, if it were enacted into law, would be brought against local officials who perform essential governmental services at the local level, either without pay or with very limited pay; and if it would not be practically impossible for such officials to undergo the terrible expense incident to appeals? I ask the Senator if the idea that these poor local officials can protect themselves by appealing to remote Federal courts is not just about as sensible as the observation of the Frenchman who said that a certain law was impartial because it prohibited the rich as well as the poor from sleeping under bridges and in parks, and searching garbage cans for food.

I ask the Senator further if the history of the United States does not show that a Republican Congress actually sent troops into the South, and if they were not garrisoned in many places in the South, including my hometown?

Mr. FULBRIGHT. That was certainly true during reconstruction days.

Mr. ERVIN. I ask the Senator if the statute to which reference has been made, which authorizes the President to call out the Army, the Navy, and the militia, was not enacted at a time when it was officially accepted by the Republican Party in control of Congress that the Southern States were conquered provinces.

Mr. FULBRIGHT. The Senator is quite correct. Section 1993 was enacted in 1866. So I say to the Senator from Connecticut that the origin of the provision of which he is interested was the Civil War. It was a part of the reconstruction legislation, under which, as he knows, the object was punishment of the conquered territory commonly called the Southern States.

Mr. President, I should now like to bring the argument a little more into focus. The point I was trying to make is that the bill, in order to insure, as it says, a certain right on the part of some unknown people, who are not specified, we should give up the right of trial by jury. I say the people are not specified, but, of course, from common knowledge, we believe the sponsors of the legislation have reference to some of the Negroes in some of the Southern States. I have already mentioned that, so far as my State is concerned, I do not believe it is a critical matter at all. There is no evidence that I know of which indicates any wholesale deprivation of the right to vote on the part of any people in my State, any more than, I may say, in New York City or Chicago there is a wholesale deprivation of the right to live because there are numerous murders committed there. I believe there were about 6,000 murders committed in the three leading cities of the Nation, New York, Chicago, and Washington, during the past 10 years. However, no one has come forward and said, "Let us do away with the criminal statutes and make all crimes subject to injunction. Let us issue an injunction against every criminal in these three cities, and provide that henceforth there shall be no more trial by jury, and let us provide also that anyone who is even suspected of committing a crime shall be thrown into jail for contempt of court."

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

Mr. FULBRIGHT. I will yield, certainly, but I am really not as expert in this field as is the Senator from Mississippi, who ought to be making these points himself. However, I will yield to him.

Mr. EASTLAND. Let us assume that an injunction is issued under the bill and that an attachment is issued, and that a man is charged with violating the injunction. The judge will then sit as a legislature and define what acts are in violation of the injunction, will he not?

Mr. FULBRIGHT. That is correct.

Mr. EASTLAND. The judge then will cite the man for contempt. Is that correct? He will be the prosecutor, in other words.

Mr. FULBRIGHT. The Senator is correct. He is the whole thing.

Mr. EASTLAND. Then he is a judge.

Mr. FULBRIGHT. Yes.

Mr. EASTLAND. Then he makes the decision, does he not?

Mr. FULBRIGHT. The Senator is correct.

Mr. EASTLAND. In that way he would be bypassing the statute that says any criminal contempt may be punished with not more than 6 months in jail. If the bill is passed, we would be bypassing that provision of law, and providing, instead, that such a man may be confined by the judge who convicts him, for any length of time within his discretion, as long as he does not violate the very broad provisions of the eighth amendment. In other words, he can give the man 3 years. There has been a case, I understand in which a man was given 5 years. In other words, we would have one man acting as legislature, as prosecutor, as judge, and as jury. My question is this: What civilized country anywhere in the world, except the Soviet Union, would countenance such a system of jurisprudence?

Mr. FULBRIGHT. I certainly know that that is not in accordance with our traditions or the English system of justice. Neither do I believe it is in accordance with the French system of jurisprudence, or with Roman law.

Mr. EASTLAND. Does the Senator from Arkansas believe that there is a civilized country anywhere in the world which would permit such a system of jurisprudence within its borders except the Soviet Union, with its peoples' courts?

Mr. FULBRIGHT. I agree with the Senator. It is a wholly unjustifiable extension of the arbitrary power of the injunctive process. I see no excuse for it.

I am not saying that there may not be some interference with the rights of individuals, as there are interferences with the right to life, as I have mentioned, and many other rights in other activities in fields that involve the criminal law. However, there is no emergency to the situation that I know of. In fact, everything indicates that there has been a great improvement in recent years. To suggest that we need this kind of drastic alteration of our traditional system of justice, it seems to me, is to act without any justification whatever.

I should now like to conclude my remarks. It is clear that the right to a trial by jury has been considered by our Founding Fathers and by all the leading statesmen of our system, political and judicial, as one of the most important rights. It would be a very bad bargain, indeed to sacrifice or even limit in a serious way the right to trial by jury in return for the right to vote for a limited number of people.

The right to a trial by jury was considered by our Founding Fathers more essential to their freedom, more basic to the dignity of the individual than the right to vote. The right to vote without freedom from intimidation is an empty, useless right. The jury trial is

the chief safeguard against intimidation by the Government.

Therefore, I urge Senators who are weighing the two rights in the balance not to sacrifice the right to a trial by jury of their peers, for the right to vote. It would be a poor bargain indeed. Especially would it be a poor bargain for all Senators who represent the smaller States in the West and the Southwest and in New England.

Only a trial by jury will protect their people from the arbitrary exercise of Government power.

To some of my colleagues from the small States of the West, with 3 or 4 or even 6 or 7 electoral votes, I say that there was a time, and there may come another time, when their men will not occupy the White House or the office of Attorney General.

The vagaries of history and of political fortune strongly suggest to me that they should not give up the safeguards to their liberty based upon centuries of experience, simply because their man will administer the law.

Mr. President, the bill not only in itself provides for a radical departure from established procedure, but the manner in which the bill has been brought to consideration by this body itself represents another radical departure from established procedure. I refer to the recent action of the majority of the Senate in refusing to refer the bill to the committee. It is an interesting subject for speculation that all those who are so anxious to destroy the traditions and procedures of the Senate and the Constitution come from the metropolitan areas. It seems to me that there must be some connection with the dynamism that has arisen from the terrific and unprecedented extension of our great centers of population which makes them impatient and intolerant of the traditional safeguards to our liberties, many of which, of course, entail some delay in the administration of justice.

Mr. President, all of us should pause in this mad rush to reform the South, and consider how the majority of the Senate is threatening to destroy the traditional safeguards to the freedom of all of us.

Here within the space of a few weeks we have violated our usual procedure of referral of all bills to committees. Now we are asked to violate our usual procedure of referring the commission of crimes to juries. I should like to remind the Senate of the danger of following such a procedure.

Mr. President, entirely aside from the merits or the demerits of the civil rights issue, there are two parts of the pending bill which should give deep cause for concern to all Americans:

First. The proposition that one section of the country cannot be trusted to dispense justice through the time-honored concept of the jury.

Second. The proposition that there should be a broad and sweeping grant of power to use novel methods for the enforcement of a series of statutes which are vaguely defined, rarely applied, and never adequately construed.

Those who are advocating that white southerners be deprived of the right to a jury trial are opening up dangerous grounds. They are stating, in effect, that a murderer, rapist, pederast, narcotics peddler, kidnaper or traitor is entitled to a basic right which will be withheld from a southerner. This is a difficult position to defend.

Furthermore, there is no assurance that the right withheld from the South today will be maintained for other sections of the country tomorrow. If such a precedent had been on the statute books there would have been a wild clamor to withhold jury trials:

First. From the Middle West during the depression when farmers were banning together to prevent fully legal foreclosures on farms by eastern banking and insurance interests.

Second. From Illinois during the period when Al Capone—vice lord and beer baron—allegedly had complete control over Burnham, Stickney, and Cicero, and partial control over Chicago itself.

Third. From Michigan during the depression period when labor unions were staging "sitdown strikes" and physically occupying factories.

If in those instances there had been in effect the law which is here proposed, I have no doubt that there would have been a great clamor for the adoption of similar procedures in those areas.

The sitdown strike analogy also raises an interesting point. The basic thesis of the Norris-La Guardia Act hailed as the measure which brought freedom to labor—was that workingmen were entitled to trial by jury rather than coercion by injunction. Now the Senate is told that freedom for minorities requires that trial by jury be abolished. Those sponsoring this legislation cannot have it both ways. If the jury trial is a charter of freedom—as in the Norris-La Guardia Act—it cannot now be condemned as the stumbling block to freedom.

But the advocates of this bill have not limited themselves to eliminating trial by jury on the right-to-vote issue alone. They have gone beyond that point and added it to a series of broad and sweeping reconstruction statutes which no one fully understands or at least which no one has fully explained.

The Senate is helpless to fully assess the effects of section 1985 because it has not had the benefit of a careful committee study. But certain things are obvious:

First. Section 1985 has nothing to do with the right to vote because voting rights are fully covered in title IV of the bill. If the sole purpose of the measure is to protect voting rights—something that has been widely advertised—then section 1985 is unnecessary.

Second. As presently written, section 1985 carries with it only civil penalties for violation. As amended by the pending bill, section 1985 would carry with it the full force and power of the Federal Government including the use of the Army and the Navy.

Third. Section 1985 is so broad that apparently it covers every phase of life defined as a civil-rights issue. The very least the Senate can do is to insist upon a definition of limitations before voting upon such a stringent measure.

This is a country which boasts that it has a government of laws; not of men. But no country can truthfully make such a claim unless its legislators have a clear and specific definition of the measures they are passing upon. It is not a legitimate argument to say that if powers are too sweeping, a moderate administration like the present one would not make use of them. The real point is why they should be granted in the first place.

It is axiomatic that no government is truly democratic unless the people have a clear understanding of the laws under which they are governed. Can anyone claim that the people of this country truly understand title III of section 1985? Under the circumstances, it might have been well to number this section 1984 in memory of George Orwell's famous novel.

At the present time, passage of this measure would represent a blow at the South only. But it would be a precedent under which the liberties of the whole Nation would be taken away—a bit at a time. It would require every courthouse to redefine justice under the law into a two-part code:

First. Justice for white southerners—to be dispensed by handpicked Federal judges who can define not only the punishment but the crime itself.

Second. Justice for rapists, pederasts, murderers, traitors and kidnapers—to be dispensed by juries of their peers upon the basis of clearly defined and strictly construed statutes.

Mr. President, I wish to quote a short statement from a recent book, The Price of Union, written by one of the great authors of this country, Herbert Agar:

> If the majority demands its way too harshly the Federal principle is broken, for the essence of federalism is the power of regional minorities to protect their interests.

Thus, in one sentence of his book, Mr. Agar has summarized the basic issue involved in this debate. In this instance, in this proposed legislation, the majority is indeed making harsh demands and has tampered with what I believe to be the keystone of the Federal system which has served this Nation so well for the last 168 years.

It always amazes me when the sponsors of such radical legislation profess to reconcile it with the obvious success of the Federal system which we now enjoy.

I am not alone in my belief that the genius of the American system is that it limits all power, including the power of the majority. Several years ago—in 1949, in fact—Walter Lippmann, one of the wisest commentators we have, stated the principle of federalism simply and clearly. As Senators will recall, this body at that time had under consideration the proposed change in rule XXII. Mr. Lippmann's comments were appropriate on that occasion and are even more so at this time, since the proponents of H. R. 6127 not only seek to limit debate, but have brought this measure before the Senate, by an unusual procedure which might well lead to a breakdown of our committee system.

Mr. Lippmann was writing in connection with the threat of the majority to change rule XXII. Here we have also the same majority that was involved in that threat seeking to impose upon us the bill which is now under discussion:

I quote Mr. Lippmann's comments on the question which I believe to be the most significant one involved in the present debate:

The American idea of a democratic decision has always been that important minorities must not be coerced. When there is strong opposition, it is neither wise nor practical to force a decision. It is necessary and it is better to postpone the decision—to respect the opposition and then to accept the burden of trying to persuade it.

For a decision which has to be enforced against the determined opposition of large communities and regions of the country will, as Americans have long realized, almost never produce the results it is supposed to produce. The opposition and the resistance, having been overridden, will not disappear. They will merely find some other way of avoiding, evading, obstructing, or nullifying the decision.

For that reason it is a cardinal principle of the American democracy that great decisions on issues that men regard as vital shall not be taken by vote of the majority until the consent of the minority has been obtained. Where the consent of the minority has been lacking, as for example in the case of the prohibition amendment, the democratic decision has produced hypocrisy and lawlessness.

This is the issue in the Senate. It is not whether there shall be unlimited debates. The right of unlimited debates is merely a device, rather an awkward and tiresome device, to prevent large and determined communities from being coerced.

The issue is whether the fundamental principle of American democratic decision—that strong minorities must be persuaded and not coerced—shall be altered radically, not by constitutional amendment but by a subtle change in the rules of the Senate.

Mr. President, I think it is very appropriate that the words "not by constitutional amendment, but by a subtle change in the rules of the Senate" are used.

This bill is a subtle one. It proposes a subtle change in existing law.

The Senator from New York [Mr. JAVITS] pretends the bill proposes a very simple little thing, and nothing new, and that it would not change very much. However, Mr. President, all the bill does is to abolish trial by jury—a constitutional right which the Founding Fathers thought so important that at four different places in the Constitution or in the amendments thereto they included a provision guaranteeing to the people of the United States the right of trial by jury. I think no one would venture to deny that if those guarantees of individual liberty had not been incorporated in the Constitution, there never would have been a Constitution of the United States. I do not think there is the slightest doubt that if the gentleman's agreement had not been made with the leading citizens of Virginia, the Constitution would never have been ratified; and some of the principal points at issue were the sixth and seventh amendments.

The statement that it does not change matters very much if the right of trial by jury is abolished, in my opinion is a most deceptive way to present the bill. This is a tremendous and an ominous change in our judicial system.

I agree that the bill is a very subtle one. It is very difficult to interpret it properly, without reading the provisions of the bill in conjunction with various existing statutes, some of them very old. So it is very difficult to understand just what the bill provides. Mr. President, if ever there has come before this body a bill which should be subjected to the most careful scrutiny by a committee and its staff experts, who then would develop a thorough explanation of the bill, this is that bill. I know of no other measure in recent years which has been more difficult to understand by reading its text.

This bill must be read in conjunction with many other acts of Congress, passed years ago, during and shortly after the Civil War.

Mr. President, It surely cannot be seriously believed that it is purely accidental that Americans, composed of all the races of Europe, plus a sprinkling of several others, have been so successful in living together in peace and harmony and freedom. I know that it is comforting and personally satisfying to think that, somehow, we as a people possess some mysterious virtue that other peoples do not possess; that, somehow, we are superior and unique; that our personal excellence accounts for our success. There are occasions in our public life when it is appropriate to take that view, but neither science nor reason will support it.

It is my belief that what virtue we possess as a community is to a great extent due to our Federal system of government, and that the most unique and significant parts of that system are the Senate of the United States, as it has been constituted and regulated by its own rules of conduct, and our system of constitutional law which guarantees, among other things, the right of trial by jury. If we are to abandon the basic concept of the Federal-State system, and if we are to adopt a completely centralized system—one which we have seen fail in Europe and in Asia—then there is no need to be concerned about the Senate and its tradition or to be concerned about the Constitution.

Mr. President, before I conclude, I should like to address a very special appeal to the news-gathering agencies of the country. I say to them that in this particular instance they owe to the people of the United States a very special duty to elucidate the effects of the bill, as they are set forth during this debate. The special circumstance which warrants this appeal is the fact that the bill has not gone to a committee, and we shall not have available to us a report, such as that which usually accompanies a bill of this kind, in order to explain what the bill does and to give the answers to questions such as the one the Senator from Connecticut asked a moment ago—a matter in which every Member of the Senate may well be interested. Just what does this bill mean?

Mr. President, I began my remarks by making a reference to an editorial published in the Washington Post, one of the three great newspapers published in the city of Washington, D. C. Previously I had printed in the CONGRESSIONAL RECORD an editorial which was published in that newspaper several months ago. Today, we find that the Washington Post has changed its view, inasmuch as the editorial published this morning in the Washington Post accepts the idea that possibly the bill does need revision, and that it should be debated.

The bill is now being debated on the floor of the Senate, under circumstances which are not well designed for careful consideration of technical provisions. The Senate is trying to understand the bill and, I hope, to rewrite it.

Therefore, Mr. President, I appeal to the members of the press that if ever they had a duty to report a debate fully, impartially, and clearly, this is that debate. However clumsy those of us who are not on the committee may be in our discussion of the bill, I believe it is the duty of the press to try to present the points developed during the debate, so that everyone in the country may understand them and may understand the full implications of the bill.

I would remind the members of the press that, due to their cooperation with the Senate, on two or three occasions great mistakes, I believe, were prevented. One which comes to my mind was the Court-packing plan of my own party, or, at least, proposed by the leader of my own party, in the late 1930's, when the Senate delayed long enough to enable the members of the press to enlighten the people of the country, as a result of which there arose a great feeling of revulsion against the proposal, with the result that the plan was dropped. I think that was an excellent demonstration of what I have in mind and what I believe will occur if the people of the country understand that under this proposal they will be giving up one of the most vital protections of their personal freedom to be found in the Constitution.

I also recall the proposal to draft into the Army the railroad workers—a proposal made during a period of considerable internal tension. I believe it was an ill-advised proposal. But because the Senate was able to delay it and because during the period of delay the members of the press were able to inform the people of the country about it, that proposal also was defeated.

So I appeal to the press in this case, because we do not have the benefit of a committee study, and we do not have the benefit of a thorough report which would enlighten everyone as to just what the bill means. Therefore, I hope the press will report the debate on the bill in an accurate and unusually careful manner. Of course I do not confine my appeal to the representatives of the daily newspapers and periodicals; I also appeal to the members of the fourth estate who provide television and radio coverage. I hope they will do likewise.

Mr. President, I yield the floor.

Mr. KNOWLAND. Mr. President, I desire to propound a parliamentary inquiry. However, before doing so, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

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

The VICE PRESIDENT. A quorum is present.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1314) to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes.

CIVIL RIGHTS

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from California [Mr. KNOWLAND] that the Senate proceed to the consideration of House bill 6127.

Mr. KNOWLAND. Mr. President, on yesterday the Senator from Georgia [Mr. RUSSELL] stated that the star-print bill which is now proposed to be taken up upon my motion is not the same bill which was heretofore read twice and ordered to be placed on the calendar. This colloquy appears on pages 10986–10987 of the RECORD of July 8, 1957. It was stated that the star-print bill had not been read twice.

I desire to submit a parliamentary inquiry, as to whether, if my motion prevails, the bill then before the Senate will be the engrossed bill, star print, and as to whether the validity of any proceedings the Senate may now or hereafter take on the star-print bill may be questioned.

The VICE PRESIDENT. A study of the precedents indicates that the question as to the validity of a star print has not been previously raised in the Senate, and that the Presiding Officer of the Senate, therefore, has not previously made a ruling. However, the Chair has asked the Parliamentarian to make a study of the use of such prints in the past, and on the basis of information furnished by the Parliamentarian the Chair replies to the parliamentary inquiry of the Senator from California [Mr. KNOWLAND] in this manner:

A star print, so called, of an engrossed bill, whether it is either a House or Senate bill, is simply a bill that has been reprinted for the purpose of correcting an error or errors, usually of a clerical or typographical nature, made by some person whose duty it was to see that such bill, when printed, was in conformity in all respects with and truly and accurately reflected the action of the particular House in its passage. It is designed to substitute for a bill in which an error has been discovered a reprinted bill correcting such error or errors and showing the exact form in which such bill was actually passed by the original House. The practice of star printing bills has been followed by both Houses of Congress, in a more or less routine manner, for a long period of time. The Parliamentarian has found instances going back almost 50 years ago. It is somewhat analogous to the method of correcting by a concurrent resolution errors discovered in an enrolled bill after it has passed through the legislative processes beyond the stage of amendment; indeed, in some cases, after an enrolled bill has been signed by the two presiding officers and presented to the President, it is recalled, the errors are corrected, and the bill again signed and presented to the President for his action thereon.

An engrossed bill is attested, in the Senate by the Secretary, and in the House by the Clerk, and transmitted to the other body by message. If an error in such a bill is not discovered until after its receipt by the other House, the usual procedure is for the enrolling clerk of the first House to have a star print made correcting such error and it is delivered to the enrolling clerk of the second House, who delivers to the first House the original signed bill containing the error. In such a case, a star print is made by the enrolling clerk of the second House of the bill on white paper showing the bill in its correct form, with the same action indicated thereon as appears on the original bill. All the original copies of the bill are withdrawn from the files and the star-print copies substituted therefor, whether the bill was referred to a committee or placed on the calendar.

The error in the engrossed bill H. R. 6127, the Civil Rights Act of 1957, was not discovered until after it had been transmitted by message to the Senate, read twice, and placed upon the calendar.

During the consideration of the bill in the House on June 17, 1957, as shown on pages 9378–9384 of the CONGRESSIONAL RECORD, Mr. WHITENER, of North Carolina, offered an amendment embracing the language of the proviso shown in the original engrossed bill beginning on page 8, line 19, and extending down to and including line 9, page 9. A point of order was made and sustained by the Chairman, Mr. FORAND, that it was not germane specifically to the section to which it was offered, but it was stated by the Chairman that it would be germane to the bill as a separate section. Mr. WHITENER then obtained unanimous consent that he might offer it as an amendment in the form of a separate section, to be known as subsection (e) of section 131, and to be inserted immediately following line 13, on page 12. An amendment to the amendment was offered by Mr. HOFFMAN, of Michigan, which was ruled out on a point of order as not being germane to Mr. WHITENER's amendment. Mr. WHITENER, by unanimous consent, then made a slight modification of his amendment, and the amendment as modified was agreed to. By inadvertence, the amendment as adopted was inserted in the bill at the same point where it was originally offered instead of at the place where it was offered the second time.

When the error was discovered, the enrolling clerk of the House had a star print made of the engrossed bill, in which the language of the amendment was transposed from the erroneous place in the bill to the place specifically indicated by him when he offered the amendment the second time, which now appears on page 12, as lines 10 to 23, inclusive, of the Senate Calendar print of the bill.

It was simply a transposition of the language of the amendment to the correct and proper place, as indicated by the proceedings in the CONGRESSIONAL RECORD. No word was changed in this transposition. It was placed in the star printed bill in exactly the same language as proposed and adopted by the House.

The transposition necessitated a change in the pages and lines of the star print after the place in which the amendment was incorrectly inserted, and it was therefore necessary to have a star print made in the Senate of the original calendar print, in view of the fact that any amendment offered after page 8, line 19, would not correspond to the language in the star printed engrossed bill.

When this star print was delivered to the Secretary's Office of the Senate, following the custom, undeviated from, the original erroneous engrossed bill was returned to the enrolling clerk of the House, and a copy of the Senate Calendar print of the bill was sent to the Government Printing Office for a star print.

The proceedings in connection with the star printing of the bill in the Senate followed the usual routine procedure customary in the correction of errors in engrossed bills.

Mr. RUSSELL. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. RUSSELL. The Chair did not so state specifically, but I understood the distinguished Senator from California to propound a parliamentary inquiry as to the validity of this procedure. Did I correctly understand the Chair to rule that this remarkable procedure was valid under rule XIV?

The VICE PRESIDENT. The Chair did so rule.

Mr. RUSSELL. Mr. President, I feel constrained to submit a point of order in connection with that ruling.

We have a situation in which the Senate took the unusual step of bypassing a

committee to place a bill upon the calendar. After a long controversy the bill was read twice. Indeed, under the demand of the Senator from South Carolina [Mr. JOHNSTON], we resorted to the unusual procedure that the bill be read in full, and not only by title. According to the records of the Senate, it was read a second time, and placed upon the calendar.

Now we are told that, though the bill which was read the second time, is not the bill which is the star print bill, we can consider the star print, thereby not only bypassing committees, but bypassing all of rule XIV, which requires, in three separate places, that all bills shall be read three times, on separate days, under demand, before the Senate may take action upon them.

I was greatly interested in that part of the Chair's ruling that "this procedure is somewhat analogous"—and I am quoting from the ruling—"to the method of correcting, by a concurrent resolution, errors discovered in an enrolled bill after it has passed through the legislative processes—indeed, in some cases, after an enrolled bill has been signed by the two presiding officers and presented to the President, it is recalled," and errors are corrected. Indeed they are, but they are corrected by action of the Senate and House of Representatives, through a joint resolution and not by an enrolling clerk.

In this case it is said that the action of an enrolling clerk—not a clerk of the United States Senate, but a clerk of the other body—binds the Senate, and that his action is analogous to the solemn legislative action of Senators elected from 48 States and sworn to uphold the Constitution of the United States in adopting a concurrent resolution.

Mr. President, I assert that that is the most remarkable analogy that has ever come to my attention. What would have happened if, in passing the bill, the House had been dealing with the recodification of the statutes of the United States, and it dealt with a section having to do with murder on Federal lands. Suppose it had written that such murder should be punishable by hanging. Suppose there was another section providing for the punishment by fine of any person found guilty of spitting on the sidewalks in Federal lands. Suppose, through the error of the enrolling clerk, it came about that punishment of the person guilty of murder should be a fine of $15, and that the person spitting on the sidewalk should be hanged. Would that act of an enrolling clerk be valid? It is as remarkable as that one should take the position that an enrolling clerk could override the action of the House, or, by placing certain language in the bill, could commit the Senate to two readings of the bill that was not the bill the Senate would be asked to consider.

Has the Chair ruled that this bill has been read twice, under rule XIV?

The VICE PRESIDENT. The Chair so rules.

Mr. RUSSELL. Mr. President, I think I know something about the atmosphere under which we have been proceeding since this bill was first brought up. I have little hope of any of the aspects of usual consideration under the rules of the Senate. But, Mr. President, it is a remarkable rule to declare that an enrolling clerk of the House can take action which is equal to that which must be corrected by a concurrent resolution adopted by both Houses of Congress, as is necessary in the analogies which are given.

This was not the usual case. This was not a case in which "a" was used instead of "the" or "it," instead of "them." This was a case in which a bill was sent to the Senate with the provision in question, important as it is, appended to the "Commission" provision, or Part I of the bill, when it should have been appended to Part IV as subsection (e), as the CONGRESSIONAL RECORD will show.

It is evident that the rule which requires reading of the bill means nothing under this ruling if an enrolling clerk of the House changes the bill and then sends another bill to the Senate in the form of a so-called star print. Such action defeats the Senate rule and denies the rights of Senators.

This shows the difficulties we get into when we deviate from the regular, fixed procedures of the Senate. Almost always when we resort to an expediency to achieve a quick end we find, before we are through, that we are driven to expediency after expediency, until we tear down the whole structure of the law which is supposed to guide the Senate.

I might understand how the enrolling clerk of the Senate could take some action which would affect rule XIV, relating to two readings of the bill in the Senate; but it passes my comprehension how the Senate, even in its haste to get along with the bill, and to follow unusual procedures, could take the position that the enrolling clerk of the House of Representatives could intrude himself into the Senate and avoid two readings of the bill, as required by the rule.

You may rule; and you may ride roughshod. However, the fact remains that the bill, which it is now sought to bring up by motion has not been read even one time in the Senate; and the cold record of proceedings as set forth in the ruling which the Chair has made will completely sustain that statement.

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

Mr. RUSSELL. I yield to the Senator from North Carolina.

Mr. ERVIN. I should like to ask the able and distinguished Senator from Georgia if he will also ask the Chair to make a parliamentary ruling on the following situation:

In the star print of the bill, at the top of page 11, we have something to which the distinguished Senator from Wyoming [Mr. O'MAHONEY] called attention yesterday. We find the following language:

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

Then there are set forth subsections (b), (c), (d), and (e), making four new subsections. I think we are entitled to a parliamentary ruling on the point. Since subsection (d) is not added or recognized by the language of the bill, it seems to me that it has no part in the star print bill.

Mr. RUSSELL. This procedure is completely analogous, of course, to the procedures outlined in the bill itself. I hope to appeal to some Senators who may favor even the extreme provisions of the bill, but who would still like to see the Senate at least follow some reasonable course calculated to maintain its self-respect and independence.

I shall not labor this question. I know that any effort that is made here to remind the Senate of the rules of the Senate when we get into a situation such as that in which we find ourselves today excites very little interest on the part of Senators.

I feel that I have a duty to the Senate. I love the Senate. I have respect for the Senate; and at least I should like to have it appear in the RECORD of the Senate that the point remains, that the bill which is sought to be brought before the Senate for consideration on motion has not been read even one time; and the distinguished Senator from California yesterday was honest enough to admit that this is not the bill which was read on two occasions and then sent to the calendar instead of to committee.

That is the position we are in. I do not know what further unusual tactics will be resorted to. I hope we will not undertake to pass the bill as prepared by enrolling clerk of the House of Representatives, or accept the statement of someone not connected with the Government, perhaps someone walking down the street, who may have an opinion about it, and who would transmit to the Senate, a demand that the roll be called immediately on the bill and that no Senator from South be permitted to vote.

Mr. President, in the course of the discussion on the parliamentary situation which obtained when the bill was placed on the calendar, instead of pursuing the normal committee course, I said that the suggested course of action would bring up troubles that would confound and confuse the Senate.

Ordinarily, the discovery and correction of errors is one of the important functions of a committee. Instead of letting the committee do it, we find that we will not be permitted to even let the Senate do it with an ordinary concurrent resolution. Instead, it is proposed that we do it by an action taken by an enrolling clerk of the House of Representatives. We are getting into a rather sad situation in the United States Senate when we resort to such rulings.

Mr. KNOWLAND. Mr. President, I am not sure of the parliamentary situation. Has the Senator from Georgia taken an appeal from the ruling?

Mr. RUSSELL. I have made a point of order against it. If the Chair overrules it, I may appeal from his decision. I shall not subject the Senate to a debate that will be charged as a filibuster by continuing this discussion at greater length. If I appeal I shall ask the Senate for a yea-and-nay vote. When we are following such procedures in the Senate. I believe we should make a record of it, so that when we have gone

back into the oblivion from which we sprang, the record of our action will be left behind us.

The VICE PRESIDENT. May the Chair inquire whether the point of order is to the effect that the bill has not been read the second time?

Mr. RUSSELL. It has not been read the second time. I say the action of the enrolling clerk of the House of Representatives in preparing a new print is no substitute for action by the Senate as prescribed in the rules.

Mr. President, in order to refresh the recollection of my colleagues, I should like to read again from rule XIV. I have read often from that rule within the past few weeks.

I read from rule XIV, as follows:

2. Every bill and joint resolution shall receive three readings previous to its passage, which readings shall be on three different days, unless the Senate unanimously direct otherwise; and the Presiding Officer shall give notice at each reading whether it be the first, second, or third: *Provided*, That the first or second reading of each bill may be by title only, unless the Senate in any case shall otherwise order.

I point out to my colleagues that that paragraph does not say anything about the enrolling clerk of the House of Representatives substituting for the Senate. It does not say anything about the enrolling clerk of the House of Representatives substituting for the Presiding Officer. It does not say anything about the enrolling clerk of the House of Representatives being able to determine what the Senate shall do or what the Senate shall not do to conform to this rule. It says that the Senate may determine not even the leadership. Any Senator has that right, not the leadership or any employee of the other body, to have the identical bill read on different days.

I read further from rule XIV:

3. No bill or joint resolution shall be committed or amended until it shall have been twice read, after which it may be referred to a committee; bills and joint resolutions introduced on leave, and bills and joint resolutions from the House of Representatives, shall be read once, and may be read twice, on the same day, if not objected to, for reference, but shall not be considered on that day nor debated, except for reference, unless by unanimous consent.

I had always thought that the words "unless by unanimous consent" referred to the unanimous consent of the Senate, not to the determination of the enrolling clerk of the House of Representatives.

I read further from rule XIV:

4. Every bill and joint resolution reported from a committee, not having previously been read, shall be read once, and twice, if not objected to, on the same day, and placed on the calendar in the order in which the same may be reported; and every bill and joint resolution introduced on leave, and every bill and joint resolution of the House of Representatives which shall have received a first and second reading without being referred to a committee, shall, if objection be made to further proceeding thereon, be placed on the calendar.

Mr. President, it does not provide that the Senate is subject to the errors of the enrolling clerk of the House of Representatives. If we are subject to his errors, we are, under this kind of procedure, bound by his whims and fancies.

Mr. President, this is not routine business. I know, of course, that there have been errors made and corrected with respect to minor points. This is a bill over which a controversy raged as to whether rule XXV required that it go to committee.

We wiped out rule XXV by utilizing rule XIV. We now propose to wipe out rule XIV and say that the enrolling clerk of the House of Representatives can bypass that rule by changing a bill that has been sent to the Senate.

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

Mr. KNOWLAND. I thought I had the floor.

Mr. SPARKMAN. Will the Senator from California yield so I may ask a question of the Senator from Georgia?

Mr. KNOWLAND. I gladly yield.

Mr. SPARKMAN. Mr. President, I wonder, under the ruling which has been made by the Chair, at what point in the proceedings the control of the enrolling clerk of the House ceases to exist. Surely there must be a stopping point. Does the Senator know where it is?

Mr. RUSSELL. I do not know. If a star print No. 2 were to be sent to the Senate, and if by some conceivable means the bill could be read twice, as the rule requires, I suppose the action of the enrolling clerk would be binding on us. We have stricken down rule XXV and substituted rule XIV by bypassing the committee. Now we are wiping out rule XIV at one fell swoop and substituting the action of the enrolling clerk of the House of Representatives.

Mr. KNOWLAND. Mr. President, the language of the bill (H. R. 6127) is precisely the same, although inadvertently in the first print placed by the clerks of the House on page 8 beginning in line 19, instead of on page 12, beginning in line 10 as appears in the star print. The language is the same. That fact is not disputed.

The fact is that the star print which is now being discussed before the Senate would be before the Senate if my motion prevails, as it is the bill which was passed by the House of Representatives according to the Journal of the House and according to the CONGRESSIONAL RECORD.

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

Mr. KNOWLAND. I shall be glad to yield in a moment. The distinguished Senator from Georgia indicates that this is unusual. I hold in my hand a copy of H. R. 7665, which is an act making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes. It is a bill which was recently on the floor of the Senate. The distinguished Senator from Georgia [Mr. RUSSELL] was a member of the subcommittee which reported the bill.

This is a star print. I suppose that the clerks found a typographical error in the enrolled bill. As the Chair has pointed out, the Parliamentarian has found, going back for more than 50 years, that star prints have come to the Senate. It is a customary procedure. I submit that no damage has been done in any sense of the word. No words have been added. No section has been added. We are merely trying to get a bill before the Senate so that the Senate may act as a legislative body. I submit there is nothing unusual in the procedure, and I believe that the decision of the Chair is in keeping with the practice and the customs of the Senate and of the House.

Mr. RUSSELL. The Senator knows, of course, that the procedure in connection with this particular bill has not been usual from the outset. Very unusual procedures have been resorted to. It makes a great deal of difference as to where certain provisions appear in the bill. I undertook to illustrate that by the offenses of spitting on the sidewalk and of murder. Where the penalties for those offenses were placed in the law would have a great deal to do with the question. If the penalties were transposed in the law, a man might be fined $15 for murder, but he might be hanged for spitting on the sidewalk. So it would make a great deal of difference where the language appeared in the law.

As the Senator from California knows, the pending bill has taken an unusual course. When will this bill be read the first and second times in the terms in which it passed the House, if the star print is a corrected print?

Mr. KNOWLAND. I think the bill has been read the first and second times.

Mr. RUSSELL. Not the star print.

Mr. KNOWLAND. Yes. H. R. 6127 is before the Senate in precisely the way in which it passed the House of Representatives.

Mr. RUSSELL. But it has not been read in the Senate in precisely the terms in which it passed the House of Representatives.

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

Mr. KNOWLAND. I yield.

Mr. DIRKSEN. As the Senator from California has pointed out, not a word has been added to the text; not a word has been taken away. When the distinguished Senator from South Carolina asked for a reading of the bill at length when it first came to the Senate, everything which is in the bill was read at that time, because nothing has been added to it and nothing has been subtracted from it.

Now I respond to the curious argument made by the Senator from Georgia. I conferred with the Parliamentarian of the House of Representatives and with the Parliamentarian of the Senate and gave some time to the matter. I have been advised that these inadvertencies—engrossing errors, not enrolling errors—are made as often as 100 times in the course of every session of Congress. It is not unusual for such errors to occur. As a consequence, it has become a simple practice, so long as there is no modification in the substance of the bill, to correct such errors, not made by the enrolling clerk, but by the journal clerk in the House of Representatives, as I understand the procedure.

So the very bill which is before us is the very bill which in its substance was read, word for word, at length, when the bill was first taken up.

Mr. KNOWLAND. I thank the Senator from Illinois.

Mr. RUSSELL. I realize where the power lies in this matter. I do not, however, wish to accept, for any logical reason, the argument of the Senator from Illinois that if the language is the same, it makes no difference where it appears. To have a section appear out of order, in a different place from where it belongs, can change the entire characteristics of the bill. My own analogy as to the difference in punishment which could be imposed is not an extreme one. There could be the same language, but a greatly different result. That is somewhat in keeping with the whole atmosphere of the situation.

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

Mr. RUSSELL. I yield.

Mr. SPARKMAN. Is it not true that the particular amendment which has been transferred appears in connection with an entirely different title from the one in which it was included when the bill was presented to the Senate originally?

Mr. RUSSELL. I think the Senator is correct. It was originally in part I.

Mr. SPARKMAN. Now it is in title III.

Mr. RUSSELL. Part IV.

Mr. SPARKMAN. Is it not true that a title is virtually an act unto itself?

Mr. RUSSELL. It is. I merely wish to point out the dangers which we encounter when we embark on a course of expediency and adopt the philosophy that the end justifies the means.

Mr. ERVIN. Mr. President, I think this is a good illustration of the situations which develop when shortcuts are taken. The bill which came over from the House and was read the first and second times in the Senate and placed upon the calendar set forth the Whitener amendment as a part of part I, relating to the Commission.

Part I specifies, on page 6, subsection (c), on line 10:

> Sixty days after the submission of its final report and recommendations the Commission shall cease to exist.

The bill, which was read twice in the Senate and placed upon the calendar, provided that the Whitener amendment only applied when the Commission was acting, and the bill provides that the Commission shall cease to exist 60 days after it files its final report and recommendations.

The star print, which is now before us, puts the Whitener amendment in an entirely different part of the bill. It puts the amendment in the permanent part of the bill, a part of the bill which, if it becomes law, will remain in force until the last lingering echo of Gabriel's horn trembles into ultimate silence. Yet we hear the distinguished minority leader and the distinguished minority whip say there is no real difference between the prints; that they are exactly the same. But in the original print the Whitener amendment is in the temporary part; in the star print, it is in the permanent part.

Mr. President, this reminds me of the story about the country undertaker who was operating under a law which prohibited him from shipping by express the unembalmed body of a man who had died of a contagious disease.

A man died. His body was not embalmed. The doctor issued a death certificate which stated that the person had died of tuberculosis, a contagious disease. The undertaker was like some Members of the Senate—particularly those who are anxious to get a civil-rights bill passed quickly. He did not wish to be delayed in shipping the body by the death certificate. So the undertaker said, "This man may as well have died in one way as another, because he is dead, in any event."

The undertaker took out his pencil, struck out the statement in the death certificate that the man had died of tuberculosis, and wrote in its place that he died of heart failure.

That is precisely the situation which confronts us here. That which was in the temporary part of the bill as it came from the House and was read in the Senate and placed on the calendar has now been placed in the permanent part of the bill. As a consequence we are not going to be killed by a contagious disease; we are going to be killed by something else.

Mr. RUSSELL. Mr. President, I regret and I feel very deeply that the Senate has got itself into an unfortunate situation in making a precedent of this kind, but I defer to realities. I know that when what I have referred to as the Knowland-Douglas Axis springs into action, they have enough votes to rewrite the rules as they go along.

I do not agree that this is an incidental matter. The mere fact that the question has not been raised before does not appeal to me, because the issue that was made in sending the bill to the calendar and avoiding the committee is not common procedure in the Senate. But I do not like to see the Senate make rules in this kind of atmosphere, this legislative spirit, in the absence of any consideration of the rights of minorities. I shall not appeal this matter, because I do not want to see it made a precedent. But I hope the question will come up again in a calmer atmosphere, when the Senate is prepared to pass upon a similar matter on its merits, and determine whether the enrolling clerk of the House of Representatives can perform a task which is analogous to the combined actions of the House and Senate in passing a concurrent resolution.

The VICE PRESIDENT. Does the Senator from Georgia, then, desire to withdraw his point of order?

Mr. RUSSELL. No; the Chair overruled the point of order.

The VICE PRESIDENT. The Chair has not yet ruled; the Chair simply indicated how he would rule.

Mr. RUSSELL. I withdraw the point of order, because it is very clear how the Chair might rule, and I think an unfortunate precedent might be set. So I shall await a calmer day and a calmer atmosphere than that which prevails in the Senate today in order to raise this question.

Mr. CASE of South Dakota. Mr. President, I rise to a parliamentary inquiry.

The VICE PRESIDENT. The Senator from South Dakota will state it.

Mr. CASE of South Dakota. What is the parliamentary situation in respect to the entire matter, as raised, first, by the distinguished minority leader, and, second, as commented on by the Senator from Georgia?

The VICE PRESIDENT. The Chair has answered the parliamentary inquiry, and the Senator from Georgia has withdrawn his point of order. The parliamentary situation is that the question before the Senate is on agreeing to the motion that the Senate proceed to the consideration of House bill 6127.

Mr. CASE of South Dakota. Mr. President, if the Senate will indulge me for a few minutes, I should like to make 1 or 2 observations.

First of all, in the final analysis, the Senate probably would not be depending upon the action taken by an employee of the House of Representatives. Any action which might be taken to recognize the correction of the bill would, in the final analysis, be to recognize a position taken by the Speaker of the House of Representatives.

By consulting the CONGRESSIONAL RECORD, it is evident that this matter was brought up yesterday in the House of Representatives, and the Speaker took it under advisement. I have been informally told that the parliamentarian of the House of Representatives would advise the Speaker of the House to the same effect as, apparently, the parliamentarian of the Senate has advised the Vice President.

Second, I wish to observe that if the Senator from Georgia had insisted upon consideration of his point of order, that of itself would have created a precedent which would have justified raising a question of that kind whenever a matter relating to a star print arose. If in one instance the use of the star-print method might be challenged, so might it be challenged in the case of every bill in connection with which it might arise. I think that would be an undesirable precedent to create, and the Senator from Georgia in withdrawing his point of order may have recognized that. In any event, I personally commend him for so doing.

Third, I would point out that if the Senator from Georgia had insisted upon consideration of his point of order, and if it had been sustained, the Senate still would have had before it the original printing of the bill, as it was on the calendar, and as it was read. Under those circumstances, if the motion to have the Senate proceed to consider the bill was agreed to, at that time or at any time thereafter a motion could be made to strike the paragraph in question from the place where it appeared in the original print of the bill, and to insert it at another place—for example, the place where it was inserted in the star print of the bill.

So it seems to me that the procedure which has been followed by the Senator from Georgia in withdrawing his point of order is well considered in the interest of preserving the possibility of orderly action in the Senate.

Mr. RUSSELL. Mr. President, will the Senator from South Dakota yield to me?

Mr. CASE of South Dakota. I am glad to yield.

Mr. RUSSELL. I think the Senator from South Dakota is correct when he says it is directed toward undertaking to secure orderly action in the Senate. But I can assure the Senator from South Dakota that it was for none of the reasons he has assigned.

Mr. SALTONSTALL. Mr. President, will the Senator from South Dakota yield to me?

Mr. CASE of South Dakota. I yield.

Mr. SALTONSTALL. Did the informal inquiry of the Senator from South Dakota determine the fact that the ruling of the Speaker of the House of Representatives was to the effect that the bill which was before the Senate and was properly sent to the Senate from the House of Representatives was the star print copy which was put into the RECORD?

Mr. CASE of South Dakota. In response to the question the Senator from Massachusetts has asked, let me say that reference to page 11011 of the CONGRESSIONAL RECORD for yesterday, July 8, 1957, indicates that when the question was raised by Representative SMITH of Virginia, the Speaker of the House of Representatives took it under advisement. The information I have received is purely informal—namely, that the parliamentarian of the House of Representatives would advise the Speaker along the line previously indicated.

Mr. RUSSELL. Mr. President, will the Senator from South Dakota yield again to me?

Mr. CASE of South Dakota. I yield.

Mr. RUSSELL. I can understand that the Senator from Massachusetts might be a little unhappy that the enrolling clerk of the House of Representatives would have such great authority as regards the Senate, and I can also understand that the Senator from Massachusetts would try to rest the authority at a somewhat higher level, namely, the Speaker of the House of Representatives. I have great respect for the Speaker of the House of Representatives, but I do not believe his rulings are binding upon the Senate of the United States.

Mr. CASE of South Dakota. Of course the rulings of the Speaker of the House of Representatives would not be binding upon the Senate, as to action of the Senate. However, the rulings of the Speaker would be binding insofar as setting forth the action of the House of Representatives itself. If the Speaker identified a bill in a certain form as the true form in which the bill was passed by the House of Representatives, that would be a record beyond which the Senate could not inquire.

Mr. HOLLAND. Mr. President, will the Senator from South Dakota yield to me?

Mr. CASE of South Dakota. I yield.

Mr. HOLLAND. I think the distinguished Senator from South Dakota may be overlooking one fact which I believe very vital to this matter, namely, that this is not a mere clerical error, but, instead, it represents the placing of an important amendment in a place in the bill where it does not belong, so that it will have a very greatly different meaning from the one it would have had if it had been placed in the proper place, the place it was in when the bill was passed by the House of Representatives.

I think the RECORD will show quite clearly that the Senator from North Carolina [Mr. ERVIN] stated the matter with complete correctness when he said that the bill, as it came to the Senate from the House of Representatives, and as it was read word for word, under the request made by the distinguished senior Senator from South Carolina, and as the bill was read and was understood by the Senate, and was subjected to the unusual treatment referred to—namely, being placed on the calendar, without reference to committee—showed at that time that particular amendment as attached to part I of the bill, and related solely to the proposed Commission and its functioning, which is new and different legislation. As a matter of statutory interpretation, without any question in the world, I believe that particular amendment, so placed, would have been held to apply only to persons guilty of contempt when they were summoned before the Commission or when at the request of the Commission they appeared to testify or to bring papers.

To the contrary, as now placed in the star print of the bill, that particular amendment—in the same words, without a change in the wording—is placed in part IV of the bill, where the bill proposes new legislation, as applied to an old statute. The first part of the bill is entirely a new statute or a new act. The fourth part, where the amendment is now placed, is an amendment of an old statute and of the code numbers by which the old statute now appears in the United States Code. Being so placed, it applies to the entire subject matter covered by that particular old statute and by those particular code numbers, and it has much more general application and, in fact, applies to all persons who fall within the toils of the proposed law, if it should become law, and to the person who may be guilty of contempt by refusing to abide by the terms of injunctions issued against them by Federal courts.

The meanings are so completely and entirely different in the two prints of the bill, that I think it is highly unfortunate that the distinguished Vice President, in making his rulings, would place this matter upon the same basis as a mere misplacement of a single word or a misspelling of a word. The present matter does not relate to such an error. Instead, the error goes to the meaning of the amendment; and the amendment had a completely different meaning when it was placed at the point in the bill at which it appeared on the evening when the bill was read, during the debate on the floor of the Senate.

I am distressed at the inability of Senators to distinguish what is so patent a fact upon the very face of the record, namely, that an attempt is made here to say that a very small clerical error was committed by a clerical assistant, when, to the contrary, the bill as it came to the Senate, with the amendment placed as it was then placed, had necessarily a very largely different meaning from its meaning in the star print of the bill.

I regret any ruling which would make it appear that under the rules governing this august body, Senators are not sufficiently perspicacious to be able to distinguish between two situations as different as those two are.

Mr. KNOWLAND. Mr. President, will the Senator from South Dakota yield to me?

Mr. CASE of South Dakota. I shall be glad to yield in a moment to the Senator from California.

First, Mr. President, let me say I do not dispute the fact that a material change was made, so far as the meaning of the bill is concerned. Personally, I would not contend that it was a typographical error or anything of the sort. I think the meaning of the bill would be materially changed by the different placing of the amendment.

However, I believe the interpretation the distinguished Senator from Florida has placed upon the Vice President's ruling, or possibly upon the comment which other Senators may have made, misses the point a little.

I do not know that I have heard any Senator contend that the meaning would not be changed by the different placement of the paragraph in the bill, but the ministerial act of the insertion of the amendment on one page rather than the other was a clerical error.

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

Mr. CASE of South Dakota. In that respect it was an act which is commonly corrected, under the precedents of both bodies, by the use of the star printing of a corrected bill.

Mr. HOLLAND. Will the Senator yield there?

Mr. CASE of South Dakota. In that respect the mere reprinting of the bill was a ministerial act and nothing more than that. If, as, and when the Speaker of the House or any qualified officer of the House were to furnish a certification that the star print of the bill was the bill as it passed the House, and under that numbering, I do not know how we could go beyond that.

Mr. HOLLAND. Will the Senator yield there?

Mr. CASE of South Dakota. In a moment. Be that as it may, it seems to me it would be unfortunate for the Senate to say, "We will not observe the practice which has been followed for 50 years," according to the record cited, of using star prints to correct ministerial errors.

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

Mr. CASE of South Dakota. I should like to yield first to the Senator from California. Then I shall be glad to yield further to the Senator from Florida.

Mr. KNOWLAND. First of all, Mr. President, I should like to say this. The parliamentary inquiry was raised by the minority leader in the interest of clarification, so that this issue would be settled before we got to the point of a vote on my motion to proceed to the consideration of this bill. There is no

one in the Senate of the United States who does not have ample information and full information as to the text of the bill as passed by the House of Representatives. It has been pointed out that, through a clerical error, the particular language was placed on page 8, when the Journal and the RECORD show it should have gone on page 12. There is no other change so far as language is concerned. It was a clerical error, apparently, when the paragraph was placed on page 8 instead of page 12. However, the star print came over to the Senate, according to the custom that has been followed for the last 50 years. Indeed, I call attention to the bill providing appropriations for the armed services. I hold in my hand a star print of that bill to show it is not an unusual situation. A copy of the star print, which is the text of the bill as passed by the House of Representatives, is the bill pending at the desk, upon which my motion rests. The star print has been printed in the CONGRESSIONAL RECORD of yesterday.

We have not even gotten around to the point where the Senate may consider amendments. Rather than have the situation prevail where there might be confusion on the point, I felt it a part of my responsibility as minority leader that this point should be clarified now. Nobody is under a misconception as to what the bill is. We know the page and the line and the number to be amended, if and when amendments are offered. I think it is proper procedure. I think it is a customary procedure. I do not think it is in any sense out of order.

If the distinguished Senator from Florida believed that the ruling was not correct, he or any other Member had the right, as had the Senator from Georgia, to appeal from the decision of the Chair and get a decision of the Senate. I would invite such an appeal if the Senator feels strongly on the matter, because I think actually we have established a precedent by the ruling of the Chair in answer to my parliamentary inquiry. If we are not to throw a question on the ultimate legality of the bill itself, this is a matter that has to be determined at this point. I would think every Member of the Senate, whether he is for or against the bill, would want an obvious clerical error corrected.

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

Mr. CASE of South Dakota. I yield to the Senator from Florida.

Mr. HOLLAND. It seems that the Senator from California and the Senator from South Dakota have not yet understood my point. I do not think the Senate is refusing to recognize the action of the House of Representatives. I think we are perfectly willing to accept the star print bill as the actual bill that the House passed. The point I am calling attention to is that the bill as read is not the bill as shown by the star print. The Senator from South Dakota has so admitted, and everyone else, as I understand, has so admitted. Everyone knows that the bill was read word by word at the request of the Senator from South Carolina [Mr. JOHNSTON] the other night when we were acting upon the question. The point I am making is that it is straining at the actual facts to say that the bill which was read twice the other night is the bill which now comes to the Senate as the act of the House, because it is not.

Every Senator knows—I think there is not one who would deny it—that the meaning of the star print of the bill is not the same as the meaning of the bill upon which the Senate passed when it was read. I say it is a stultification of the practice of the Senate to hold that a bill has been read twice when the bill which was read twice does not have the same meaning as the star print of the bill. I say, with great respect, that I think we should take up the actual bill passed by the House as shown by the star print. Certainly we should give it full faith and credit. We should recognize it completely, but let us not "kid" ourselves or try to "kid" the people of the country by saying the bill has been read twice, when it has not been.

Mr. CASE of South Dakota. The Senator from Florida, of course, is entitled to his opinion in the matter. I think his argument goes more to the merits of the bill or the meaning of the bill as it would appear under one version or another. It is an argument which can be renewed at the time the bill itself is up for consideration, if the motion to make it the pending business is agreed to. I certainly do not dispute that the meaning of the bill is different, depending upon where the particular paragraph in question appears, but the Senate has had the practice of accepting star prints. And, for that matter, so has the House of Representatives. It seems to me to upset that practice would invite raising that question on every star print bill that comes before the Senate, and thereby bring into question the possible validity of such a bill once it had been passed unless supported by a concurrent resolution.

Mr. HUMPHREY. Mr. President, we are again engaged in one of these interesting, and I believe illuminating, arguments over Senate rules and the relationship between the two Houses of Congress. The action which is being taken today, as has been noted, will set a precedent. Therefore, I feel that it is most important that this RECORD be quite clear—manifestly clear—as to just exactly what transpired. It is very important that the CONGRESSIONAL RECORD reveal what actually happened when the bill, as messaged over by the House to the Senate, was read, and how the so-called star print reads and its meaning. I am concerned about the action of the House enrolling clerk in coming over to the Senate and taking back a bill already on the Senate Calendar. This action could establish dangerous precedent.

Let us go back just a few days and see what happened. As has been noted, the bill as messaged over by the House was requested to be read by the able senior Senator from South Carolina [Mr. JOHNSTON]. It was read. That same bill is in the star print, word for word. And, what is more, the subsection which has been discussed at length here, namely, subsection (e) on page 12 of the star print, and the proviso on page 8 of the original H. R. 6127 as messaged to the Senate by the House relates to the entire language, all the language, of the act—the act that is now being motioned up for consideration by the Senate—H. R. 6127.

The term or the words "the act" apply to H. R. 6127 and to nothing else—those words apply to all sections of the bill.

Mr. President, H. R. 6127 as discussed during the time we were considering the application of rule XXV or rule XIV contained a proviso, on page 8, relating to contempt proceedings; that is, those who are in contempt of a district court. That proviso reads:

> *Provided*, That any person cited for an alleged contempt under this act shall be allowed to make his full defense by counsel learned in the law; and the court before which he is cited or tried, or some judge thereof, shall immediately, upon his request, assign to him such counsel, not exceeding two, as he may desire, who shall have free access to him at all reasonable hours.

And so forth. Mr. President, I note that in the star print that same language refers to proceedings before the district court. In the section of this bill relating to the so-called Civil Rights Commission there is the power of subpena, and there is the possibility of rule of law by the court, the United States district court. If an individual is held in contempt of the court, the proviso which I read is there to protect that individual and his rights.

Mr. President, that same proviso applies in the case of an individual who is in apparent violation of a court order relating to the section of this bill or this act, when adopted, that refers to the so-called right to vote section. So, Mr. President, the provisions that we have been discussing, whether they were in the original bill or the star print, are provisions that apply to all sections of the Act which relate to contempt proceedings. All of this business of trying to confuse the thinking relating to this bill adds little or nothing to its understanding.

Mr. President, there is an old axiom of law, or saying by the Romans, "de minimis non curat lex," which means "the law does not concern itself with trifles." But apparently Senators do. Actually, Mr. President, this matter is a trifle, because the analogy which was used earlier by the able and distinguished Senator from Georgia [Mr. RUSSELL] simply does not apply. The analogy used was that if one took a penalty provision, and the penalty provision was one which was transferred from murder to spitting on the sidewalk, it would show there was a great difference in the application of the penalty for the degree of the crime. In other words, if one took the penalty of life imprisonment for murder and transposed or transferred it to the section of the bill which related to spitting on the sidewalk of course there would be a gross miscarriage of justice. Indeed. But, Mr. President, this measure before us has a proviso in it which relates to the right of the individual to have competent legal counsel provided for him at any time he is charged with being in contempt of court under any section,

any part, or any subsection of this entire act, period.

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

Mr. HUMPHREY. I say that one could place the proviso under the title of the bill, one could place the proviso as the last sentence in the bill, or one could place the proviso in the fourth paragraph of the bill, and it still would have the same effect, because it relates to "this act" and "this act" means H. R. 6127 when it is passed by both Houses of Congress and signed by the President of the United States.

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

Mr. HUMPHREY. I yield to the Senator from Pennsylvania.

Mr. CLARK. I think it important that the RECORD show there are Senators on this side of the aisle, myself included, who are in complete agreement with the distinguished Senator from Minnesota in what he has stated. Whatever may be said technically with respect to the transposition of these sections, the argument concerns itself with a trifle and the more important thing is that nobody has been hurt, nobody's rights have suffered, and the cause of those who oppose this proposed legislation is just as strong as it was before.

I congratulate the Senator from Minnesota for making that so plain to his colleagues in the Senate.

Mr. HUMPHREY. I thank the Senator from Pennsylvania. May I say that I greatly respect his legal observations. He is a retained and learned lawyer of great competence and skill. I feel that his observations are surely worthy of the understanding and respect of his colleagues in the Senate.

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

Mr. HUMPHREY. I yield to the Senator from Illinois.

Mr. DOUGLAS. I also wish to associate myself with the very able statement of the Senator from Minnesota, which I think goes to the very heart of the question.

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

Mr. HUMPHREY. Mr. President, I have made my point. I am happy to yield to the Senator from Colorado for an observation, because I feel that the point has been well established now.

I now yield to the Senator from Colorado.

Mr. CARROLL. I wish to commend the Senator from Minnesota for clarifying this very important issue for the sake of the RECORD. If there were some great difference, or if there were some issue on a question of substance, there might be something to the contention of the opposition, but I think the statement made by the Senator from Minnesota has clarified the whole atmosphere.

A mistake was made. The mistake has been corrected. As the distinguished Senator from Pennsylvania [Mr. CLARK] remarked, every Senator in this body understands the issue and understands where the provision will be in the bill. Therefore, no harm has occurred, and therefore no loss under the law, nor can anyone be misguided.

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

Mr. HUMPHREY. I yield.

Mr. SPARKMAN. Mr. President, I wish to say that I recognize the keenness of the mind of the able Senator from Minnesota, but I am not able to agree with him in all the conclusions at which he arrived in deciding that the position of this amendment in the bill means nothing. I think it does mean something.

I believe that if the Senator from Minnesota will transpose the language to the first part and read it in connection with that part, remembering that when the court takes it up to read it the court will read it in connection with the place where it occurs in the bill, as following the intent of Congress, not because of some particular word that may be in it, the Senator will understand my position. The Senator must remember that the first section is new law. It sets up a Commission. I do not recall that it applies to any other section of the statutes at all.

Mr. HUMPHREY. The Senator is correct.

Mr. SPARKMAN. Whereas the next two parts, part II and part III, both amend existing statutes.

Mr. HUMPHREY. The Senator is correct.

Mr. SPARKMAN. And in essence or essentially, each one is a title within itself or unto its own self, and each one is essentially an act unto itself.

I believe that if the distinguished Senator from Minnesota were trying to uphold in the Supreme Court of the United States the viewpoint he has just expressed, assuming that the bill had been passed in the form in which it came before the Senate originally, he would find himself in great trouble indeed.

Mr. HUMPHREY. I have always had great respect, and continue to have the utmost respect, for the Senator from Alabama and his views and observations. I say to him, in the spirit of friendship, admiration, and respect to which I have referred, that the bill before us will become an act of Congress when and if passed by both Houses of the Congress and signed by the President, and that the amendments to the existing statute to which the Senator refers will become new law when and if enacted. The term "an act," according to my limited knowledge of the law, when used in a bill such as this, refers to an act which Congress is called upon to pass.

ORDER FOR RECESS UNTIL 11 A. M. TOMORROW AND FOR MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, will the Senator from Minnesota yield to me for the purpose of making a unanimous-consent request, with the understanding that he will not lose the floor?

Mr. HUMPHREY. I yield, with that understanding.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its deliberations today it stand in recess until 11 o'clock a. m. tomorrow.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

Mr. JOHNSON of Texas. I thank my friend, the Senator from Minnesota, and I ask that this appear at the conclusion of his remarks.

Mr. JOHNSON of Texas subsequently said: Mr. President, I ask unanimous consent that when the Senate convenes at 11 o'clock a. m. tomorrow there be the usual morning hour for the introduction of bills, the submission of petitions and memorials, and the transaction of routine business, with statements limited to 3 minutes.

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

CIVIL RIGHTS

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

The PRESIDING OFFICER. The Senator will state it.

Mr. KNOWLAND. What is the business before the Senate?

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California [Mr. KNOWLAND], that the Senate proceed to the consideration of House bill 6127, the Civil Rights Act of 1957.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

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

The PRESIDING OFFICER. A quorum is present.

Mr. JOHNSON of Texas. Mr. President, the distinguished Senator from Alabama [Mr. SPARKMAN] has a prepared speech which he desires to deliver to the Senate. He has been prepared to do so all day. However, we were unable to obtain the attendance of many Senators for a part of the day. Later in the evening we engaged in propounding parliamentary inquiries, which involved a ruling from the Chair, in an attempt to clear up the record. While

we had planned to sit until 6 or 6:30 or 7 o'clock this evening, I believe it is a little unfair at this early stage of the debate to ask the Senator from Alabama to deliver a major speech at this time of the evening.

I have agreed, willingly and gladly, to an order which will have the Senate convene at 11 o'clock tomorrow morning. I should be glad to have the Senator from Alabama recognized to make a brief statement regarding the motion, with the understanding that at the conclusion of the morning hour tomorrow he will be recognized to complete his statement.

I did say to him that, in view of the discussion which was taking place in connection with the parliamentary inquiry, I doubted he would be called upon to speak this evening.

I have said to other Senators that we planned to run until 6 or 6:30 or 7, and they have made their arrangements accordingly. I am hopeful that we will not try to get this whole job done during the first few days. If the Senate will be reasonable in these matters, we can run to perhaps 5:45 or 6 or 7 o'clock on some evenings when we have a Senator present who is ready to speak. I discouraged one Senator who said he desired to address himself to another subject, namely, the money question. I am trying to locate that Senator now. If I can locate him, he may be willing to speak for 30 or 40 minutes.

We had to accommodate Senators with a recess today for a period of time because Members were not in attendance during the noon hour. I hope Senators who are absent will be as considerate of their colleagues as we have been of them.

I should like to have the Senate recess at this time and convene tomorrow morning at 11 o'clock. If it suits the majority of the Senate, I shall be willing to stay an additional hour beyond the agreed upon hour tomorrow evening, perhaps until 7:30.

I hope this procedure will be agreeable to the minority leader.

Mr. KNOWLAND. Mr. President, I will say to the distinguished Senator that I shall not resist his motion that the Senate now take a recess. There is a quorum of the Senate present. It is only a quarter to six. I had hoped that we might run a little longer this evening, because there are a number of speeches of importance to be made, and we are trying to fit them into the program. Certainly this is a very important matter.

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

Mr. KNOWLAND. I shall be glad to yield in a moment. I had hoped that we might continue in session until 6:30 or 7 o'clock this evening. Certainly our relationships have been pleasant, and I am sure they will remain so.

At the same time, I do not think it would be advisable under the circumstances to contest tonight such a decision if the Senator from Alabama prefers not to proceed tonight, and if the majority leader supports him in his desire. I shall not object to the decision to go over until tomorrow.

I most respectfully say to the distinguished Senator—and I know he has announced that the Senate will meet tomorrow morning at 11 o'clock—that I hope I shall have a chance to confer with him on Thursday morning again and take a look at the situation for the remainder of the week, because it seems to me that we should endeavor to lengthen the sessions from Thursday on, and that Senators should at least be on notice of the possibility of running into the night. So far during the session there have been a number of occasions when we have sat until 9 or 10 o'clock at night.

We have been advised that a number of Senators desire to express themselves prior to a vote is had on the motion to take up the bill, and we should get in more speeches than we have thus far.

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

Mr. KNOWLAND. I yield to my friend from Texas.

Mr. JOHNSON of Texas. First I should like to say to the Senator that we have already entered an order that the Senate shall meet tomorrow at 11 o'clock. I did agree with the Senator that there should be a session until 6 or 6:30 this evening. If a Senator desires to address himself to the subject or to any other subject, the majority leader is prepared to stay here. However, I think it is a little unfair to insist that a Senator go on with his speech at this time, particularly in view of the fact that an extraneous discussion took place and we had to recess because Senators who support the motion were not in attendance. In view of the fact that we had this unusual situation today, it would appear unfair to ask the Senator from Alabama to make his speech at this late hour.

I believe the Senator from California can appreciate the situation in which the Senator from Alabama finds himself. The Senator from California would not want to make a major speech on his motion at this time of day.

Mr. KNOWLAND. The Senator from California has made his speech on the motion. He would be prepared to vote on the motion tonight. Obviously, the distinguished Senators on the other side of the aisle, and perhaps some on this side of the aisle, are not prepared to speak. But I hope that the other Senators present will be prepared to adjust their calendars accordingly, so that beginning on Thursday we may have night sessions.

Mr. JOHNSON of Texas. There have been unofficial reports and schedules circulated to the effect that there may be lengthy sessions after Thursday. I have expressed the hope—to the Senator from California and others—that such procedures would not be followed this week. I think a great deal more headway can be made if the Senate will operate as it has been operating, but will convene a little earlier in the mornings and remain a little later in the evenings.

We are agreeable to a Saturday session. This is so even though I have had some difficulty during this session in getting an agreement from the other side of the aisle on Saturday sessions, and even on night sessions.

I shall not insist on having the Senate convene at 12 o'clock and conclude at 5 o'clock. But I shall insist that Senators have an adequate opportunity to present their views when other Senators can hear them.

I do not think it is in keeping with the customs which the Senate ordinarily follows to ask the Senator from Alabama, at this stage of the debate, to make a major speech at 6 o'clock in the evening. He will be prepared to speak at 11 o'clock tomorrow morning. I shall be prepared to see to it that the 30 minutes we may lose tonight will be made up tomorrow.

Mr. KNOWLAND. Mr. President, I may say to my genial friend from Texas, without wishing to prolong the discussion, that I am certain we will come to an agreement. But I wish to correct the RECORD. I do not consider that the parliamentary inquiry which the minority leader made was an extraneous matter. I think it was to the point; it was to clarify a parliamentary situation before the Senate. I think the question needed to be clarified at the time, so I did not consider it to be extraneous.

But as a matter of courtesy to the distinguished Senator from Alabama, and again expressing the hope that we may be prepared to continue in session later in the evening in the latter part of the week, I am prepared now, even though a quorum is present, to agree with the majority leader in having the Senate recess until tomorrow morning at 11 o'clock.

Mr. JOHNSON of Texas. I am glad to have the views of the Senator from California concerning the discussion which took place regarding the parliamentary inquiry. I meant no reflection. I simply meant it was not in connection with the subject under discussion, when the motion was pending before the Senate, or on the merits of the bill.

If the Senate will recess now and will convene tomorrow morning at 11 o'clock, I serve notice that the session tomorrow will run until at least 7 o'clock, if there are any Senators who can be prevailed upon to speak that late in the evening.

I shall speak to the Senator from California tomorrow concerning the schedule for the remainder of the week.

Mr. KNOWLAND. As a matter of clarification, there are on this side of the aisle a number of Senators who are prepared to discuss the merits of the bill and several sections of the bill when the bill is actually being considered by the Senate. But they feel it would be more appropriate to have the discussion at a time when the vehicle is before the Senate, so that the sections of the bill can be discussed and any corrective amendments which might be offered, or which have already been offered, can be considered.

We do not anticipate that any great number of speeches will be made on the motion now before the Senate, but we expect to have the subject adequately discussed when the bill is before the Senate, as I hope it will be, certainly, within a reasonably few days hence.

SMALL BUSINESS

Mr. CARROLL. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an article entitled "Small Business Study," written by Sylvia Porter, and published in the Washington Evening Star of July 2, 1957.

I have never met Sylvia Porter, but she is a very skillful journalist and makes penetrating analyses of the subjects about which she writes, especially economic matters.

In this article she calls the attention both of Democrats and Republicans to their campaign pledges concerning small business. The article should be read by every Member of Congress, because we have an obligation to fulfill those pledges.

Mr. President, I take the opportunity at this time, also, to call attention to the outstanding work of the distinguished Senator from Alabama [Mr. SPARKMAN] and the distinguished Senator from Arkansas [Mr. FULBRIGHT] in this connection. We obtained 33 votes on one occasion for a bill to give some tax relief to small business. That was commendable, but there is still no action on this most important problem of what to do to aid small-business men.

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

YOUR MONEY'S WORTH

(By Sylvia Porter)

SMALL BUSINESS STUDY

Mr. Small Business Man, I have a modicum of good news for you:

There's going to be a fresh study of your financing problems, of the increasing difficulties you face when you must borrow long-term capital to keep you alive and allow you to grow—and, this time, the comprehensive survey is to be conducted by no less an authority than the Federal Reserve Board.

Your plight is now so apparent that even the cautious Chairman of the Federal Reserve Board of Governors, William McC. Martin, agrees there is an apparent gap in existing credit facilities for small-business firms.

Mr. Martin actually goes beyond this. He says a fresh study might not only confirm the existence of gaps but it also might yield important byproducts by the pointing out of potentially profitable opportunities (that) could stimulate private enterprise to fill the indicated gaps.

The Senate Banking Committee has asked the Federal Reserve to undertake the investigation; the Board has consented.

Of course, it'll be months before the study is completed; early next year is the target date.

Major move unlikely

Of course, this just about kills any chance for a major move by Congress during 1957 to begin to fill the small business financing gap. Pigeonholing almost surely will be the fate of a bill in the Senate now which would create a new system of privately financed institutions operating regionally and statewide to make loans and supply capital to small and growing businesses.

Apparently, there also is to be no special tax break for small business either. This once bright hope has been dimmed almost to extinction.

As for most of the other fairly important small-business measures so fervently pledged by both the Republicans and the Democrats during the election campaign that even cynics expected action to be taken in 1957—well * * * the Small Business Administration is to be made a permanent agency and is to get an increase in lending authority * * * the terms of its loans presumably are to be liberalized * * * talk about a mountain laboring and bringing forth a mouse.

I don't need any help from the heat to get hot-blooded about the foot-dragging done by this administration and this Congress on aid to the smaller business firms in our land.

Let's push aside the questions of competition on defense contracts, on research, all the rest. Let's just concentrate on an obvious and possibly the most crucial problem today—credit.

Banks not blamed

Banks and other financial institutions can't be condemned for not solving the problem by channeling long-term funds to all their smaller applicants as well as best customers during a tight-money period; they have just so much money to lend and their responsibility is to lend what they have most profitably and safely.

The fact is that under today's circumstances, top banking as well as business groups believe the solution lies in the creation of the new system of banks for small-business loans.

Nevertheless, we're going to have a fresh study and then we're going to start debating a bill all over again. In the meantime, if you can't get the cash you must have in time and at a rate you can afford to pay, you know your alternatives:

Fold up on your own or sell out.

FEDERAL HOUSING ADMINISTRATION

Mr. CARROLL. Mr. President I ask unanimous consent to have printed in the body of the RECORD an article entitled "Reactionary FHA," written by Sylvia Porter, and published in the Washington Evening Star of July 8, 1957. This is an excellent piece of journalism and concerns what is wrong in the FHA today.

Again, the distinguished Senator from Alabama [Mr. SPARKMAN] has had much to do with the proposed legislation. I know he is working hard on the matter.

I call this article to the attention of all Members of Congress, because the article is written in the public interest.

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

YOUR MONEY'S WORTH

(By Sylvia Porter)

REACTIONARY FHA

Twenty-three years ago the Federal Housing Administration came into being and gave this country for the first time a Federal program for insurance against housing risks—a program designed to soften the reactionary attitudes of private mortgage lenders at that time to help pull us out of our worst depression.

Today, it is not the Nation's private lenders who are most reactionary in their mortgage lending practices.

It is the FHA itself which has set up income requirements for FHA-insured home mortgages, particularly in the $15,000-and-over house range, that makes the requirements of most private lenders seem liberal in comparison. And $15,000 is now the average price of a new house.

Today, it is not the private lender who is so cautious that his losses on mortgages are virtually nil.

It is the FHA which has a record of losses so favorable—only 0.06 percent of loss on all home mortgage insurance since 1934—that, obviously, the agency is not taking even modest chances.

FHA structure

Today, it is not the private lender who is so strict that borrowers say "what's the use" and don't even bother applying.

It is the FHA which has achieved the dubious reputation of being so rigid about granting mortgage insurance that many private lenders say flatly, "We don't even bother sending an application over to an FHA office unless we are dead sure it will be accepted."

Today, it is not the private lender who is blindly following old rules of thumb on what income a buyer must have to afford a specific house and who is basing loans on records of the past rather than the present.

It is the FHA which is being trapped by its own low-paid men in the field—men who never have been properly orientated toward granting mortgage insurance on houses in the $15,000-and-up bracket.

If these were only my judgments, you well might suspect me of prejudice. But no! FHA Commissioner Norman P. Mason himself concedes that most or all of the criticisms can be justified.

This is why Mr. Mason last week called together some of the Nation's leading authorities on home mortgages for a first meeting of a new Industry Advisory Committee on Mortgage Credit.

Consensus of the conference was:

Just liberalization of the terms of the housing laws isn't the answer. The FHA is being stifled by its own outmoded, depression-orientated guides to judgment, by its own red tape and inadequately trained field staff.

The FHA is taking on new and potentially tremendous responsibilities, for the housing activities of the Veterans' Administration are being shifted to this agency.

I left the conference with the impression that Mr. Mason is laying the groundwork for a definite liberalization in the FHA's operations as it expands—meaning more help for the homebuyer.

And when and as this happens, it will be because the reactionaries of 1934 (the private lenders) needled the reactionary of 1957 (the FHA) into action. So does time catch up with yesterday's radicals.

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

Mr. CARROLL. I yield.

Mr. SPARKMAN. I should like to comment upon the remarks made by the able and distinguished Senator from Colorado. I am delighted that he called the attention of the Senate to the articles written by Sylvia Porter. As the Senator has correctly stated, Miss Porter is one of the most skillful and thorough writers on economic matters.

I read the articles which she wrote on the subject of small business. They were excellent. I also read the articles which she wrote on the tight-money situation, especially the article in which she called attention to the trap in which the Treasury Department found itself or caught itself, a trap of its own making by reason of the high interest rates which it had incurred, interest rates which were the result of the tight-money market which certainly the Treasury had been pleased to see develop. But now the Treasury is faced with the tremendous problem of financing and refinancing many billions of dollars this year. It is confronted with performing a staggering and most difficult job, as the result of its own handiwork.

I do not know whether the Senator from Colorado saw those articles, but I thought of them in connection with his

placing in the RECORD the articles concerning small business and the FHA.

Mr. CARROLL. I have not had the pleasure or the privilege of meeting Miss Sylvia Porter. My only knowledge of her is from her writings. She is one reporter who is writing about the family life of America and on matters of interest to the consumers.

She has written about the tight-money policy and about the increase in the price of steel and its inflationary effect. She has written also, and most appropriately so, it seems to me, about small business. In substance, she said another study was to be made. The Senator from Alabama knows that this matter has been studied to death. What is needed now is action—action along the lines indicated by the Senator from Alabama.

Mr. SPARKMAN. Miss Porter's article concerning another study for business was of a rather sarcastic nature, because it came on the heels of study after study after study.

The Senator from Colorado may recall that during the spring, when we were fighting very hard—and certainly with his able assistance—to get some relief for small business, we were given the assurance, on the floor of the Senate, that before this session of Congress adjourned, the administration would propose a bill for the relief of small business. Later, I saw in the Wall Street Journal, and also in financial articles in the daily papers, statements to the effect that the administration had approved three of those bills, which I tried to have passed, with the assistance of the Senator from Colorado and many other Senators, when we had the tax bill on the floor of the Senate. The Senator from Colorado will recall that. Yet I have waited long and patiently—in fact, somewhat impatiently, let me say—for some word from downtown or from the distinguished minority leader—who, I know, would like to see something of this sort done—to the effect that some such proposed legislation would come before the Senate in time to be acted on during this session of Congress. I think the Senator from Colorado will agree with me that this session is getting—well, I shall not say close to the end, but certainly closer to it day by day; and not much more new business, I believe the Senator from Colorado will agree, stands a chance of getting through both Houses of Congress at this session.

Mr. CARROLL. Mr. President, will the Senator from Alabama yield further to me?

Mr. SPARKMAN. I yield.

Mr. CARROLL. It was one evening in the spring, almost at this time of day, when the Senator from Arkansas [Mr. FULBRIGHT], and the Senator from Alabama [Mr. SPARKMAN] were urging action by this body; and overnight we were able to get 33 Members of the Senate to fight for at least—if not the bill I wanted to vote for, because I wanted to vote for the bill of the distinguished Senator from Alabama—the bill to give some tax relief to small business. Every economist of the Nation has said this is one of the soft spots in the economy; the other has to do with the farm situation. But it is our information that at that time the White House put on pressure and defeated the small-business tax measure, which would have given some relief to small business. And today, as the distinguished Senator from Alabama has said, there is little likelihood that any effective action of that sort will be taken at this session of Congress.

Mr. SPARKMAN. Mr. President, I am sure the distinguished Senator from Colorado will recall that in the course of that debate, one of the sponsors of the amendment which was being debated—and a very fine friend of small business; I refer to the distinguished senior Senator from Minnesota [Mr. THYE]—announced on the floor of the Senate that he would vote against it, but that he had been assured by the administration—I do not remember whether he said the White House or Mr. Humphrey, the Secretary of the Treasury—but by the administration—that shortly there would be here a measure to give relief to small business on which Congress could act during this session.

Mr. CARROLL. I remember that conversation, and it was generally understood that the Senate would be given an opportunity to vote on an administration bill.

Let me say to the distinguished Senator from Alabama, in conclusion—because I know he wishes to proceed to discuss another matter—that we are now in the closing days of the session, and we have given a great deal of attention to many matters, but we have not given much attention to the economic matters which affect the family life of America. That is why I pay special tribute to Sylvia Porter for her writings, in which she constantly hammers at the things that affect the people at the grass roots. Other writers do likewise, but she has especially devoted her attention to the things which ought to have been given major attention by this body.

Of course, I recognize the very fine work done by the distinguished Senator from Alabama [Mr. SPARKMAN] and the other members of the Banking and Currency Committee, in the case of housing. But little has been done in the case of the other things which affect family life in America. It is true that the Senate has acted on large appropriations for the military and large appropriations for foreign aid, for matters abroad. But very little has been done in regard to the matters which affect the people who live in the United States of America.

I hope something can still be done at this session, although the prospects seem very dim, indeed.

Mr. SPARKMAN. I suppose the Senator from Colorado knows that there is now on the calendar a bill which, if enacted—as is planned—will provide a very fine and badly needed program for veterans' housing. But, of course, that bill is caught in the logjam behind the pending motion.

Mr. CARROLL. I understand, and I know there are many other such pieces of proposed legislation, let us say.

Mr. SPARKMAN. Unfortunately, that is true.

Mr. CARROLL. So we have been presented with a sort of patchwork, but not with anything which would get at the core of the economic problem, and would have a desirable effect upon our program either for the farmers or for small business, which all economists agree are the soft spots in the national economy.

We know what the difficulties are. But very little has been done in this field except the work done by the Senator from Alabama [Mr. SPARKMAN] and the other members of the Banking and Currency Committee. I congratulate him upon what he has done in this field.

Mr. SPARKMAN. Mr. President, I thank the Senator from Colorado.

ORDER FOR RECOGNITION OF SENATOR SPARKMAN AT THE CONCLUSION OF THE MORNING HOUR TOMORROW

Mr. JOHNSON of Texas. Mr. President, in a moment I shall have to leave the floor. Before doing so, I ask unanimous consent that on tomorrow, at the conclusion of the morning hour, the Senator from Alabama [Mr. SPARKMAN] be recognized.

The PRESIDING OFFICER. Is there objection?

Mr. KNOWLAND. Mr. President, reserving the right to object—although I shall not object, because the request is in conformity with the understanding and the discussion which has been had—let me say that I would not want the proposed order to be considered as establishing a precedent, because it could well be that as we get a little further into the debate on the civil-rights issue, if the opponents of the bill conclude in the evening, perhaps the proponents of the bill should have an opportunity to speak beginning on the following morning, and to have some balance as between the time allowed to both sides in the debate.

However, under the circumstances, and without establishing such a precedent in the future, I shall not object at this time.

Mr. JOHNSON of Texas. I thank my friend; and I assure him that I shall do everything I can to see to it that a balance or equal allowance is provided.

Mr. KNOWLAND. I assure the Senator from Texas that the proponents have no intention of using an equal amount of time, because, as one Senator said not long ago—I believe it was the senior Senator from Oregon—in that case we probably would be here until snow flies in the winter. But I think there will be times when we shall believe that the RECORD should be corrected in certain respects, and I want an opportunity to do so to be provided.

Mr. JOHNSON of Texas. Mr. President, at this stage I do not think any Senator can anticipate how much time the Senator from California and the other Senators associated with him will wish to have. I think that will depend upon the turn of events. I can foresee a possibility that, if certain amendments are agreed to, the Senator from California will be very anxious to have a certain amount of time allowed.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Texas? Without objection, it is so ordered.

ANNOUNCEMENT OF THE NUMBER OF SENATORS ANSWERING QUORUM CALLS

Mr. JOHNSON of Texas. Mr. President, earlier today I announced that during the debate on the civil-rights issue, it was most unlikely that unanimous consent would be granted for the withdrawal of any quorum call. I urged all Senators to cooperate to the utmost in responding quickly to each quorum call, on the assumption that it would be a completed call, and would be completed as quickly as possible.

Mr. President, in order that there can be no misunderstanding by anyone, I announce that henceforth I shall ask that the Vice President or Presiding Officer announce the number of Senators who have answered to a quorum call.

I have discussed with the distinguished minority leader, the senior Senator from California [Mr. KNOWLAND], the lack-of-attendance problem. Both of us believe that every Member of the Senate should be on the floor as much as possible while the motion of the Senator from California is under consideration. Senators will not be counted present unless they are physically present before the result of the quorum call is announced. Thereafter, no names of Senators will be added.

I desire to have the clerks and the attachés take note—and I ask them please to do so—of this statement. I ask them to notify each Senator as to the procedure which will be followed.

CIVIL RIGHTS

Mr. SPARKMAN. Mr. President, I have prepared a talk which I should think should not take more than an hour to present, provided there are no questions. We never know what may happen when we start making an address. I appreciate the fine cooperation on the part of the distinguished, able, and fair minority leader that I can simply be recognized tonight, and that tomorrow, following the morning hour, I may have the privilege of completing my talk.

ORDER FOR RECOGNITION OF SENATOR DIRKSEN FOLLOWING THE SPEECH OF SENATOR SPARKMAN TOMORROW

Mr. KNOWLAND. Mr. President, I should like to have the attention of the distinguished majority leader. I sent word that I should like to have him in the Chamber.

I am informed by the Senator from Illinois [Mr. DIRKSEN] that he should like to be recognized tomorrow following the speech of the Senator from Alabama. In view of the fact that the Senate is about to recess until tomorrow at 11 o'clock a. m., I was wondering if the distinguished majority leader would have any objection to such an order being entered.

Mr. JOHNSON of Texas. The Senator from Texas would not only not have any objection, but he would favor such an order. He appreciates very much the courtesies extended to him at all times by the minority leader and by Members of the minority, and he is certainly anxious to accommodate them whenever he can. There is no one the majority leader has a higher regard for than the Senator from Illinois. Any time the majority leader can suit his convenience, he wants to do so.

Mr. KNOWLAND. Mr. President, I make that unanimous-consent request.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from California? The Chair hears none, and it is so ordered.

CIVIL RIGHTS

Mr. SPARKMAN. I shall not start on my prepared text this evening, under the order which has been entered, but I wish to say it is my purpose to discuss the measure with particular emphasis on its impact on our judicial system, involving the jury system, the growth of the vicious practice of applying injunction and contempt proceedings in equity to acts which are essentially criminal, and the imposition of penalties which are criminal in nature.

I think the history of the jury system and the development of the injunction system and contempt proceedings can be shown in a very clear pattern that will uphold the viewpoint of those of us who see in this proposed legislation a real and a vicious attack upon something upon which we have always prided ourselves so much—that is, the finest judicial system in all the world, of which the right of trial by jury is the keystone, associated with the two other ideas of the presumption of innocence until actually proven guilty, and the right of a person accused to be confronted by the witnesses against him.

Now, Mr. President, if it is agreeable, I shall discontinue at this point and resume tomorrow following the morning hour.

RECESS UNTIL 11 A. M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, pursuant to the order previously entered, I move that the Senate stand in recess until 11 o'clock a. m. tomorrow.

The motion was agreed to; and (at 6 o'clock and 15 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until tomorrow, Wednesday, July 10, 1957, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES

TUESDAY, JULY 9, 1957

The House met at 12 o'clock noon.

Father Donald Werr, O. F. M., executive assistant to the president, Quincy College, Quincy, Ill., offered the following prayer:

O God, who lovest truth and justice, pour forth Thy blessing upon the deliberations of Thy servants. As Thou didst stretch forth Thy hand to Peter as he walked upon the sea, we entreat Thee to watch over their minds and hearts during this important day.

Grant each Member to be so guided that his decisions will always benefit the people of our land, and will promulgate the greater glory of Thy name. By Thy wondrous power and supernatural grace, may Thy legislative body be a continued instrument of Thy peace and love. 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 without amendment bills and a joint resolution of the House of the following titles:

H. R. 632. An act to amend the Federal Crop Insurance Act, as amended;

H. R. 1754. An act for the relief of Eleanor French Caldwell;

H. R. 4342. An act for the relief of Mrs. Thomas L. Davidson; and

H. J. Res. 316. Joint resolution for the relief of certain aliens.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills and a joint resolution of the House of the following titles:

H. R. 1045. An act to amend the Soil Conservation and Domestic Allotment Act, as amended;

H. R. 2070. An act for the relief of Mrs. Rhea Silvers; and

H. J. Res. 324. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

The message also announced that the Senate agrees to the amendment of the House to Senate amendment to H. R. 1359, entitled "An act for the relief of Mrs. Theodore (Nicole Xantho) Rousseau.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 294. An act for the relief of Mrs. Marion Huggins;

S. 556. An act to provide for the conveyance of certain real property of the United States situated in Clark County, Nev., to the State of Nevada for the use of the Nevada State Board of Fish and Game Commissioners;

S. 562. An act for the relief of Hideko Takiguchi Pulaski;

S. 591. An act for the relief of Seol Bong Ryu;

S. 1071. An act for the relief of David Mark Sterling;

S. 1268. An act for the relief of Don Q. Gee;

S. 1276. An act for the relief of Emilio Valle Duarte;

S. 1321. An act for the relief of Junko Matsuoka Ekrich;

S. 1335. An act for the relief of Sandra Ann Scott;

S. 1353. An act for the relief of Ayako Yoshida;

S. 1452. An act for the relief of Francesca Maria Arria;

S. 1472. An act for the relief of Trianta-filia Antul;

S. 1478. An act for the relief of Klara Fritzsche;

S. 1496. An act for the relief of Nicoleta P. Pantelakis;

S. 1502. An act for the relief of Erika Otto;

S. 1509. An act for the relief of Fumiko Bigelow;

S. 1528. An act for the relief of Arthur Green;

S. 1570. An act for the relief of Julia Fodor;

S. 1641. An act for the relief of Yong Ja Lee (Mina Kuhrt);

S. 1645. An act to authorize the Secretary of the Interior to grant easements in certain lands to the city of Las Vegas, Nev., for road-widening purposes;

S. 1773. An act to validate a certain conveyance heretofore made by Central Pacific Railway Co., a corporation, and its lessee, Southern Pacific Co., a corporation, to the State of Nevada, involving certain portions of right-of-way in the city of Reno, county of Washoe, State of Nevada, acquired by the Central Pacific Railway Co. under the act of Congress approved July 1, 1862 (12 Stat. L. 489), as amended by the act of Congress approved July 2, 1864 (13 Stat. L. 356);

S. 1783. An act for the relief of Randolph Stephan Walker;

S. 2069. An act to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of coal on the public domain;

S. 2080. An act relating to the computation of annual income for the purpose of payment of pension for non-service-connected disability or death in certain cases;

S. 2413. An act to clarify the authority of the President to fill the judgeship for the district of South Dakota authorized by the act of February 10, 1954, and to repeal the prohibition contained in such act against filling the next vacancy occurring in the office of district judge for such district;

S. 2449. An act to extend the effectiveness of the Missing Persons Act, as extended, until April 1, 1958; and

S. J. Res. 103. Joint resolution to provide for the permanent preservation and proper display of the "Flag of Liberation."

AMERICAN PRISONERS OF WAR HELD BY COMMUNIST CHINA

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 292.

The Clerk read the resolution, as follows:

Whereas 450 American military personnel taken prisoner by the Communists during the Korean war have not been repatriated or otherwise accounted for since the cessation of hostilities in Korea; and

Whereas under the terms of the Korean armistice agreement all American prisoners of war should have been accounted for long before now; and

Whereas the United States of America has never acquiesced in actions by foreign nations which illegally deprive our citizens of their liberty; and

Whereas the historic policy of firmly supporting the rights of American citizens should be continued: Now, therefore, be it

Resolved by the House of Representatives, That it is the sense of the Congress that the President, through his own offices, and those of the Secretary of State and the Secretary of Defense, should continue to make the return of, or a satisfactory accounting for, the 450 American prisoners of war, a primary objective of the foreign policy of the United States.

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

Mr. JUDD. Mr. Speaker, reserving the right to object—and, of course, I shall not object—I do think that the gentleman from Wisconsin, the chairman of the subcommittee, should advise the House briefly as to the reason for this resolution and what it provides.

Mr. ZABLOCKI. Mr. Speaker, the effect of this resolution is to serve notice on the Communists that their continued flouting of the elements of human decency and conduct, as well as their violation of all conventions dealing with the treatment of prisoners of war, are firmly condemned by the Representatives of the American people. Our Ambassador, U. Alexis Johnson, on July 11 will resume negotiations with the Communists and I think we should give him our strong arm, let it be known that the people of the United States, through their Congress, are determined to obtain the information as to what has happened to the 450 boys who are not accounted for.

Mr. JUDD. Should it not be made clear, for the sake of the relatives of these men, that we do not charge or expect that these 450 American prisoners of the Communists, or any substantial number of them, are still alive? We do know that at one time these men were in the hands of the Communists and alive. We have seen pictures of some. The Reds themselves broadcast over the radio statements allegedly made by some. The Communists forwarded letters to the families of some, written in their own handwriting. Their buddies who were released, have reported them as alive and well in Communist prison camps.

Now the Communists claim they do not know anything about them. They will not even admit they ever had them as prisoners. Any decent kind of government would at least give an accounting of the men—what happened to them, whether they are alive or dead, and the circumstances surrounding their fate.

Mr. ZABLOCKI. That is true. It is clear that most, if not all, of the 450 may be dead. But I believe we should demand an accounting as to how they died, where they died and where they are buried.

Mr. JUDD. Especially since the Communist Chinese are wanting to be accepted into civilized society under the pretense of being law abiding. One good way to show it would be at least to start abiding by the Geneva Convention on Prisoners of War. The world waits for one humane deed, not just protestations, from the Communists.

Mr. ZABLOCKI. Mr. Speaker, I feel very strongly about House Resolution 292 which is before us today, and I am confident that it will receive unanimous approval of the membership of this House.

The resolution expresses the sense of the Congress with respect to the 450 American prisoners of war taken prisoner by the Communists during the Korean conflict, and not accounted for, or released, to date.

The effect of this resolution is to serve notice on the Communists that their continued flouting of the elements of human decency and conduct, as well as their violation of all conventions dealing with the treatment of prisoners of war, are firmly condemned by the representatives of the American people.

The resolution goes further than that. It calls upon the Executive to continue to make the return of, or a satisfactory accounting for, these 450 men, a primary objective of the foreign policy of the United States.

Mr. Speaker, our unanimous approval of this resolution is the least we can do—we must do—in justice to these men. They met with cruel fate in the service of our country, while upholding the principles in which we believe against the evil tide of Communist barbarism. They fell into the hands of the Communists and, to date, we do not know how many of them are rotting in Communist prisons, and how many may have perished at the hands of their captors.

In this regard, I want to state that, personally, I am not at all convinced that our executive branch has pursued this matter with the vigor, determination, and energy it should have received. The fate of these men, even their numbers, have been kept quiet. It would almost appear as if the administration was more anxious to keep the news of Communist foul deeds away from the world, than to broadcast the fate of these men as a somber warning to the American people and to the free peoples everywhere.

The treatment accorded to these American prisoners of war by the Chinese Communists, and the blunt refusal of the Reds to account for these men even when they were faced with evidence showing that these American servicemen were in their hands, shows us what kind of an enemy we are faced with.

It negates the Communist pronouncements about peaceful coexistence, disarmament, and alleged good will and shows that we are dealing with an evil system—with a monstrous machine which will disregard any conventions, any agreements, almost as soon as they are made.

Under the terms of the armistice agreement entered into by the Communists, we have the right to demand an accounting for the missing American servicemen who we know have fallen into Communist hands during the Korean conflict.

We want an accounting for these men, and their release. This must be a primary objective of our foreign policy. We must pursue this objective in fairness to the parents of the servicemen, their wives and children, whose anguish has known no bounds since their disappearance.

We must pursue this objective in fairness to ourselves. We have spent billions of dollars in fighting Communism, in building strong forces against Communist advance. We have urged other nations, even demanded it of them, that they stand up to the Red menace and fight it with us.

How is it, then, that after all this sacrifice, all this determined effort, we can sit still and talk about trade with the Reds, coexistence, and disarmament, while 450 American soldiers have disappeared behind the Red Bamboo Curtain and have not been accounted for.

I do not mean to reflect in what I have said the efforts of the man who, during the last 2 years, has expended tremendous effort and exercised commendable patience in negotiating with the Communists, trying among other things to obtain an accounting for those 450 men. Ambassador U. Alexis Johnson has, I believe, done his best. The fact remains, however, that one man cannot do this job alone. He must be vigorously supported by the entire administration, armed with the moral indignation of the American people expressed by their Representatives in Congress assembled, and fortified by the pressure of world opinion.

Ambassador Johnson is scheduled to renew his conferences with the Communists on July 11. Let us arm him for the task which he faces by unanimously passing this resolution, and by calling upon the free world to demand the release, and an accounting for, of all of the men of the U. N. command in Korea who are still missing, and who have been reported to be in Communist hands.

We have fought bravely over the decades all over the globe for worthy causes in which we believed. Our men have died, have fallen prisoners of war, in those battles. We cannot forget them, consign them to oblivion whether they are still living or dead. We must expend our every effort to obtain an accounting for, and a release of, the 450 American men who were known to be in the hands of the Communists in the Far East. They have earned every right to their country's supreme effort on their behalf.

Mr. WRIGHT. Mr. Speaker, the 450 American military personnel taken prisoner by the Communists during the Korean war and neither repatriated nor accounted for by the Communists cannot and must not be forgotten by this Nation nor by the world.

The long, uncertain anguish of their families cries out not only for our sympathy but for our unremitting effort to secure an accounting of their fate.

For more than 4 agonizing years those who hold them dear, have sought in vain some word of their whereabouts, of their well-being, of whether they live, or lie in unmarked graves on some Chinese hillside, or linger in a subhuman state of semiawareness in a Red Chinese prison, the prey of brainwashing practitioners.

Reports of their having been seen alive in Chinese custody have filtered back through their repatriated buddies from the prisoner of war camps. That some of them lived, at least for a time, in the hands of their captors seems indisputable. Yet the ominous silence of the Chinese government is deafening.

That a government so patently unresponsive to human values should now be seeking respectability in the eyes of the world makes it the more imperative that we should renew our demands for a full accounting and for prompt repatriation of any of the 450 who live.

It once was said that, wherever an American goes on the earth, the American flag goes with him as a guaranty of his freedom and right treatment. That is one of the precious things of American citizenship. It must not be forsaken, nor must these 450 be forsaken or forgotten by their Government.

Mr. LANE. Mr. Speaker, I too, wish to associate myself with the members of the committee in their wholehearted support of this resolution offered today for our consideration.

In the first place, I wish to congratulate Congressman ZABLOCKI and his Subcommittee on the Far East and the Pacific for programing this matter for hearing before the committee on May 27. To me, this is a very important piece of legislation and one that merits the serious thoughts of the American people. I was privileged to appear before the subcommittee in behalf of my bill, House Concurrent Resolution 120, which is quite similar to the committee resolution, House Resolution 292.

I can only reiterate my remarks made at that important hearing in urging action in concentrating attention in liberating American hostages held captive by Red China.

From various reliable sources we piece together the tragedy of the hundreds of Americans taken prisoner during the Korean war, who are still held as captives by the Chinese Reds in cynical and contemptuous defiance of the Korean truce agreement.

The Communist mentality delights in crushing human rights, and in betraying its international agreements.

It tries, by a combination of confusion, mendacity, and exasperating delays, to "brainwash" individuals and governments into submission.

Quietly, but persistently, through the winding trails of international diplomacy, our Government is trying to effect the release of these men.

This is the traditional way of negotiation, that has its advantages and its pitfalls.

The unscrupulous Reds, schooled in the devious art of blackmail, are plainly trying to make a deal.

They may repatriate, or account for, some of these American prisoners, in exchange for concessions that would dishonor us before mankind.

That is the crux of the dilemma they have contrived.

They know that we will never rest until our fellow citizens are liberated. But they hope to wear us down so that we will abandon the moral position whereby we insist that these men be released because they are held illegally and, in securing their release by concessions, compromise ourselves beyond redemption.

What is the alternative?

There was a time when we were unafraid. In clear and explicit terms we would set a date by which these men must be released or else we would take positive action to free them.

With an eye to other dangers in the world of today, we practice caution.

We try, through the young and feeble influence of the United Nations, to reason with the Reds, and induce them to observe the standards of international law and order.

Meanwhile, our men are rotting in Communist compounds.

Perhaps the most oppressive punishment they are suffering is despair at the thought that their own Government may be only going through the motions on the merry-go-round of diplomatic notes and inconclusive conferences.

We soberly recognize the fact that the long-range hope of the world is an organization like the United Nations that will grow up to its responsibilities.

But how long will that take?

And what happens to American prisoners of war while the talks go on year after year?

I do not advocate an ultimatum to Red China demanding the release of these men and threatening to take military action if they fail to do so by a given date. I am sure that those most concerned, the relatives and friends of these unhappy prisoners would not expect us to take such drastic action even for a cause that is right and just.

But we are not satisfied with the results obtained to date.

Conferences and notes have bogged down in the weariness of routine. The Communists calculate that we will tire and forget. They see little mention of this issue in the American press. They believe that our moral imperatives will slacken, and end up in appeasement.

That is why I consider this resolution as essential to counteract certain false assumptions on the part of the Red Chinese regime.

I believe that it will strengthen the hand of our State Department by revealing through congressional action, the determination of the American people to press for the release of these men without shabby compromise.

Only on this firm moral basis, supported by American public opinion, can we convince the Chinese Reds that their policy of evasion, delay, and violation of the Korean armistice agreement, is bound to fail.

The United States of America has never acquiesced in actions by foreign nations which illegally deprive our citizens of their liberty.

And never will.

I am confident that the forthright and sustained adherence to these principles, as reiterated in this House resolution will help to break the present stalemate, and expedite the release of those Americans still held as prisoners of war by the Chinese Reds.

By serving notice on them by this resolution: "That it is the sense of the Congress that the President, through his own offices, and those of the Secretary of State and the Secretary of Defense, should continue to make the return of, or a satisfactory accounting for, the 450 American prisoners of war, a primary objective of the foreign policy of the United States."

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

There was no objection.

The SPEAKER. Without objection, the resolution is agreed to.

There was no objection.

A motion to reconsider was laid on the table.

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on the resolution just agreed to.

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

There was no objection.

DEPARTMENT OF AGRICULTURE AND FARM CREDIT ADMINISTRATION APPROPRIATION BILL, 1958

Mr. WHITTEN. Mr. Speaker, I call up the conference report on the bill (H. R. 7441) making appropriations for the Department of Agriculture and Farm Credit Administration for the fiscal year ending June 30, 1958, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 682)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7441) making appropriations for the Department of Agriculture and Farm Credit Administration for the fiscal year ending June 30, 1958, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 10.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 4, 14, 15, 17, 18, 19, 20, 23, and 25, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the figure stricken out and inserted by said amendment insert "4"; and the Senate agree to the same.

Amendment numbered 1a: That the House recede from its disagreement to the amendment of the Senate numbered 1a, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$57,794,890"; and the Senate agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment insert: *"Provided*, That the limitations contained herein shall not apply to $1,955,000 for the construction, alteration, and repair of buildings, and acquisition of necessary land therefor by donation or exchange, or at a cost not to exceed $5,000 for each facility"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$29,853,708"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$30,353,708"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$49,220,000"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$50,715,000"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$14,116,700"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$4,002,300"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$2,660,660"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows: In lieu of the sum of "$73,545,000" named in said amendment insert "$72,545,000"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment, as follows: In lieu of the sum of "$1,500" named in said amendment insert "$2,500"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment, as follows: In lieu of the sum of "$350,000,000" named in said amendment insert "$325,000,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 12 and 24.

JAMIE L. WHITTEN,
FRED MARSHALL,
(except as to amendment 24),
WILLIAM H. NATCHER,
CLARENCE CANNON,
H. CARL ANDERSEN,
WALT HORAN,
C. W. VURSELL,
Managers on the Part of the House.

RICHARD B. RUSSELL,
CARL HAYDEN,
LISTER HILL,
A. WILLIS ROBERTSON,
By R. B. R.
ALLEN J. ELLENDER,
MILTON R. YOUNG,
KARL E. MUNDT,
HENRY C. DWORSHAK,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7441) making appropriations for the Department of Agriculture and Farm Credit Administration for the fiscal year ending June 30, 1958, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

DEPARTMENT OF AGRICULTURE

Agricultural Research Service

Amendment No. 1—Salaries and expenses: Limits building alterations to four percentum of the cost of the building, instead of three percentum as proposed by the House and five percentum as proposed by the Senate.

Amendment No. 1a—Research: Appropriates $57,794,890, instead of $48,994,890 as proposed by the House and $58,794,890 as proposed by the Senate. The amount agreed to provides an additional $1,000,000 for utilization research over the House bill.

Amendment No. 2—Research: Provides language for construction, alteration, and repair of buildings and acquisition of necessary lands therefor.

The laboratory in Mississippi is for work in the general field of hydraulic engineering with special emphasis on the entrainment, transportation, and disposition of sediment, shall be on the scale approved by the House, and shall be located as heretofore requested and justified before the Appropriations Committees of the House and Senate by the Department of Agriculture, to serve the needs of the Little Tallahatchie and Yazoo Watersheds, as well as the general research needs of the watershed treatment and flood-prevention programs of the Soil Conservation Service.

The conferees understand that such laboratory will be operated in cooperation with the University of Mississippi and Mississippi State College, in line with the general intent of the cooperative agreement entered into by the Department of Agriculture, the University of Mississippi, and Mississippi State College, which became effective August 1, 1956, for the operation of the present research project in this field.

The conferees agree that the laboratory designated for the Midwest in the Senate report should be constructed on the scale approved by the House and should be located in the Barnes-Aasted area of the North Central States as indicated in the House report and as supported by testimony of Department officials in subcommittee hearings held on September 24, 1956.

Amendment No. 3—Plant and animal disease and pest control: Appropriates $26,082,000 as proposed by the Senate instead of $25,682,000 as proposed by the House.

Amendment No. 4—Meat inspection: Appropriates $16,826,000 as proposed by the Senate instead of $16,586,000 as proposed by the House. The conferees direct that the additional funds agreed to be used to provide additional inspectors for new meatpacking plants.

Amendments Nos. 5 and 6—State experiment stations: Appropriate $30,353,708 instead of $29,503,708 as proposed by the House and $30,503,708 as proposed by the Senate.

Extension Service

Amendments Nos. 7 and 8—Payments to States, Hawaii, Alaska, and Puerto Rico: Appropriate $50,715,000 instead of $49,101,000 as proposed by the House and $50,865,000 as proposed by the Senate. The additional funds agreed to above the House figure should be used to expand the work of the regular extension agents. Not to exceed $250,000 of the increase should be used for the rural development program primarily in States which have not had such a program heretofore.

Agricultural Marketing Service

Amendment No. 9—Marketing research and agricultural estimates: Appropriates $14,116,700 instead of $14,041,700 as proposed by the House and $14,141,700 as proposed by the Senate. The conference committee directs that the additional work relative to the

weather crop reports and estimates of poultry laying flocks and egg production be performed within the funds approved.

Amendment No. 10—Marketing services: Appropriates $14,274,900 as proposed by the House instead of $14,324,900 as proposed by the Senate. The conferees are agreed that, since the livestock market at Sioux Falls, S. Dak., has recently been placed in category I, it deserves treatment similar to other markets in this category.

The conference committee has agreed that the reference in the Senate committee report was not intended to preclude research on truck transportation, but was intended to emphasize that care be exercised in the Department to make sure that research publications are impartial in dealing with the various methods of transportation, and to emphasize the need for a careful review of research projects undertaken as to essentiality and as to benefits to be derived therefrom by agricultural producers.

Foreign Agricultural Service

Amendment No. 11—Appropriates $4,002,300 instead of $3,902,300 as proposed by the House and $4,052,300 as proposed by the Senate. The conferees expect that the home-leave travel needs of this Service will be met within the total funds approved.

Amendment No. 12—Reported in disagreement.

Office of the Secretary

Amendment No. 13—Appropriates $2,660,660 instead of $2,640,660 as proposed by the House and $2,664,060 as proposed by the Senate.

Soil and water conservation

Amendment No. 14—Strikes House language establishing a combined appropriation for all soil and water conservation programs of the Department. Individual appropriations for all items involved are provided by amendments Nos. 15 through 22 which follow. The conferees are of the opinion that there are benefits to be derived from the consolidation of some or all of these appropriations, but feel that further consideration should be given to such a change. Accordingly, the Secretary is requested to study the matter and be prepared to discuss his findings with the House and Senate Appropriations Committees during consideration of the 1959 budget.

Soil Conservation Service

Amendment No. 15—Inserts heading.

Amendment No. 16—Conservation operations: Appropriates $72,545,000 instead of $73,545,000 as proposed by the Senate. The increase included in this amount is provided to furnish technical assistance to new soil conservation districts to be organized during the next year.

Amendment No. 17—Watershed protection: Appropriates $25,500,000 as proposed by the Senate.

Amendment No. 18—Flood prevention: Appropriates $13,220,000 as proposed by the Senate.

Amendment No. 19—Water conservation and utilization projects: Appropriates $350,000 as proposed by the Senate.

Great Plains program

Amendment No. 20—Appropriates $10,000,000 as proposed by the Senate.

Agricultural conservation program

Amendment No. 21—Appropriates $212,000,000 as proposed by the Senate, and limits amount to be received by any one participant to $2,500 as proposed by the House instead of $1,500 as proposed by the Senate. It is agreed by the conference committee that the change in this limitation should not affect present or future allocations under the basic formula governing the distribution of funds to States under this appropriation.

The amount appropriated, together with the balance of $38,000,000 available from the 1955 program, will provide the full $250,000,000 authorized for the 1957 program.

The conferees believe that the conservation reserve program should not be used to curtail existing programs, particularly the agricultural conservation program. It is understood from the Department's justifications and testimony that the 1958 agricultural conservation program will be continued on the same basis as the 1957 program. In agreeing to the funds for this purpose in the accompanying bill, the conferees direct that no changes will be made in the 1958 agricultural conservation program to restrict eligibility requirements or delete cost-sharing practices included in the 1957 program. Floods and drought conditions in much of the Nation make it imperative that all 1957 program practices be continued in 1958.

It is to be noted that the 1957 conservation reserve program is participated in by only 81,130 people at an estimated cost of $133,000,000, whereas the 1957 agricultural conservation program is participated in by 1,275,000 farmers at an estimated Federal cost of about $250,000,000.

The conferees recommend that the Department revise its method of securing recommendations for practices covered by the proposed advance authorization for the 1959 agricultural conservation program by securing recommendations for cost-sharing practices from county and State committees at the time the 1958 program is formulated. This should result in economy of program administration, more timely recommendations for formulation of a national agricultural conservation program for 1959, and should enable the Department to present any changes proposed in the 1959 program to the Congress during appropriation hearings next year.

Soil-bank programs

Amendment No. 22—Conservation reserve program: Appropriates $162,940,000 as proposed by the Senate and authorizes $325,000,000 for future programs instead of $250,000,000 as proposed by the House and $350,000,000 as proposed by the Senate. The conferees are of the opinion that, in determining individual payments, the Secretary should give careful consideration to the value of the land and the normal rental value as required by the Soil Bank Act.

Amendment No. 23—Changes heading.

Amendment No. 24—Acreage reserve program: Reported in disagreement. The managers on the part of the House intend to offer a motion to recede and concur with an amendment limiting payments to any one producer to $3,000 instead of $2,500 as proposed by the House and $5,000 as proposed by the Senate.

In the opinion of the conferees, acreage reserve contracts in 1958 should be limited to crops which would normally be planted on or before July 1, 1958, and all payments should be made on or before September 15, 1958. All contracts should require the participant farmer to cooperate in an effort to reduce his total production of the commodity or competitive commodity in the amount of the normal production of the acreage rented to the Government.

The Secretary is urged to reexamine the formula used to establish compensation rates paid to producers as provided by section 105 (a) of the Soil Bank Act to make certain that producer payments do not exceed fair and reasonable rates. The Secretary should provide State and county committees with clear-cut guides for setting local rates and should make certain that such rates are established in line with the intent of the act.

Commodity Credit Corporation

Amendment No. 25—Limitation on administrative expenses: Provides $35,398,000 as proposed by the Senate instead of $34,398,000 as proposed by the House. It is agreed by the conference committee that the additional $1,000,000 should be placed in reserve to be used under the same conditions as the 7-percent reserve already provided by the bill.

JAMIE L. WHITTEN,
FRED MARSHALL
(except as to amendment 24),
WILLIAM H. NATCHER,
CLARENCE CANNON,
H. CARL ANDERSEN,
WALT HORAN,
C. W. VURSELL,
Managers on the Part of the House.

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman from Mississippi yield to me to ask a question of him at this point?

Mr. WHITTEN. I yield.

Mr. H. CARL ANDERSEN. Mr. Speaker, I would like to ask the chairman of our subcommittee a question or two to clarify some language in the conference report. I have reference to the language in the last paragraph on page 6 which has to do with the agricultural conservation program.

The wording of that paragraph appears to be quite restrictive and I hope that was not the intent. This is a farmer-administered program and the last thing we want to do, in my judgment, is to so legislate the program as to deny farmers the right they have always had to participate in the development of their own program. In addition, some of us are preparing to ask the Department to consider a program or practice change to meet the special conservation problems in the flood areas of Minnesota, Oklahoma, Arkansas, Texas, Louisiana, and other States. The door would be shut in our faces if this paragraph was interpreted to mean that the farmer-elected county committees and the Department of Agriculture could not deviate in any way from the 1957 program. Conservation needs change from year to year, and so do the practices. The flexibility of this program has been one of its most valuable assets and one which should not be impaired.

I hope this paragraph does not mean that the program is frozen, so to speak, for another year. That would be a bad thing for farm people and for American agriculture, and I would like the assurance of our chairman that this is not the case. I would like to ask the gentleman from Mississippi [Mr. WHITTEN] if it is not the intent of the conferees that no major or substantial changes be made in the 1957 program for the year 1958, but that we do leave sufficient flexibility and discretion in the hands of those administering the program so they can meet the demands of changing conditions.

Mr. WHITTEN. May I say to my colleague, the gentleman from Minnesota, that we certainly intend to retain to the farmers and to the local level, the right to make determinations within the overall catalog as to the practices which would apply to that section. The intent of the language is to announce that in the opinion of the conferees the same type of practices should be available to the States and at the local level in line with the justification before our respective committees and the prohibition is against the deletion at the Washington

level of certain practices. It does not in any way affect the right at the local and State levels to make determinations as to what practices suit their own purposes as they have had the right to determine in years past.

The gentleman from Minnesota is thoroughly familiar with the fact that each year we have a catalog of allowable practices issued by the Department. This directive in the report calls for a continuation of the program by the Department next year on the same basis as last year. It directs that the 1957 catalog be kept intact, but it in no way restricts farmers with respect to selection of local practices, from those included in the catalog.

In recent days there have been some reports that substantial deletions were planned in this program for 1958. It was to lead off deletions which came after our hearings were held that we put this language in the report. We were attempting to see that the program was kept available to farmers next year to the full extent it has been this year.

In the last paragraph we attempt to provide a procedure which, if followed, would prevent future misunderstandings from arising.

I thank the chairman.

Mr. BASS of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield.

Mr. BASS of Tennessee. Is the gentleman familiar with a directive or memorandum from the Assistant Secretary, Mr. Peterson, directed to Mr. Paul Koger, administrator of the agricultural conservation program, which in effect deletes several of the soil conservation activities?

Mr. WHITTEN. I have heard of that directive, or what purported to be a directive, but I have not seen any official copy. I think that was written without knowledge on the part of the Department and the language which is in the conference report. I feel sure the conference report will have the support of the Department and that any such directive will be withheld.

Mr. BASS of Tennessee. Also the directive, according to the information I have, is in direct opposition to the stated practice or the proposed practice for 1958, as given to your committee by officials of the Department.

Mr. WHITTEN. It is, and as a result of the reported order, that language was included in our report.

Mr. BASS of Tennessee. Mr. Speaker, I ask unanimous consent to insert at this point in the RECORD a list of the deletions in the program which would be brought about if this directive of Secretary Peterson is allowed to be put into effect. It would have the effect of deleting 84 percent of the soil conservation program for the State of Tennessee. I certainly hope that this report is strong enough to keep this directive from being put into effect by the Department of Agriculture.

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

There was no objection.

(The matter referred to follows:)

LIST OF CONSERVATION PRACTICES DELETED FROM THE 1958 AGRICULTURAL CONSERVATION PROGRAM BY ASSISTANT SECRETARY E. L. PETERSON'S MEMORANDUM OF JUNE 28 TO ACP ADMINISTRATOR PAUL KOGER

A-1: Initial establishment of a permanent vegetative cover in orchards and vineyards for control of erosion.

A-3: Establishment of additional acreages of vegetative cover in crop rotation to retard erosion and to improve soil structure, permeability, or water-holding capacity.

A-4: Initial treatment of farmland to permit the use of legumes and grasses for soil improvement and protection. (The basic liming practice.)

B-8: Installing pipelines for livestock water as a means of protecting vegetative cover.

C-3: Initial establishment of orchards, vineyards, bush fruits, strawberries, or perennial vegetables on the contour to prevent erosion.

C-13: Leveling land for more efficient use of irrigation water and to prevent erosion.

D-1: Establishment of vegetative cover for winter protection from erosion.

D-2: Establishment of vegetative cover for summer protection from erosion.

D-3: Establishment of vegetative cover for green manure and for protection from erosion.

The following conservation practices under the 1958 agricultural conservation program were to have various restrictions imposed upon them from the standards which had existed under the 1957 program.

A-2: Initial establishment of a permanent vegetative cover for soil protection or as a needed land-use adjustment.

A-7: Initial establishment of a stand of trees or shrubs on farmland for erosion control, watershed protection, or forestry purposes.

B-1: Improvement of an established vegetative cover for soil or watershed protection.

B-10: Improvement of a stand of forest trees for erosion control, watershed protection, or forestry purposes.

C-9: Constructing permanent open drainage systems to dispose of excess water.

C-12: Reorganizing irrigation systems to conserve water and prevent erosion.

F-2: County conservation practices.

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

Mr. WHITTEN. I yield.

Mr. MAHON. I have been concerned about the soil bank program. I know the committee has had a very serious problem to consider here. As I understand it, you have a limitation on payments that can be made under the acreage reserve of $3,000?

Mr. WHITTEN. That is correct.

Mr. MAHON. There was no limitation for the 1957 crop year?

Mr. WHITTEN. That is my understanding insofar as the law is concerned.

CALL OF THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 134]

Abernethy	Diggs	Kluczynski
Adair	Donohue	McConnell
Allen, Calif.	Dorn, N. Y.	Madden
Anderson, Mont.	Fallon	Mailliard
	Fogarty	Meader
Bass, N. H.	Frazier	Miller, Md.
Beamer	Fulton	Miller, N. Y.
Blitch	Garmatz	Minshall
Bonner	Granahan	Montoya
Bowler	Gray	Multer
Boyle	Green, Pa.	O'Konski
Brownson	Griffiths	O'Neill
Buckley	Gwinn	Philbin
Byrne, Ill.	Hardy	Polk
Byrne, Pa.	Harvey	Powell
Celler	Hays, Ark.	Rains
Chelf	Healey	Robeson, Va.
Christopher	Holifield	Shelley
Chudoff	Holtzman	Sieminski
Coad	Hosmer	Taylor
Colmer	Ikard	Teller
Cunningham, Nebr.	Jennings	Thompson, La.
	Jones, Mo.	Thornberry
Davis, Tenn.	Kearney	Tuck
Dawson, Ill.	Kearns	Utt
Delaney	Kilburn	Willis
Dennison	Kirwan	Winstead

The SPEAKER. On this rollcall 351 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

COMMITTEE ON EDUCATION AND LABOR

Mr. BAILEY. Mr. Speaker, I ask unanimous consent that the Subcommittee on Education of the Committee on Education and Labor may sit this afternoon despite the fact that the House is in session, during general debate.

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

There was no objection.

DEPARTMENT OF AGRICULTURE AND FARM CREDIT ADMINISTRATION APPROPRIATION BILL, 1958

Mr. WHITTEN. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 12: Page 10, line 8, insert the following: "*Provided further*, That provisions of the act of August 1, 1956 (70 Stat. 890-892), and provisions of a similar nature in appropriation acts of the Department of State for the current and subsequent fiscal years which facilitate the work of the Foreign Service shall be applicable to funds available to the Foreign Agricultural Service."

Mr. WHITTEN. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

Mr. Speaker, I yield 5 minutes to the gentleman from Indiana [Mr. WILSON].

Mr. WILSON of Indiana. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a memorandum.

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

There was no objection.

Mr. WILSON of Indiana. Mr. Speaker, I would like to speak about a development in connection with the agricultural conservation program which disturbs me considerably. On June 28 Assistant Secretary of Agriculture E. L. Peterson directed a memorandum to Paul Koger, Administrator of the Agricultural Conservation Program Service, dealing with the proposed 1958 national agricultural conservation program. As the House knows, a national handbook for the ACP is published each year in the Federal Register just as soon as the President signs the Department of Agriculture appropriation bill in which funds are authorized for the program for the following year. The States then proceed to formulate their individual programs within the framework of the national program.

Through the years it has become customary for those in direct charge of the ACP to submit the docket to the Secretary of Agriculture based on the recommendations of the respective State committees within the overall policy limitations as outlined by the departmental officials before the House and Senate Appropriations Subcommittees handling the agricultural bill. According to the letter from Mr. Peterson to Mr. Koger, which I am inserting in the RECORD at the end of my comments, Mr. Koger submitted the 1958 ACP proposal to Mr. Peterson on June 6. I have been reliably informed that instead of telling Mr. Koger from June 6 until June 28 that his proposal was not in line with the departmental policies and therefore should be revised, Mr. Peterson summarily handed Mr. Koger on June 28 a lengthy memo with specific orders to make deletions and changes. The memo closed with:

> I will be glad to approve the proposed docket when amended to incorporate the suggestions set forth above.

While this in itself is peculiar administrative procedure and shows a strong lack of confidence by Secretary Peterson in Mr. Koger, it is not the point with which I am mostly concerned. Through the years there has been considerable controversy over the agricultural conservation program. We have had lengthy debate on this floor not only as to the merits of this program but as to the scope that should be authorized each year. While it originally started out at $500 million a year and at one time dropped to $150 million a year, the amount has recently been stabilized at $250 million a year. Furthermore, the program itself has had its scope fairly well stabilized in recent years. Although I was certain that there had been no indication of any controversy either as to the amount of funds or the scope of the program when the agricultural appropriation bill appeared before the full Appropriations Committee, of which I am privileged to be a member, I decided to review the hearings before the subcommittee. Both Mr. Peterson, the Assistant Secretary of Agriculture, who is in direct charge of the Department's conservation agencies, and Mr. Koger, Administrator for the ACP, indicated in their supporting statements for the President's budget request for $250 million for the 1958 agricultural conservation program that the program for 1958 would be continued without any basic change.

The following quote is taken from Mr. Peterson's statement which appears on page 1863 of the hearing:

> Mr. Chairman and members of the committee, it is a pleasure to discuss the budget request of the agricultural conservation program service. This program of cost sharing with land owners or operators for the application of practices to protect their soil resources is, we believe, an important one. * * * The farmer or rancher cannot, or will not, always be able to exercise the judgments required by considerations of conservation because of the more immediate impact upon him and his family of economic circumstances. * * * In all the many circumstances of land used there is, however, a public interest that the productive capacity of the land be retained and improved. Foreseeable needs for water, food, fiber, wood, and materials for industry place urgencies upon the application of conservation practices and uses to our land area, greater than are likely to be accomplished without public effort. ACP is a part of that effort which now covers a wide range of activity—education, research, technical assistance, credit and cost sharing.

Following Mr. Peterson's presentation ACP Administrator Koger explained the operations of the 1957 program and the proposals for 1958. At no time during any of the presentations by the United States Department of Agriculture officials was there any serious question concerning the present ACP. The report showed that over 1,140,000 farms throughout the Nation had participated in the 1955 ACP and that the efforts of the Department were being directed toward making the program more effective.

For example, Mr. Koger said:

> Most of the other changes are designed to provide greater authority for local adaptation of program and practice provisions, fully within the general program principles, including the establishment of rates of cost sharing considered necessary by State and county groups to get the desired level of performance of needed conservation.

At a later point Mr. Koger said:

> It is contemplated that the 1958 program will be continued at the same level and scope as the program authorized for 1957.

Similar statements were made before the Senate Appropriations Subcommittee on Agriculture with no indication of any kind being given that any major change would be made either in the practices or the payment rates. In view of these statements it is extremely difficult for me to understand how Assistant Secretary Peterson can now send a memorandum to the Administrator of the agricultural conservation program and ask him to delete nine of the soil building practices which have proven to be the most popular with the more than a million farmers who are participating in this program. This memorandum also drastically restricts several other practices.

According to the Department of Agriculture's participation figures for 1955, the last year for which the reports are available, the practices which Mr. Peterson directed Mr. Koger to eliminate from the 1958 agricultural conservation program were those used by Indiana farmers to earn 76 percent of their payments during that year.

In other words, Mr. Peterson would now eliminate 76 percent of the agricultural conservation program in the State of Indiana without giving us any warning, without consulting with the Indiana State Committee, without consulting with the democratically elected county committeemen in all Indiana's counties, and without advising Congress. I am reliably informed that between 50 and 60 percent of the present ACP program nationwide would have been eliminated if this memorandum were allowed to stand. For example, 83 percent of the program in Vermont would be eliminated, 92 percent in the State of Alabama, 82 percent in the State of Illinois, 62 percent in Minnesota, and so forth. I can not help wondering if the original plan to bring the agricultural appropriation bill before the House Friday, June 28, did not figure in Mr. Peterson's plan of not issuing his drastic memorandum to Mr. Koger until late that afternoon. If the Congress had passed the agricultural appropriation bill that day, it would have been extremely difficult to have prevented Mr. Peterson carrying out his plan to greatly restrict the agricultural conservation programs without clearing them with Congress.

It is indeed fortunate that copies of this secret memorandum were made available to the conferees early last week and that they were able to include in their report last Friday the language which precludes Mr. Peterson from carrying out his attempt to ruin the agricultural conservation program. I, for one, would like to raise the question as to whether Mr. Peterson's efforts not only to mislead Congress but to circumvent its wishes aren't sufficient justification to ask for his resignation. He seems to be totally incapable of understanding our democratic practices of government and apparently believes that any means to secure the executive branch's wishes are justifiable.

I want to compliment the conferees for seeing to it not only that Mr. Peterson's drastic changes in the 1958 program cannot be put into effect, but also for directing that any changes in connection with the 1959 program be presented to the Congress at the time the authorization for the 1959 program is justified.

PROPOSED 1958 NATIONAL AGRICULTURAL CONSERVATION PROGRAM

PAUL KOGER,

Administrator, Agricultural Conservation Program Service:

The proposed 1958 agricultural conservation program which you transmitted to this Office on June 6, 1957, has been carefully reviewed. I believe some revisions are desirable.

It is requested that you proceed immediately with the modifications as indicated herein. A number of changes are for the purposes of clarification of intent. Others

are substantive with respect to the practice and cost-sharing provisions of the proposal.

We have previously discussed those features of the program, such as drainage and irrigation, which would without limitations tend to result in new land being brought into production. I have concurred in principle, but with some modification in wording, with the limitation you have proposed. There were proposed, however, other practices largely of a temporary or recurring nature which resulted in the stimulation of agricultural production at a time when other programs of the Department are aimed at reducing the production of surplus crops. To be consistent with such program objectives, it is necessary to modify the 1958 agricultural conservation program. Further, it is not considered proper policy to provide cost sharing for practices which are normally a part of good farm or range management.

In keeping with this position, the comments hereafter are referenced to specific paragraphs of the proposal.

1101.901: General program principles, item (g). The last sentence of this paragraph should be changed to "the State and county programs shall specify the life span of eligible practices. Cost shares are not applicable after they are initially utilized to undertake a practice during the normal life span."

1101.903: County funds. This paragraph should be stated as follows: "The State committee will allocate the funds available for conservation practices among the counties within the State consistent with the needs for enduring conservation in the counties within the State and will give particular consideration to the furtherance of watershed conservation programs sponsored by local people and organizations."

1101.904: This section should be rewritten for clarification. Beginning with the second sentence, it should be stated substantially as follows: "The State AC program development group shall consist of (a) the State committee (including the State director of extension), (b) the State conservationist of the SCS, and (c) the Forest Service official having jurisdiction of farm forestry in the State. The State AC program development group shall invite participation of representatives of (a) president of the land-grant college, (b) the State director of the Farmers' Home Administration, (c) the State soil conservation committee (board or commission), (d) the State Agricultural Extension Service, and (e) representatives of other State and Federal agricultural agencies. The program for the State shall be that recommended by the State AC program development group and approved by the Administrator, ACPS, after obtaining the recommendations of the Soil Conservation Service and the Forest Service."

1101.905: This section should be rewritten consistent with 1101.904 as modified. Clarify and make specific as to committee references.

1101.906: The words "in the desired volume" should be stricken from the paragraph.

1101.907: Item (b). The phrase "consistent with recognized performance standards and program policies and requirements" should be rewritten to make clear its intent.

1101.908: Incorporate a proviso that eligible seeds or combination of seeds for vegetative practices shall include a legume or legumes where recommended by the State experiment station.

Does the term "where applicable" in item (b) mean "appropriate"? Wording should be clarified.

Reference to 1101.952 will need to be changed since practice A-4 is to be eliminated from the practice list.

1101.909: This section must be revised to provide that no lime or fertilizer will be eligible for cost sharing except as a component part of an authorized practice. Also, it must provide that no payment will be made for lime or fertilizer separately from other components of an authorized practice.

The term "State committee" as used in item (a) should be clarified as the State AC program development group.

Item (b). Make wording clear that liming materials except as a part of vegetative practice are not eligible for cost sharing. Delete the remainder of the sentence following the statement: "The application of manure will not qualify for Federal cost sharing."

1101.910: Item (a). There is to be added to the practices for which the Soil Conservation Service is responsible for the technical phases, practices A-8 and A-9 with appropriate paragraph references. References to other practices should be made consistent with the changes in the practice list as indicated herein.

A final sentence is to be added to this item, as follows: "The Soil Conservation Service will utilize to the full extent available resources of the State forestry agencies in carrying out its assigned responsibilities for practice A-8."

Item (b). The last sentence is to be changed by adding to it the following: "* * * but services of State forestry agencies will be utilized to the full extent if such services are available."

1101.911: Item (a) is to be revised essentially as follows: "The general rate of cost sharing shall not be in excess of 50 percent of the costs of performing any practice on the basis of average costs for the county. For stipulated practices of a permanent type the AC program development group may establish a higher rate of cost sharing, not to exceed 65 percent, where conservation benefits are found to be substantial, long lived, and economic benefits from the practice are remote or spread over a long period of years."

Item (b). Average rates of cost sharing are to be established on a county basis.

1101.914: Add two sentences to the end of the paragraph as follows: "No practice may be approved for cost sharing except as authorized by the National, State, or county program or in accordance with procedures incorporated therein. Available funds for cost sharing shall not be allocated on a farm or acreage-quota basis but shall be directed to the accomplishment of the most enduring conservation benefits attainable."

1101.915: This section is to be revised to provide that cost sharing will be available only for complete practices. No cost sharing is to be made available for components of practices.

1101.924: Revise the paragraph to provide that components are not eligible for cost sharing but that 1958 funds may be obligated for a practice to be completed in the 1959 program year if circumstances justify.

CONSERVATION PRACTICES

The following practices are, for reasons stated in this memorandum, to be deleted from the 1958 program: A-1, A-3, A-4, B-8, C-3, C-13, D-1, D-2, and D-3.

The following practices are to be modified as indicated:

A-2. Delete the provision for cost sharing for fences.

A-7. Change the title of the practice to "Initial establishment of a stand of trees or shrubs on farmland for other than agricultural purposes." Delete the provision for cost sharing for fences.

B-1. Delete the word "annual" from the third sentence.

B-2. Change the title to "Improvement of vegetative cover on rangeland by artificial reseeding of deferred grazing."

B-4, B-5, B-6. Combine into one practice with parts 1, 2, and 3.

B-10. Change the title of the practice to "Improvement of a stand of trees on farm or ranch lands for other than agricultural purposes." Delete the provision for cost sharing for fences.

C-9. Revise the third sentence as follows: "No Federal cost sharing will be allowed for ditches which are to drain land which was not devoted to the production of cultivated crops or tame hay during at least 2 of the 5 years preceding the year in which cost sharing is allowed, or for cleaning ditches, or for structures installed for crossings, or for other structures primarily for the convenience of the farm operator."

C-12. Revise the third sentence as follows: "No Federal cost sharing will be allowed for reorganizing an irrigation system which results in bringing new land into agricultural production or for reorganizing a system which was not in use during at least 2 of the preceding 5 years.

F-2. Add a sentence to this paragraph as follows: Approval by the Administrator, ACPS, of a practice for one county does not constitute authority for extending the practice to other counties without such approval.

The following practices are to be added as indicated:

A-8. Initial establishment of a stand of trees or shrubs on farm or ranch land for agricultural purposes. Agricultural purposes will include protecting farmlands from wind and water erosion by windbreaks, shelterbelts, stabilizing gullies and stream banks and other critical silt-source areas, improving wildlife habitat, and similar-type actions to protect soils of farmlands from deterioration.

A-9. Establishment of vegetative cover for the purpose of adjustments in the use of farmlands for production of farm commodities in association with wildlife habitat improvement.

I will be glad to approve the proposed docket when amended to incorporate the suggestions set forth above.

E. L. PETERSON,
Assistant Secretary.

The SPEAKER. The question is on the motion offered by the gentleman from Mississippi.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 24: Page 28, line 9, strike out *"Provided,* That no part of this appropriation shall be used to formulate and administer an acreage reserve program with respect to the 1958 crops, or in total compensation being paid to any one producer in excess of $2,500 with respect to the 1958 crops" and insert *"Provided,* That not to exceed $34,500,000 of the total sum provided under this head shall be available for administrative expenses: *Provided further,* That no part of this appropriation shall be used to formulate and administer an acreage reserve program which would result in total compensation being paid to producers in excess of $500,000,000 with respect to the 1958 crops, or in total compensation being paid to any one producer in excess of $5,000 with respect to the 1958 crops."

Mr. WHITTEN. Mr. Speaker, I offer a motion which is at the Clerk's desk.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 24, and concur therein with an amendment, as follows: In lieu of the sum of $5,000 proposed in said amendment insert "$3,000".

Mr. WHITTEN. Mr. Speaker, I would like to take a moment here to point out that in the report on page 5 in connection with the Extension Service, language appears to the effect that the increase above the House figure was to "expand" the

work of the regular extension agents. The intent of the conferees is that the word "expand" be interpreted to include the word "strengthen." In fact, "strengthen" was the original purpose. I would like for the purpose of clarification to say here that it is the intent of the conferees that the word "expand" be used to include strengthen.

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

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

Mr. MAHON. Mr. Speaker, I would like to resume the colloquy I was having with the gentleman from Mississippi prior to the quorum call. No doubt there have been many abuses in the administration of the soil-bank law and I have no desire to defend these abuses. In fact it has become quite clear that the soil bank, while theoretically attractive, is not the answer to our agricultural problems.

I would like to discuss the pending provision for I am very much disturbed about the $3,000 limitation on the acreage reserve program. This will vitally affect many producers in various areas of the Nation, especially some of those in the area in which I live. I would just like to know if there has been any possibility that this restriction could have been omitted, leaving this matter up to the people who administer the program. The amount of the soil-bank payment should depend upon the facts and circumstances in each individual case and not upon some arbitrary dollar limitation. The program should be fair to both the small and the big producer.

Mr. WHITTEN. May I say to the gentleman from Texas that there was a limitation both in the House bill and in the Senate bill. In the House bill it was $2,500 and in the Senate bill it was $5,000. So, definitely the conferees were tied between those two levels. So far as the figure that appears here now, this figure, I think, and I refer to the general sentiment of the House and Senate, was based largely upon what happened in the last year in certain areas of the country. Apparently, the temper of the membership of both the Senate and the House was that a restriction should be placed on the total amount of any one payment. I may say to the gentleman that investigations are being made at the present time and, according to earlier reports, I think we will clearly see that in the interest of supporting a sound agriculture and a sound agricultural program for the future, a whole lot of things that have been going on should certainly be brought in line and certainly that is what this report attempts to do.

Mr. MAHON. I would like to ask the gentleman this further question, Mr. Speaker. The gentleman from Mississippi is the best informed man in the House in this field of agricultural appropriations. The people are making up their minds as to whether or not they want to see the soil bank continued. If the people in certain areas are confronted from here on out with a limitation of say $2,500 or $3,000 for acreage reserve payments, they may come to one conclusion. If the program is more elastic to fit varying conditions throughout the Nation, I think they might come to a different conclusion. My question to my friend from Mississippi is this: In his judgment, will the Congress and the country continue to support a limitation in the area of $3,000 or $4,000 for acreage reserve payments under the soil-bank program?

Mr. WHITTEN. I think the history of agricultural legislation shows that it does not take more than 2 or 3 years for limitations to get written into the agricultural program. The gentleman is familiar with the agricultural conservation program, in which it becomes more restricted year by year, until this year there was some recognition of the change. But, by and large, any time you have payments provided, you are going to have restrictions written, judging by the past. In actuality, I think the soil-bank program clearly requires that, because the general intent is that for the payments the farmer participants would reduce their production. The information before us is that last year a number of farmers rented some land and increased production on other lands and defeated the very purpose of the act, and we find the Government is out tremendous amounts of money. So I think any program of this nature will have restrictions, if I judge the temper of the Congress correctly.

Mr. MAHON. Can the gentleman state whether there is a growing sentiment within the committee, as far as he knows, for a limitation on loan amounts, under the loan program for supported crops? There has been some apprehension in certain quarters that limitations such as this might be placed on the loan program for wheat and corn and cotton.

Mr. WHITTEN. That would be more properly considered by the legislative committee, I should think. I know of no such sentiment in my own committee.

Mr. MAHON. I thank the gentleman.

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

Mr. WHITTEN. I yield.

Mr. BREEDING. Does this limitation of $3,000 apply to a landowner's holdings or to the producer on his land?

Mr. WHITTEN. The limitation is to any one producer; I believe that is the word that is used. That determination would be in line with the definition of producer in the basic act. Personally, I would be of the opinion that it had to do with normal operations on the farm. If a place had been in 2 divisions for some time, it likely would be held to be 2 producers. If on the other hand a big operator were to divide his property out, so as to have 10 people farming the same land that he did last year, I think that likely would be held to be for the purpose of defeating the restriction in the act and would not be proper.

Mr. BREEDING. I have one constituent who has 50 tenants. Does this landowner receive only $3,000, or would he receive a portion or payment, for each of those 50 tenant-operated farms?

Mr. WHITTEN. It would be my thought that he would be one producer and would get a limitation of $3,000, but I would not want my expression here to in any way change the general definition of "producer" under the basic act. But that would be my understanding of it.

Mr. BREEDING. I would like to make this further remark, that if we put this limitation on at $3,000, it will automatically cut out 40 percent of the operators in the summer fallow wheat producing area of the United States from participation in the soil bank.

Mr. WHITTEN. May I add that some of the examples that have been brought to our committee would lead to the belief that somebody should be cut out. It is very bad in some areas. We have evidence where land has been sold without any downpayment and then rented to the Government for much more than the land is worth, and the seller has required transfer or an assignment to him of two-thirds of the Government payment. So you wind up with the Government getting little or nothing and the seller gets about twice the value of his land. The tenant gets something because he was not out any downpayment to start with. These restrictions have come into this bill after we have had quite a bit of information with reference to the excesses both last year and this year.

Mr. BREEDING. I am sure that is true in many cases. I do not pretend to protect any one who is trying to defeat the intent of the Soil Bank Act, but I happen to come from an area in the United States where there are large operators.

Mr. WHITTEN. The House voted to cut out the soil bank after this year on a very close vote. The Senate provided a limitation of $5,000 and the House, $2,500, and then of course the House killed the program after this year. In view of those two actions by the Senate and the House, including this $5,000 limitation and the action of the House with $2,500 limitation, the conferees agreed on what appears to me to be a reasonable solution of the problem, at least as reasonable as we could agree upon.

Mr. BREEDING. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point.

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

There was no objection.

WHEAT PROBLEM SHARPENED

Mr. BREEDING. Mr. Speaker and distinguished colleagues, I would like to make a few remarks here today about the conditions existing in Kansas pertaining to wheat production and the limitations of the soil-bank program as proposed by the conference committee.

The 1957 Kansas wheat crop is being estimated at between 60 and 90 million bushels.

One thing is overwhelmingly certain: No one has done more than the Kansas wheat farmer to solve the Government's wheat-surplus problem. Admittedly, he has not done it altogether deliberately, and the Lord deserves most of the credit. But the facts are there.

Just 5 years ago, the State produced over 300 million bushels of wheat. This year it is producing one-sixth as much.

If any other State in the Nation has had a five-sixths reduction in the output of its major industry in half a decade, I have yet to hear about it.

The spring rains threatened for awhile to ruin our record and give us a sizable crop. But Kansas weather took care of that. It rained too much.

So Kansas has done her part for the United States of America, raising less wheat as patriotically as she raised more wheat for the red, white and blue during World War II.

And what is to be our reward?

There is still a wheat surplus. Kansas cannot be blamed for it. But Kansas still will pay for it. Subsoil moisture has been restored. The seedbed for the 1958 wheat crop should be the best since 1951. But it will be a narrow bed. Acreage allotment for the State is virtually the same as for the past year.

To be sure, the Kansas farmer will be paid for wheat he does not plant, with soil-bank checks; but the payments will not look nearly as good in the face of a good wheat year, as they did against this year's drought prospects.

The legend, "The wheat State" on the license plates, will continue to look a little ironic.

AIM AT SCARCITY

The Government's agricultural program is based on a premise of overabundance. It has been aimed at making wheat scarce when it was already too scarce in Kansas. Now that the prospect is for wheat abundance in Kansas, the Government-imposed scarcity will, from all indications, continue.

Kansas must continue to fight for the right to raise more wheat—the crop it raises best. This was something of an academic problem in the past few years, when we could not raise much anyway, because of drought. But it is a real goal now.

There have been numerous suggestions for reaching the goal: The Wheat Commission's project to find more uses for wheat, thus increasing the demand; the elimination of the "15-acre wheat farmer"; the limiting of the commercial wheat producing area to regions like Kansas.

Whatever the answer, it needs to be pursued even more vigorously than before.

The end of the drought did not solve our problem; it merely sharpened it.

In the June 1, 1957, issue of Doane's Agricultural Digest is a page entitled "This Month in Washington." This article mentions, and I quote:

> Another point stressed was that large operators were receiving checks of from $25,000 to $40,000 for keeping land out of production. To guard against this the House wrote in a stipulation that Soil Bank checks will be limited to $2,500 per farm. Even if the acreage reserve is reinstated for 1958, you can expect this directive to stick. The big fat checks are a thing of the past.

If this becomes a true prediction, then the acreage reserve program for 1958 as I see it, will for all practical purposes of accomplishment be out in the summer fallow wheat belt in the United States, because a $3,000 limitation per farm, would prohibit over 40 percent of all operators from participating.

To put this limitation on our wheat farmers would remove all incentive to cut production in the summer fallow wheat area. I realize that during the debate on the acreage reserve program, much bitterness was displayed. Time and again my colleagues would point out how inequitable the program was. I think the main illustration used was that each New Hampshire farm received an average Soil Bank allocation of $1.37, while Kansas farms received an average allocation of $700 per farm. This, of course, is political thinking in the area where they had the vote.

For the purpose of explaining my position let me give you this true example:

Under the 1957 acreage reserve program, this company is owner of 300,000 acreas of wheatland, and allocated to this 300,000 acres was approximately 100,000 acres of 1957 wheat allotment. All of this land, of course, is rented to tenant operators on the basis of one-third or one-fourth of the crop delivered to market. Through their tenants, 80,555 acres of the 1957 allocated wheat allotment was placed in the acreage reserve. In other words, they were participating over 80 percent, and the heaviest participation is in the western part of Kansas and the eastern part of Colorado where these holdings are located, running as high as 97 percent in certain counties. This 300,000 acres was rented to approximately 500 tenants and consisted of approximately 650 units.

As I mentioned before, farm units in western Kansas and eastern Colorado are much larger than other parts of the United States, and more than 40 percent of the tenant operators and owner operators would be eliminated if the acreage reserve is limited to $3,000.

Also, as I mentioned before, with this limitation, it would be impossible for this company to participate in the program. They would have to take steps to see that their tenants did not sign up any of this land for the fall of 1958.

In this type of operation, in order to pay the taxes on the land, supervise and produce, there are expenses that must be met. If the total to be received under the soil bank for 80,555 acres were only $3,000 this company would soon go bankrupt. For example, their real estate taxes in Kansas and Colorado are approximately $100,000 and they will pay back to the Federal Government in income taxes better than 52 percent of any amount received.

My area of the country is particularly suited to large operations because of the contour of the land and the climatic conditions. It is not uncommon for one operator to farm 10 to 20 quarter-sections of land. If this provision of $3,000 per farm is retained I think it will defeat the farm program considerably. There would be more production than ever on the part of the large operators in the high plains area, not only in my State but in many surrounding States.

I am very much opposed to the $3,000 limitation, or any kind of a limitation. I realize that we get our production not from individual farmers, as this provision would make it mandatory, but our reduction comes from reducing production under acreage controls and should be kept on this basis rather than on a restricted individual basis.

It is my sincere hope that you remove any restrictions for individual farms. If you are unable to remove the limitation provision entirely I would suggest that you make the limitation more liberal.

Mr. VANIK. 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. VANIK. Mr. Speaker, I want to take the opportunity to oppose amendment No. 22 in the conference report accompanying H. R. 7441. This amendment appropriates $162,940,000 for the soil bank program and authorizes $325 million for future programs.

The soil bank program, as administered, has failed to make any substantial or worthwhile contribution to the increase or stability of farm income. This dole to the farmer will produce nothing more than a half-billion-dollar headache for the American taxpayer.

Mr. McGOVERN. Mr. Speaker, I am supporting the proposed Department of Agriculture and Farm Credit Administration appropriation bill, 1958, as modified in the conference report. I support this bill not because it meets with my approval on all counts but because it is probably the best bill that we can pass at this time.

I have believed from the very outset that those who view the soil bank as a complete answer to the farm problem are mistaken. Early in 1956 when the soil bank plan was being debated, I said publicly that it could not serve as a substitute for a farm parity support program. The experience of the past year has confirmed my earlier judgment.

I have always believed as I do now that the soil bank principle should be used as a supplement to the farm parity program, not as a substitute. Farmers must be assured of a fair price for their commodities before we can expect them to cooperate in any effective program of crop limitation.

I voted for the extension of the soil bank appropriation for 1958 when it was on the House floor some time ago. I vote for it again today. I do so with the determination to renew my efforts for a price-support program on farm commodities that will assure farmers at least 90 percent of parity.

I am proud of the fact that the overwhelming majority of the members of my party in the Congress joined together to pass just such parity legislation a year ago. It is regrettable that the President vetoed that legislation. It is equally regrettable that the Secretary of Agriculture has refused to use his authority to support farm commodities at the 90 percent of parity level. Nevertheless, the Congress should renew its efforts to pass such legislation again in the hope that the President may see fit this time to change his mind and sign such a measure into law. Any such program should, of course, be geared primarily to the needs of the family size farmer.

I intend to devote a great part of my time and effort in the Congress to the continuing fight for an improved farm program. It is ridiculous that at a time

of great national prosperity farmers should be experiencing economic hardship and painful insecurity.

During the balance of this session of Congress and again in 1958, I intend to bring the farm problem to the attention of the Congress in a series of weekly speeches until such time as this critical national problem is satisfactorily resolved.

Mr. STAGGERS. Mr. Speaker, I want to congratulate the conferees on their action in connection with H. R. 7441, the Department of Agriculture appropriation bill for the fiscal year ending June 30, 1958, and especially to commend the Honorable EARL WILSON, of Indiana, for his enlightening and comprehensive discussion of this very important bill. I hope that every farmer in West Virginia will read Mr. WILSON's statement. Of particular interest to farmers in West Virginia who have been utilizing the agricultural conservation program to carry out soil-building and soil-conserving practices on their farms is the committee's action directing the Department of Agriculture not to make any change in the 1958 program from what it was in 1957.

Mr. Speaker, I was just as shocked as my colleagues who have spoken before me were when I received a copy of the secret memorandum from Assistant Secretary Peterson to ACP Administrator Koger deleting nine practices, which in essence have been the practices which the majority of farmers have utilized in their soil-improvement work, and restricting many others. It is a little hard to reconcile Mr. Peterson's action taking out these practices which comprised nearly 60 percent of the payments to the one-and-a-quarter million farmers participating in this program in 1955 with his statements before both the House and Senate Appropriations Subcommittees. According to the official hearings of these committees, he committed the Department of Agriculture to continue the 1958 program in the same general manner in which they proceeded in 1957. For him to issue this directive at this late date after Congressional action was nearly completed and in direct opposition to the specific recommendations received from the various committees throughout the Nation is questionable procedure. The recommendations from my State of West Virginia were that no major change be made in the 1958 program over the 1957, and I have been reliably informed that this was the pattern throughout the Nation.

This administration has tried repeatedly to drastically curtail this program ever since they have been in power. There has never been a national program which has reached so many farmers and received such universal support. There is no excuse for such action as Mr. Peterson has taken of trying to reduce by administrative directive what they have been unable to sell Congress to do legislatively in previous years.

I want to congratulate the conferees again and I am glad to have the assurances of the chairman that he feels that the Department will withhold this directive.

Mr. AVERY. Mr. Speaker, I should like to make a few observations with respect to soil and water conservation in the State of Kansas. The farmers of Kansas generally are becoming more concerned about conserving their soil and water resources. Weather conditions of recent years have forcefully brought home to them some fundamental facts, especially in regard to water conservation.

Farmers who have installed permanent soil and water conservation systems on their land have found that their conservation work has paid dividends in both dry weather and wet weather.

During the drought years they found that their permanent conservation measures helped to capture and hold the little rain that did fall. Consequently, crop yields were better and their land was less subject to damage from wind erosion.

In this year's wet weather they found that their conservation farming systems induced greater insoak of moisture and carried the excess water from heavy rains off of their fields in an orderly manner with less damage from water erosion.

Understanding of these basic facts in my home district has resulted in a tremendous interest in water conservation. There is more interest today than ever before in installing conservation farming systems on individual farms and upstream watershed protection for entire communities.

The soil and water conservation services available from the Department of Agriculture for helping farmers to install permanent conservation measures are a real help to the farmers in my district. They are receiving highly valuable technical assistance through local soil conservation districts. They see great potentials in the new upstream watershed protection program.

It was because of local need that I supported the amendments to the Hope-Aiken Act in the 84th Congress, and have introduced H. R. 7756, to further amend the Hope-Aiken Act in the 85th Congress, in order that the intent of Congress can be carried out for developing upstream flood prevention projects such as the Walnut Creek project in Brown County, Kans. They appreciate the fact that in Kansas our policy is to emphasize ACP cost-sharing practices directed toward the installation of permanent conservation farming systems and the treatment of small watersheds.

I want to pay tribute to a man down in the Department of Agriculture who has an important responsibility for the policies under which these services are administered. I am referring to Ervin L. Peterson, Assistant Secretary for Federal-States Relations. He has proved himself to be a national leader in soil and water conservation.

Since Mr. Peterson has been in office he has given intensive attention to conservation matters. He did something, that in my opinion, more administrators should do. Soon after he was appointed he went out over the country and talked with farmers about their soil conservation problems. He saw for himself the work that farmers are doing. He learned from farmers what they think of soil conservation and what they need in the way of help.

Kansas was one of the States that Mr. Peterson traveled thoroughly. I am proud of the permanent conservation work that he saw on the land in Kansas. And I know Kansas farmers are proud of it, too.

I know, too, that what Mr. Peterson learned from farmers around the country has been reflected in the soil and water conservation policies of the Department of Agriculture. Under those policies farmers are getting more help than ever before in installing permanent conservation systems.

On behalf of the farmers of Kansas, I am taking this occasion to commend Ervin L. Peterson for the outstanding leadership that he is giving to the soil and water conservation movement in the United States. I am only hopeful that comprehensive watershed development can proceed under the Hope-Aiken Act as was originally prescribed by Congress.

The SPEAKER. The question is on the motion of the gentleman from Mississippi.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the conference report.

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

There was no objection.

PERMISSION TO ACCEPT A FOREIGN DECORATION

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 8594) to authorize the Honorable ALBERT P. MORANO, Member of Congress, to accept and wear the award of the Cross of Commander of the Royal Order of the Phoenix conferred upon him by His Majesty the King of the Hellenes.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Honorable ALBERT P. MORANO, Member of Congress, is authorized to accept the award of the Cross of Commander of the Royal Order of the Phoenix conferred upon him by His Majesty the King of the Hellenes, together with any decorations and documents evidencing such award. The Secretary of State is authorized and directed to deliver to the Honorable ALBERT P. MORANO any decorations and documents evidencing such award.

SEC. 2. Notwithstanding the provisions of section 2 of the act of January 31, 1881 (5 U. S. C., sec. 114), or any other provision of law, the Honorable ALBERT P. MORANO may wear and display the decoration referred to in the first section of this act after acceptance thereof.

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.

INSPECTION OF POULTRY AND POULTRY PRODUCTS

Mr. TRIMBLE. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 304.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 6814) to provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products. After general debate which shall be confined to the bill and continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. TRIMBLE. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN] and yield myself such time as I may consume.

The SPEAKER. The gentleman is recognized.

Mr. TRIMBLE. Mr. Speaker, House Resolution 304 provides for the consideration of H. R. 6814. The resolution provides for an open rule and 2 hours of general debate on the bill.

H. R. 6814 establishes a compulsory inspection by the Federal Government of poultry and poultry products in interstate commerce and in major intrastate consuming areas designated by the Secretary of Agriculture.

The bill requires ante mortem inspection where and to the extent the Secretary deems necessary and requires post mortem inspection of each carcass in plants processing poultry and poultry products.

Sanitary regulations are to be set up by the Secretary for the purposes of the act, and inspection services will be refused processing plants failing to meet the requirements. Containers of poultry products inspected and found wholesome are to be labeled in accordance with the provisions of the bill.

H. R. 6814 does not regulate the handling, shipment, or sale of live poultry and does not apply to poultry processors engaged in intrastate commerce, except, as I have stated, in major consuming areas designated by the Secretary of Agriculture in accordance with the provisions of section 4 of the bill. Also, the bill does not apply to the processing or sale of egg or egg products or game birds. Exemptions are provided for producers who process their own poultry for sale direct to household consumers. The Secretary is also authorized to grant exemptions under certain circumstances to retailers and processors within certain urban areas, and poultry processed in accordance with religious dietary laws.

Prohibited acts are listed in the bill. It also provides for the imposing of injunctions to restrain violations, but does give the Secretary discretion to issue warnings in lieu of criminal or injunction proceedings.

If enacted, no person shall be subject to the act prior to January 1, 1959.

It is estimated that the cost of the program when fully in effect will be approximately $10 million annually.

I urge prompt adoption of this resolution so the House may proceed to the consideration of H. R. 6814.

Mr. ALLEN of Illinois. Mr. Speaker, I yield such time as she may desire to the gentlewoman from Ohio [Mrs. BOLTON].

Mrs. BOLTON. Mr. Speaker, in this day and age of fancy packaging and new marketing techniques, the American housewife can no longer use many of her old tried-and-true ways of determining the quality of the foods she buys. The packaging obscures the product. The new marketing techniques do not permit the little rule-of-the-thumb tests of the past.

This is especially true of poultry. The eviscerated chicken of today can look good and still have been diseased. The housewife needs some new way of telling whether the poultry in the grocery store or supermarket should go on her dinner table.

With red meat, we have found compulsory inspection by trained inspectors to be an effective and inexpensive way of assuring the housewife of clean and wholesome food. The same can and should be done with poultry.

H. R. 6814 will give the housewife the protection she wants and needs for her family. I urge the Congress to help her by enacting this legislation for compulsory poultry inspection.

Mr. ALLEN of Illinois. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, the gentleman from Arkansas [Mr. TRIMBLE] has explained this rule and the bill it makes in order. I understand there is some opposition to the bill although personally I feel it is a good one.

Mr. REES of Kansas. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield to the gentleman from Kansas.

Mr. REES of Kansas. May I ask, Does the gentleman have any idea what the cost of this bill will be?

Mr. ALLEN of Illinois. I believe a little less than $5 million.

Mr. REES of Kansas. A year? I thought it would cost more.

Mr. ALLEN of Illinois. That is correct.

Mr. REES of Kansas. How many new inspectors will be necessary if the bill is approved?

Mr. ALLEN of Illinois. I think it would be best for the gentleman from Kansas to ask that of some member of the Committee on Agriculture.

Mr. REES of Kansas. I thank the gentleman.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 10 minutes to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, the two questions asked by the gentleman from Kansas are part of the reasons why I am taking the floor at this time to oppose this bill. I never like to find myself in disagreement with one of the legislative committees. An observation of the scene as it presently exists might indicate that the bill is going to pass, but it is not going to pass with my vote in the absence of any scientific, reasonable ground that I can discover to support this action to protect the health and welfare of the American people.

What you are really doing here, I might say in a brief sentence, answering the gentleman from Kansas and my other colleagues, is proposing to put from 2,000 to 3,000 more people on the Federal payroll. Is that what this Congress is dedicated to doing?

You are going to add an annual expenditure of from $10 to $20 million a year to Federal expenses. Is that a part of the economy drive of the Congress?

You are going to drive the small poultry processors out of business and concentrate the processing of poultry largely in the big plants in the large cities. Is this the way to encourage and preserve small business?

Finally, you are going to, in all probability, increase the spread between what the producer of the poultry gets for the chicken he raises and what the consumer pays for that chicken by something like 2 cents a pound and, looking into the future and to certain other things that develop, it could be much more than that.

Now, is that what we want to do in this Congress? Do we want to increase the spread and thereby the cost of living?

First of all, you should understand what this bill is going to provide for. It is going to require that a Federal inspector be in these poultry processing plants to look individually at the chickens as they are processed. The most conservative figure as to the number processed in this country each year is 2½ billion—not million, 2½ billion—and it runs up to 4 billion. Now, if they take very long to look at that many fowl, those inspectors are going to have to slow down a lot of lines, and it would seem to me it would take a small army to do the inspecting. That is the reason, as I say, that there undoubtedly will have to be some 2,000 or 3,000 inspectors.

Now, as to the cost. I have said that it will be from $10 million to $20 million a year. The bill specifically provides that the cost shall be paid by the Government, which means that it is a direct charge on the people of this country.

I have also referred to this proposal's impact on small business. I have here a letter from a poultry processor out in my district. When I found out about this bill, I got some copies and I sent them out there, because I rather wondered about it. This man has written his letter by hand. I know him personally. He writes:

DEAR CONGRESSMAN: I am writing to you concerning bill H. R. 6814, the Federal inspection bill.

Up to now this bill has not been brought to attention of small poultry dressers and processors, but if the bill goes through myself as well as some 15 other dressers in Jasper County—

That is my home county out in Indiana.

will have to close our small plants.

This is a vicious bill, and it not only concerns us but the public as well.

We are just as concerned about the health of the poultry we dress as this is the only thing we have to fight back at the big dressers with.

Mr. HALLECK, this bill is another rap at small business and will put the small operator that does custom work for farm freezers and local trade out of business.

Thanking you for considering this bill, I am * * *.

Now, why do I say that that is the way I think this is going to work? First of all, look at the jurisdiction that is here involved. It does not concern itself only with interstate shipments. It says that the Secretary shall determine where the major consuming areas are. I take it that would be the metropolitan areas. Then, because that is said to burden and affect interstate commerce, this compulsory inspection would be required even in intrastate commerce. Well, I think I know why the burden would be on interstate commerce. The little processor outside of the city of Chicago who took his poultry in and sold it in intrastate commerce, with the inspection service and the attendant cost of inspection, would be at a competitive disadvantage with the interstate commerce shipper. I think it is just that plain. I think the preamble of the bill recognizes that.

Now, what will that end result be? These little processors down my way, many of them, sell to stores and outlets in Lake County, Ind., Gary, Hammond, and so forth. That will undoubtedly be declared a consuming area, so the result will be that these little fellows, if they want to stay in business, are going to have to have an inspector in their plants. Now, can you have an inspector for every one of the 15 little plants in my county? I do not think so. The result will be, as I say, that they will go out of business, and the business will go to the big city plants with the inevitable increase in cost.

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

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

Mr. HOFFMAN. Well, that inspector has to stay in that particular plant all the time. As long as it is in production, you have to have an inspector in every plant, if you are going to be practical.

Mr. HALLECK. That is right. You will have to have an inspector at the plant before he would dare to ship his poultry; and, if he shipped his poultry and he did not have an inspector, he would be in trouble with the Government.

I have mentioned the increase in the cost spread. I think the experience with the voluntary inspection system we have had is conclusive proof that it will add to the cost to the consumer; either that or take the added cost out of the processor of the poultry, who already, as I say, is not getting near what he ought to get. Actually, the poultry business as it has been developed in this country has been one particular industry vital to agriculture where the spread between the producer and the consumer has been kept down to the absolute minimum.

The question I raise, and I do this in all good faith, is this: If you want to pass the bill, that is all right with me, but at least I wanted the record to show what I am convinced are the true facts in the situation. If we want to have that sort of a situation, then, of course, pass the bill.

Mr. DAWSON of Utah. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from Utah.

Mr. DAWSON of Utah. I have heard no objection to the present system. I am wondering what is back of this bill, what is the reason for it?

Mr. HALLECK. I do not know, because I think anybody should be allowed to be for anything, in this country. They have that right. But the representative of the meatcutters union said that they had initiated the drive a long time ago and have pursued their efforts for this legislation. If you say, We want to put these people on the payroll; we want to add this cost to the Government; we do not care what happens to the small processors in the business; we do not care about the increase in spread from the producer to the consumer, then it seems to me you ought to say that there is a real reason for having it. And the thing that you would think of first of all, it seems to me, is that the health of the people is endangered by buying poultry that, somehow or other, infects the people who buy it and eat it. There is no scientific evidence to establish that fact.

Much has been made of something that starts with ornithosis in turkeys, but they tell me that you cannot discover that by a post mortem examination. You have got to discover it through an ante mortem examination. And secondly, the disease is not communicated to the people who eat the poultry, but to the ones who handle it.

In further substantiation of that matter, of the threat to the health of the people, Dr. Larrick, Commissioner of the Food and Drug Administration, was asked by members of the Appropriations Subcommittee this question:

What about these outbreaks of illness that I have heard about from eating chicken?

And Dr. Larrick replied:

We have not been able to establish any firm cases where a person contracted a contagious disease from the consumption of poultry.

If that is correct, then all I want to do here today is to point out what I think the impact of the enactment of this legislation will be. It just does not seem to me that a sufficient case has been made for the entry of the Federal Government into this business.

There is a voluntary inspection law, and some people have availed themselves of it. I think it was some sort of a sales gimmick; maybe the crate containing the poultry had on it "Government inspected" which they thought would make it sell more quickly. But as I have understood it, the experience is that that has not worked out that way.

Of course, those people who are paying for that voluntary inspection, if this bill passes, will transfer that cost to the Federal Government.

It has been with some reluctance that I have undertaken to speak here on what I think of this bill. But I could not find it in my conscience—and I have read only one of the many letters that I have had from my district on this matter—I could not find it in my conscience to sit idly by and not say what I think are the facts involved in this proposed legislation.

Mr. REES of Kansas. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman.

Mr. REES of Kansas. Has the gentleman noticed, on page 12 of the bill, the penalties that may be inflicted in the event of a violation of this proposed legislation—6 months in jail and $3,000 fine?

Mr. HALLECK. It is a far-reaching bill. I have tried as best I could to find out what I could about the bill, who is for it and who is against it. Actually, when you begin to inquire who is for it, some people are listed in the report and I say to you on my word of honor, without mentioning names, that there are many of them who are very lukewarm. Sometimes we get started and are for something that we think will head off something worse. Then after a bit, what we started out with grows and grows and grows, like Topsy. I have found some of that in connection with some of the support of the bill.

Of course no one wants to do anything other than protect the safety and health and welfare of the American people, but I think there are other considerations that ought to be taken into account along with that.

Mr. TRIMBLE. Mr. Speaker, I yield 10 minutes to the gentleman from Kentucky [Mr. WATTS].

Mr. WATTS. Mr. Speaker, under the consideration of the rule, I want to primarily direct my remarks in answer to some of the points that were raised by the gentleman from Indiana. I regret very much that I find myself in disagreement with him in regard to what this bill is for, its cost, and what it attempts to do.

He wanted to know who was for the bill. We had hearings before our committee for 6 days. We heard everybody that wanted to testify. We had 78 witnesses before us, and every single one of them said that this bill was vitally needed.

Who were those witnesses?

There is L. H. Abbott, president of the Kentucky Poultry Federation.

Cliff Carpenter, president, Institute of American Poultry Industries.

Frank T. Wollney, Institute of American Poultry Industries.

Albert R. Gibson, Georgia Poultry Federation.

Charles D. Hawks, Arkansas Poultry Federation.

Chester C. Housh, president, National Poultry Federation, also National Turkey Federation.

And on, and on, and on, 78 of them. Not a single soul appeared before our committee to testify against the bill, and we invited everybody.

I do not know whether the gentleman from Indiana agrees with the Indiana

Poultry Processors Association, but I have a telegram from them that came to me this morning. It reads as follows:

Hon. JOHN C. WATTS,
House of Representatives,
Washington, D. C.:

The Indiana Poultry Processors Association urges your capable support of H. R. 6814 as presented by House Committee on Agriculture, and cost of such inspection should be borne by federally collected funds.

ROBERT MCFARLING,
President, Indiana Poultry Processors Association.

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

Mr. WATTS. I will be delighted to yield to the gentleman from Indiana.

Mr. HALLECK. It has been my understanding that an earlier resolution by the Indiana Poultry Processors Association contained a provision that the cost would be borne by the industry. Can the gentleman tell me whether or not that is true?

Mr. WATTS. I had no knowledge of it. This is the only information I have regarding their position. It is possible, among these 78 witnesses who testified, there might have been some from Indiana. I can look through here, if the gentleman desires, an advise him.

We had not only unorganized representatives of the poultry processors, and I named you just a few of them, but we also had State and local health agencies from all over this country testify, such as these:

Dr. Lloyd Florio, manager, Department of Health and Hospitals, Denver, Colo.

Dr. Aaron H. Haskin, health officer, city of Newark, N. J.

And on down, one after the other.

In addition, we had the following Members of Congress appear before our committee:

Hon. FRANK M. COFFIN, Hon. MARTHA W. GRIFFITHS, Hon. HARRY G. HASKELL, Hon. BURR P. HARRISON, Hon. CHARLES B. HOEVEN, Hon. EUGENE J. MCCARTHY, Hon. THADDEUS M. MACHROWICZ, Hon. D. R. (BILLY) MATTHEWS, along with many others, and testified in behalf of the bill.

Also, representatives of the Department of Health, Education, and Welfare, and the Department of Agriculture of the Federal Government appeared in support of the bill. There was not one single witness who did not testify before our committee that it was essential that we have Federal inspection of poultry if the American housewife and the American consumer could rely on the quality of the product they were buying. Many of the people who represented the industry which the gentleman from Indiana [Mr. HALLECK] claims will be disrupted said that unless Federal inspection of poultry was put into effect, the consuming public was going to stop eating poultry and that it would adversely affect the industry from top to bottom.

Another point the gentleman raised about the major consuming areas was written in the bill for one specific purpose, and I will try to outline it to you. When this bill was initially brought up, it was to deal with the movement of poultry in interstate commerce. We recognized there would be times when independent merchants and local stores would be affected. We could pick one, as I did before the Committee on Rules in discussing this bill, in Richmond, Va. There will be poultry shipped in there from Maryland. That poultry will be federally inspected because it is moved in interstate commerce. I had a big chainstore man tell me that if he had two piles of poultry in his store—one bearing the Government shield of purity and inspection by the Government and the other without any shield on it, the consuming public and the housewife would buy only the inspected poultry even though it was 5 or 6 cents higher per pound than the poultry that did not bear the Federal shield of purity and inspection. So we undertook to do three things in this bill—one was to protect the consuming public. Second, to do it in a manner that would not discommode the processor any more than was necessary. Third, to make it broad enough so that every processor could come under it. Now let us go back to the Richmond, Va., situation. A man ships poultry there from Maryland and the store advertises, "I sell nothing but United States federally inspected poultry." That is in interstate commerce. There are a lot of little poultry processors around Richmond, Va. They would have to bring their poultry in and compete with the poultry that came from Maryland that is federally inspected. According to the information that the chainstore people and the soup company gave me, the fellow who did not have his poultry inspected was probably going to be out of luck because the housewife would buy the other poultry because she thought it was pure and clean. Now, with reference to this major consuming area, we provided that the governing authority of that city or the poultry processors around that city could petition the Department of Agriculture to hold a hearing and to determine whether Federal inspection should also be put into effect on all poultry that moved into Richmond, Va., whether in interstate or intrastate commerce. In the event Federal inspection was ordered, this would give the little processor the same opportunity to get his poultry inspection as the poultry shipped across the State line would have.

Mr. DAWSON of Utah. Mr. Speaker, will the gentleman yield?

Mr. WATTS. I yield to the gentleman.

Mr. DAWSON of Utah. It seems to me the only justification for this bill would be the protection of the health and welfare of the people. Under the present system, have you had any cases where the health of the people has been endangered? What is the purpose of this bill?

Mr. WATTS. Under the present system, 26 percent to 30 percent of poultry is now inspected on a voluntary basis. Only the larger processing plants have been able to make a deal and put up the money to have it inspected. The smaller processors are practically shut out as far as inspection is concerned. Now to answer the gentleman's question. There have been hundreds of cases where people have been made sick and where they have lost time from work on account of ornithosis and other diseases communicated by poultry. I have a letter from John L. Harvey, Deputy Commissioner of the Department of Health, Education, and Welfare, in which he very strongly endorsed the bill and says that there are 24 diseases of poultry which may be transmitted from poultry to man. There have been many instances in which the disease has been communicated to man—the RECORD is replete with them.

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

Mr. WATTS. I yield.

Mr. HOFFMAN. In addition to these diseases referred to in the RECORD, poultry has lice, too, and individuals can get those. Is there anything in the bill that protects that?

Mr. WATTS. Well, I do not know about the protection of lice, but, I do know that the consuming public needs protection and we are endeavoring to afford them this protection by proper inspection for wholesomeness. The evidence is irrefutable that a human can get disease from poultry. In addition, we had evidence before our committee that many times poultry that had died from some natural cause was dressed and sold. Perhaps a chicken would have a cancer on one side of it. That piece was cut off and thrown away and the rest was cut up and put in a package and sold to the consumer. Those instances were few, but it is like everything else in this country. About 5 percent of the people cause all the trouble.

The SPEAKER. The time of the gentleman from Kentucky has expired.

Mr. TRIMBLE. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. WATTS. This 5 percent of the people who will not do what is right is the reason we have to enact this bill.

We will have 2 hours of general debate if you adopt the rule. I will be glad to answer any questions about the bill. All I ask you is to adopt the rule and give us an opportunity to go into the merits of the bill.

The SPEAKER. The time of the gentleman from Kentucky has again expired.

Mr. BROWN of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Speaker, in addition to the reasons given by our colleague, the gentleman from Indiana [Mr. HALLECK], attention may be called to the fact that the hearings show that most of the people appearing in support of the bill were representatives of certain organizations. As the gentleman from Indiana [Mr. HALLECK] so correctly said, the effect of this bill, boiled down, is to increase the business of the larger operators, tend to create a monopoly in the poultry business, and to shut out the little fellow. There is no question but that will be the ultimate result.

Another effect of the bill, as the gentleman said, would be to create a horde of Federal employees. The departments and agencies send their agents, sometimes under one name, again under another, all over the country until today the average businessman does not see the back of one leaving until the nose of another is on the way in.

One of the things that our forefathers wrote into the Declaration of Independence—they were writing about the King—was:

He has created a multitude of new offices and sent hither swarms of officers to harass and eat out the substance of the people.

They rebelled. They fought and won a war to get out from under. We meekly submit that is what we are doing here today. There is not a week goes by that our people do not complain to us about inspections. About snooping—unnecessary and costly. About an ever-increasing number of Federal employees; unnecessary redtape.

I looked at the hearings a moment ago, and one of the witnesses referred to by the gentleman from Kentucky, who just preceded me [Mr. WATTS], was the president of a poultry association. You know, it is odd the way the association sought the opinion of its members. It sent out a questionnaire and asked the members all sorts of things. Here is the tail end of the questions they submitted: The last sentence:

In furtherance of this longstanding dedication—

That is, the Institute had paid for some inspections; then they add—

provided such programs are paid for from Federal and State funds.

That is, no cost to the individual whose opinion was asked.

Well, who does not want something that we can get some other fellow to pay for, something for nothing, even if he does not need it or want it?

But—here is what those of us who oppose this bill will run into, and it is a bad thing politically for us. I have had some experience with it. But these health agencies of the State and of the Federal Government will charge that those who vote—this is a rather frank expression—those who vote against the adoption of this resolution want the folks to eat diseased and decomposed poultry. That is what they will say. We have had it before earlier this session. You will recall one of the bills from the Department of Health, Education, and Welfare. Every time an argument was made on the floor, those who opposed that legislation were charged with wanting to not only make people suffer from disease, affliction from some sort of illness, but we were accused of wanting them to eat poisoned food which would kill them. A ridiculous charge but repeatedly made. Why not, as this debate runs on today, have just a little charity and let those who want this bill confine their arguments to what the bill will do and not charge those who oppose it with wanting to kill off our constituents?

This particular bill is devised, as the gentleman from Indiana [Mr. HALLECK] said, to promote monopoly, to squeeze out the small fellow, to make it impossible for the individual to do business if he is in the poultry business. The principal argument will be, as I said a moment ago, against those of us who oppose it: Oh, well, you want to put onto the market rotten poultry. That is not so. This bill is a bill to create new Federal employees at the taxpayers' expense. And what becomes of our economy program? The gentleman whose testimony I just referred to is a veterinarian. When I was home earlier this summer one of the companies which produced poultry and markets it, from the egg all the way through to the ultimate consumer of the dressed product—a very successful group of farmers—they asked: "Do you know what is the matter with this proposed legislation?" I said, "No, except the usual thing to establish a bigger and better bureaucracy and increase the number of employees." And this fellow said "Yes, and you cannot get inspectors there to do the job unless they are veterinarians, and a veterinarian gets five bucks an hour, when we can take a man from the plant itself and do the work just as efficiently and just as thoroughly for $2 an hour."

So the veterinarians have some interest in it.

We in almost all States now have sufficient regulations—clean good food products—this bill is just another expansion of Uncle Sam's domain—an unneeded expensive extension of snooping—of redtape.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. TRIMBLE. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Speaker, I was not going to discuss the merits of the bill, but there is one feature of it that I called to the attention of the Committee on Agriculture when it was before the Rules Committee, and that I wish to call to the attention of the House because I think an amendment to the bill would be in order. That, however, is a matter I leave to the judgment of the committee, but I wish to call it to your attention this afternoon.

The Supreme Court has laid down what they call the preemption doctrine; that is when Congress has enacted any legislation on any subject that it preempts the field and thereby prohibits the State courts or the State authorities from exercising any jurisdiction of any character about it. It is illustrated well by a case, which would apply very much as this bill does, that arose in the State of Alabama. It was known as Alabama against the Cloverleaf Butter Co. That was a corporation that was renovating butter and shipping it into the State and also out of the State. The Federal Government apparently was not inspecting it. The State of Alabama feared that bad butter was being sold to their people and sent their inspectors to the plant to inspect it. The company refused to permit them to inspect on the ground that the Federal Congress had already passed the Pure Food and Drugs Act.

That case went to the Supreme Court, and the Supreme Court held that when the Congress passed a Pure Food and Drug Act it preempted the field of inspection of foods and that, therefore, the State could not inspect that food no matter how rotten it might be.

The same situation applies here. In none of your States could your State authorities under the Supreme Court decision inspect any poultry that was processed in your State, because the Federal Government preempted that field when it passed this bill.

Let me add one thing further, and this is something I have been trying in this House to get enacted for a number of years. I have not been able to get it out of the Judiciary Committee yet. I do hope that they will finally break down and let this bill come to the floor so that we can correct one of the worst evils that exists today in the whole of this country. The Supreme Court has held, and very recently held, that if the Congress does pass a law such as this and the Congress fails to implement that law by adequate inspection and the Federal Government does not do anything about it, the State government is still prohibited from doing anything about it. If that is the kind of situation you want to put on your people, it is all right with me, but I call it to your attention and I think the committee in charge of this bill ought to offer a simple amendment which would merely provide that while this law has been passed by the Congress it is not intended to revoke the rights of the States to have whatever supplemental inspection they desire.

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

Mr. SMITH of Virginia. I yield to the gentleman from Indiana.

Mr. HALLECK. I would like to say to the gentleman for whatever interest it may be to my colleagues that I have been disturbed, I was about to say as much as the gentleman from Virginia, maybe not as much but I have been very much disturbed, at this whole doctrine of preemption that has been developing in this country. I agree with the gentleman that something ought to be done about it.

In the measure before us not only does it provide for inspection but it provides for the Federal Government setting up regulations having to do with sanitation and various conditions in these processing plants. Many of the States presently have regulations and laws dealing with that very matter and great progress has been made in the States.

Mr. SMITH of Virginia. The gentleman is taking up my time, but I am glad to hear him come up and say that he is for doing something about this preemption doctrine because I have been trying for years to get him to say that. I have him on record now.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield? I heard the gentleman ask the President just last week to do something about that preemption proposition.

Mr. SMITH of Virginia. I am delighted to know that. I know he exerts a great influence at the White House and I believe he can do something about it.

Mr. BROWN of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from Maine [Mr. MCINTIRE].

Mr. MCINTIRE. Mr. Speaker, I rise in the consideration of this rule to point out 2 or 3 facts which I think are appropriate in the consideration of this rule, statements already made by previous speakers. I want to say that I appreciate and respect a difference of opinion

on the part of anyone in relation to any legislation, but some statements have been made as to the number of people that would be involved under the legislation which we now have before us.

I can only rely on the basis of information obtained from the poultry branch of the Department of Agriculture. I would point out to you that in the Agricultural Marketing Act of 1946, provision was made for voluntary inspection of poultry. Since that time a program of inspection has been developed in part for the industry. At the present time there are 525 inspectors who are serving 320 processing plants. As I say, I can only rely on the figures of the Department of Agriculture. They have had experience in this field and I consider their figures are reasonably accurate. It is estimated by the Department that under this legislation it would require about a doubling of the inspection force, or approximately 1,100 inspectors. I would suggest that that figure be kept in mind in relation to the estimate of 2,500 or 3,000 inspectors stated by previous speakers.

A statement was also made that the voluntary inspection program now in effect was probably asked for by the processors as some type of a sales gimmick.

There are two States in the Union that have Federal-State agreements in relation to the inspection of poultry. Those States are North Dakota and my own State of Maine. I can assure you that on my information and familiarity with the poultry-processing industry in my own State the program of voluntary inspection is not a sales gimmick. It is entirely one whereby the processors are interested in putting onto the market a uniformly packaged and processed product that has been processed in plants which meet inspection requirements, and it is their interest in a wholesome product which has initiated their program of inspection along with, of course, the fact that it would carry a United States inspector's label.

I would also wish to point out to you in reply to a statement made that this program would require only qualified veterinarians to provide the inspection, that that is not in this legislation. The Secretary is authorized to employ qualified people, and the requirement is not that they be veterinarians, and that point should be very clearly understood, because to read it any other way is to be misinformed on the legislation.

Mr. Speaker, I think this legislation is deserving of our careful consideration. I want to say that the subcommittee, under the chairmanship of the gentleman from Kentucky [Mr. WATTS], has done a very thorough job. While there has been an interest in this legislation on the part of various groups, I would want to say for your information that the first draft of this legislation came to my attention through the interest of farm organizations, and because of that fact I think that the record stands that the farm organizations have been active over a period of 2 or 3 years in drawing up and consulting with the poultry industry the type of legislation which would best serve the industry in order that there can be put onto the market this fresh product in an inspected, wholesome manner.

In closing I want to pay a compliment to the poultry industry for the fine job it has done. My interest in this legislation is simply that, as we move out, as we are doing into a tremendous volume of fresh meat, this industry make sure, through a system of inspection, that it is putting its product onto the market in a most wholesome manner; that the birds themselves are wholesome, and that the processing plants in which they are handled meet uniform standards of sanitation.

Mr. Speaker, I urge favorable consideration of this rule.

Mr. BROWN of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from Tennessee [Mr. REECE].

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

Mr. REECE of Tennessee. I yield to the gentleman from New York.

Mr. TABER. I do not know much about the bill, but I see in section 4, page 3, it provides that it shall be effective after an application to and passing upon the need for it by the Secretary of Agriculture, and on page 8, section 8, all sorts of things are prohibited, and they do not say anything about exempting those places where the Secretary has not made such a decree. Now, it looks to me like the bill is all mixed up.

Mr. REECE of Tennessee. I think myself that the bill is very much mixed up. And, carrying the gentleman's question a little further instead of answering it, I want to call the attention of the House to the fact that if a processer is engaged in both interstate and intrastate business, coming under the provisions of this act, he can ship in neither intrastate nor interstate until his product has been inspected; therefore he might be prohibited from shipping, if adequate inspection is not provided for both interstate and intrastate.

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

Mr. REECE of Tennessee. I yield to the gentleman from Kentucky.

Mr. WATTS. The bill covers all poultry and poultry products that are shipped in interstate commerce except that shipped in live form. The section that the gentleman refers to on page 3 provides for additional inspection of poultry that moves into large consuming areas. As I attempted to explain on the floor a few minutes ago, that was put in the bill on purpose so that a small processor who might be processing poultry outside of a large city and had to compete with interstate poultry they were shipping in with a Federal stamp on it could get the opportunity to have his plant inspected and his poultry inspected, with a United States inspection label attached to it, in order that he would not be put out of business by some store or some other large concern advertising United States inspected products.

Mr. REECE of Tennessee. Mr. Speaker, I cannot agree with the construction of the gentleman from Kentucky [Mr. WATTS] on this provision of the act. I think it is open to the opposite construction, as was indicated by the gentleman from Indiana [Mr. HALLECK].

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

Mr. REECE of Tennessee. I yield.

Mr. HALLECK. As I pointed out, and as was indicated in the letter that I received from a little processor in my home county, he said there were 15 little processors there, and the matter of establishing inspectors there would be almost out of the question. And so, instead of keeping them in business, this would really put them out of business.

Mr. REECE of Tennessee. The effect of it will tend, regardless of what the intention is, to put the little processor out of business and to concentrate the poultry business in the hands of a few people. And when that is done, these plants are going to have such a tremendous volume of poultry on the assembly lines, that it will be impossible to make an adequate post mortem bird-by-bird inspection. An efficient operating plant at the present time produces some 4,000 to 5,000 birds an hour. I cannot envision how an inspection can possibly be provided, a post mortem bird-by-bird inspection, that will mean anything, so far as detecting disease or any of these other matters to which the advocates of the bill refer.

There are 2½ billion birds of all types produced and marketed in the United States each year, about 70 billion pounds. If you concentrate the processing of these birds in a few plants, you are going to have such a tremendous assembly-line operation that it will be completely impossible to have an inspection that means anything more than a stamp. And that is the very thing we want to avoid. As the gentleman from Michigan said a while ago, there is no serious health problem involved, so far as the public is aware, in connection with the poultry operation. There has been no outbreak, there has been no public discussion.

The original bill provided for inspection by the Secretary of Agriculture under regulations set up by him. That bill would have been satisfactory to all the industry, the large and the small alike. When the original hearings were held by the committee it was on that type of legislation. Now this is a compulsory inspection bill, a post mortem bird-by-bird inspection which, in my judgment, is not only completely impractical, but completely impossible so far as effective inspection is concerned. These people who now have voluntary inspection—and most of their product goes into soups and pies—find that the inspection costs about $3 million a year and, of course, they are going to put that cost on the Government. The total cost of this inspection will run somewhere between twelve and twenty million dollars a year. We will wind up with a bureaucracy in this division that will be not less than 5,000 employees. We are just opening up another floodgate to have inspectors and other employees in the Federal Government going over this country, not protecting the health of the people, because it is impossible to get effective action under the provisions of this bill, but interrupting the flow of poultry from the

farm to the market, with the result that there is going to be a backing up, there is going to be disaster in the poultry business from the farmer's standpoint.

Mr. TRIMBLE. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

Mr. WATTS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 6814) to provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 6814, with Mr. O'BRIEN of New York in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. WATTS. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, there has already been quite a bit of discussion about some of the features of this bill. Legislation of this type was introduced by some 7 or 8 Members of this body. It was sponsored by the Department of Agriculture. We held about 6 days of hearings and had 78 witnesses representing every segment of the poultry industry, including representatives of major food companies, consumer groups, labor groups, health groups, State groups, and the Department of Agriculture and the Department of Health, Education, and Welfare.

Every single person that testified before our committee said that for the welfare of the consuming public and for the long-term good of the producer compulsory Federal inspection of poultry was necessary. Not one single voice was raised in those 6 days by a single one of those witnesses, and they covered the farmer as well as the producer and the consumer and everybody, because the American Farm Bureau Federation, the National Farmers Union, and the Grange, all testified in behalf of this bill.

They all said they wanted the bill, but I am going to have to admit to you that some of them kind of fell out with one another as to what should go into it. Your committee had a number of executive sessions at which they brought in various people and undertook to reconcile the various views. This bill is a compromise bill. We took into consideration in reaching the compromise every single idea or thought that was expressed to us. We had in our mind our duty to the American consumer to see to it that good, clean, healthy, wholesome poultry was supplied to the housewives and the consumers of this country.

Testimony before our committee showed that about 25 percent of the meat consumed in this country today is poultry. It is being marketed in ever greater quantities and transported across many miles to distant parts of the country. No longer are poultry markets confined to the local area where raised.

Poultry is now cut up and put in chicken pies and turkey pies, the old days when the housewife could look the chicken over and dress her own chicken and see what was on the inside of it and see what its condition was has long passed. Frequently, what she gets today is a cut-up chicken in a box or in a pie. As I said, the testimony before our committee was such that it was not pleasant to listen to. Your committee was unanimous in its opinion that we should have this compulsory inspection bill. We felt that since it was being done for the protection of the public that the public should pay for it. The testimony before our committee showed that for the first year it would cost something like $4 million and that when it got in full swing, it was estimated to cost $10 million. That was the cardinal purpose. Our second objective in the subcommittee was to give the American public this wholesome poultry in a manner that would least discommode and disrupt the orderly processes of the poultry industry, and at the least expense to the Government. We have tried to do that. We did not entirely agree with any particular group. Labor wanted this and the processors wanted that—nobody is totally satisfied with this bill—what I mean is that nobody got exactly what they wanted. It was a compromise that we think everybody can live with. Our third objective in the committee was to make it possible for everybody who desired compulsory Federal inspection to secure it. We realize, as I stated a few moments ago, that you might find conditions where nonfederally inspected poultry had to compete with federally inspected poultry. One of the officials of the large chainstores told me that if he had federally inspected poultry on one shelf at 38 cents a pound and nonfederally inspected poultry on another shelf at 32 cents a pound, he would not sell any of the 32-cent poultry because the housewife, naturally, being used to seeing the Federal inspection stamp on red meat and relying on it would buy that kind of poultry and the little processor who had no opportunity to get Federal inspection might be put out of business.

Mr. BARDEN. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I yield.

Mr. BARDEN. Does the gentleman have any objection to the type amendment suggested by the gentleman from Virginia [Mr. SMITH] relative to the preemption of the authority of the States?

Mr. WATTS. I have not had an opportunity to give it thorough consideration at this time. I would like to defer any answer to that until I get a chance to talk with counsel and other members on the committee.

Mr. Chairman, those were the 3 principles we had in mind when writing this bill. Now, some say that this will put the small producer out of business. I want to talk about that for just a little bit. I have a letter from True D. Morse, Under Secretary of Agriculture.

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

Mr. WATTS. I am delighted to yield to the gentleman.

Mr. FORD. On page 1 of the committee report, you state as follows, and I quote:

> Specific exemptions are provided for producers who process their own poultry and sell it directly to household consumers.

As I understand it, under the exemptions which begin on page 13 of the bill and run through page 15, it is the intention of the committee that the Secretary of Agriculture shall issue certain regulations which would conform with that statement which I quoted in the committee report.

Mr. WATTS. That is right. May I say to the gentleman, in addition to that, I have an amendment which the committee has agreed to to section 15 which says the Secretary "shall."

Mr. FORD. That is exactly the amendment which I was going to suggest to the gentleman and which I hope the committee would accept. I think it is essential and necessary to conform to the committee's intention.

Mr. WATTS. In addition to that, on page 15, while I am at it, section 1 where it says poultry producers with respect to poultry of their own raising on their own farm which they sell directly to household consumers, we have added after that amendment language which would extend the exemption to restaurants or to hotels where they are consumed on those premises.

Mr. FORD. May I ask the gentleman one other question?

Mr. WATTS. Yes; indeed.

Mr. FORD. I have a large metropolitan area within my district, and surrounding it there is a very sizable poultry-producing area. A good share of the poultry produced in the area does not move in interstate commerce, and I feel that they could and would subscribe to the requirements under this legislation. But if this large metropolitan area is designated as a major consuming area, it is my understanding that under this legislation the poultry producers in this community, if they were to sell within that major consuming area but not within interstate commerce, would fall within the purview of this legislation.

Mr. WATTS. Provided they have asked the Secretary of Agriculture to hold a hearing and determine: First, whether or not that city should be considered a major consuming area and, second, whether or not the movement of intrastate poultry was in such volume as to burden the flow of interstate commerce and, as a result, put in that category.

Mr. FORD. Who acts?

Mr. WATTS. Well, the poultry producers could petition, or the city authorities could petition. We made it as broad as possible, because we did not want your producers with good healthy poultry to be kept out of the market because their product bore no Federal stamp. A large executive of a chainstore told me that under those circumstances the housewife would be inclined to buy that which had the Government stamp. So we wanted your men to get a stamp of approval.

Mr. FORD. Does the gentleman have any information as to whether such an

amendment would be acceptable by the other body?

Mr. WATTS. I have not. I am going back to the statement about putting the small producer out of business, and I want to read an excerpt from a letter from Hon. True D. Morse, Acting Secretary of Agriculture, dated June 27, 1957, which addresses itself to the furnishing of inspectors:

DEAR CONGRESSMAN WATTS: This is in reply to your request for comments from the Department of Agriculture concerning the administration of the compulsory poultry-inspection activity which would be required under H. R. 6814, as it applies to small poultry processors.

This legislation is designed to provide wholesome poultry to consumers where such poultry moves in interstate commerce. The United States Department of Agriculture would be obligated to furnish inspection to every poultry processor who is involved in interstate commerce, regardless of the size of operations, his location, or his type of operation.

Certainly I come from a community of small farmers and small producers. I do not have many poultry producers in my district. Along with other members of this committee I tried to approach this matter in a manner to do what is best for everybody. I would not be a party to any legislation that I thought for 1 moment would militate against the smaller producer.

Mr. LANDRUM. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I yield.

Mr. LANDRUM. In connection with the statement the gentleman has just read from Mr. True Morse, of the Department of Agriculture, I understood you to say that Mr. Morse recognized it was up to the Department of Agriculture to furnish inspectors for every processor, regardless of the size of that processor.

Mr. WATTS. That is right.

Mr. LANDRUM. In the committee report, on page 3, I find in the paragraph dealing with ante mortem and post mortem inspection and reinspection, two sentences which I would like to read.

The Department of Agriculture advises that the carcass of each bird processed is examined under the voluntary inspection program now in effect.

The bill provides, as I understand it, for a post mortem inspection of each carcass.

Mr. WATTS. That is right.

Mr. LANDRUM. And the report further says:

The committee in placing this requirement in the bill does so with the direction to the Secretary that he shall at all times provide sufficient inspectors and employ such procedures as will not slow down processing operations in the plants being inspected.

I wonder if the gentleman who has rendered, incidentally, such a magnificent job as chairman of this subcommittee, I wonder if the gentleman would comment upon the real intent of Congress as to the slowing down of this processing procedure in the plants?

Mr. WATTS. I shall be delighted to.

During the course of our hearings certain persons raised the same question that the gentleman from Tennessee did. I took it up with the Department, or we in the committee took it up with them. We mean for the Department of Agriculture to furnish enough inspectors to do the job without slowing down any of the processors.

Mr. REECE of Tennessee. Since the gentleman has made such an exhaustive study of the question let me ask him this: In the plant that has 4,000 or 5,000 chickens going over the assembly line per hour just how could an effective inspection be arranged without slowing down the operation? What would be the method and the procedure?

Mr. WATTS. Does the gentleman from Maine desire that I yield to him to answer the question?

Mr. McINTIRE. If the gentleman will yield I would be glad to answer.

Mr. WATTS. I yield to the gentleman.

Mr. McINTIRE. I would like to point out in respect to the question that has been raised by the gentleman from Tennessee that in plants in my home State which are now operating under the voluntary inspection program which, in fairness, is just as strong a program as the one would be under this legislation, I have personally seen lines operating at about 4,000 to 4,500 birds per hour where a thorough inspection is being made.

I am advised by the Department that sound inspection can be made by one inspector serving a single processing line on from 20 to 25 frying chickens per minute which would be approximately the same as broiler weights, and so forth. With larger birds it is a little more; but with four inspectors on the line, which is not uncommon where inspection service is being given under the voluntary program, they will handle from 80 to 105 birds of broiler size per minute, which calculates out to be between 4,000 and 5,000 birds per hour in those plants.

It is my sincere belief on the basis of my observation in dressing plants that this service can be accomplished effectively at that rate at least and possibly a little faster.

Mr. WATTS. I thank the gentleman from Maine, and I will ask the gentleman from Tennessee if that answers his question.

Mr. REECE of Tennessee. May I ask the gentleman from Kentucky whether the chickens in the plant to which he referred were going largely into the broiler market or into the soup and pie market?

Mr. WATTS. It just happens, I may say to the gentleman from Tennessee, that those chickens were moving into the broiler market.

Mr. DIXON. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I yield to the gentleman from Utah, a member of the committee.

Mr. DIXON. There are two purposes of inspection, are there not? One is to inspect against disease, and the other is to guard against filth.

Mr. WATTS. Certainly. It is a fact that when you cook any kind of meat sufficiently long and sufficiently hard that there is very little likelihood that you could get any disease from it; but there are many things that you can cook that you might not want to eat. You could pick meat up out of the gutter and cook it long enough to make it harmless, but you would not want to eat it.

Mr. DIXON. The gentleman wants to guard against well-cooked garbage as well as poultry disease.

Mr. WATTS. I thank the gentleman for his inquiry and for his comment.

Mr. PRICE. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I yield.

Mr. PRICE. I think it is very doubtful if the inspection service contemplated under this bill would adversely affect the efficient operation of any poultry plant, but even if it did slow up assembly line production a little it is in the interest of the health of the people of the country to sacrifice perhaps a little time for the protection of the people's health.

Mr. WATTS. I agree with the gentleman entirely and thank him for his timely observation.

Mr. ELLIOTT. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I yield.

Mr. ELLIOTT. Do I understand from the inquiry of the gentleman from Kentucky that these small plants that oftentimes do not run a full 5-day week, but may run 1 or 2 days a week, or half a day 3 or 4 days a week, are going to have the benefit of this Federal inspection that the gentleman is discussing?

Mr. WATTS. They certainly are if the Department of Agriculture carries out the directive of this committee, provided they are shipping in interstate commerce or shipping into a major consuming area. We provide they may have cooperative arrangements with the States. They may use State employees, they may use part-time employees, they may use them by the hour. We realize there are a lot of little plants that cannot keep a man sitting around all day just to make an inspection involving an hour or so. But he can go out and inspect that plant while they are processing those birds. It is our intention to see to it that everybody gets the benefit of the inspection.

Mr. ELLIOTT. Does the bill provide any qualifications for the inspectors?

Mr. WATTS. It does. It does not set up the precise qualifications. It lets the Department of Agriculture do that.

Mr. ELLIOTT. Has the gentleman any statements in the hearing or otherwise as to what qualifications might be prescribed?

Mr. WATTS. I think there might be some general statement in the report, but I do not think we tried to tie them down. They are going to have to go to the far reaches of the United States. We have some language in our report. Of course, we realize that different-sized processing plants must have different types of regulation. You may have a plant processing 5,000 or 6,000 chickens and hour. Maybe one type of regulation might be put on for him. The other little fellow processes 50 or 70 and a different type of regulation has to be prescribed.

Mr. ELLIOTT. Did I understand the gentleman further to say that these inspectors definitely will not necessarily have to be veterinarians?

Mr. WATTS. That is right.

Mr. Chairman, I want to speak about a statement that the gentleman from Indiana made in reference to an increase in the cost of the poultry to the American housewife and the consumer. All the information that we were able to gather is that it would probably reduce the price because about 30 percent of the poultry now is moving under voluntary inspection where the processor is paying for it. When he is relieved of the burden of paying for the inspectors he can naturally put that poultry on the market a little cheaper. It will come out of the taxpayers, but all of our red meats are inspected and I do not believe anybody would want to go back to the old system. I have heard described many times the system that was in vogue around Chicago and other places. I am not the oldest fellow here, perhaps, but I can remember in my country that maybe a farmer would have cholera hogs and would run to the market with them before they died and get them to the consumer. But today with Federal inspection of meats that has stopped. I feel we have a good bill, a well balanced bill. It is a question for the Members of the House to make up their minds whether they want the housewife to be able to buy poultry with some assurance she will get good clean poultry.

Mr. HARRISON of Virginia. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I yield to the gentleman from Virginia.

Mr. HARRISON of Virginia. The processors organization, the poultry organization, have they indicated their position?

Mr. WATTS. Yes; I think they have.

Mr. HARRISON of Virginia. Do they favor the bill?

Mr. WATTS. We had nobody who opposed it.

Mr. HARRISON of Virginia. How about the farmers associations?

Mr. WATTS. The American Farm Bureau, the Grange, and the Farmers Union are all strong for the legislation.

Mr. HARRISON of Virginia. They have favored the legislation?

Mr. WATTS. Yes.

Mr. HARRISON of Virginia. What about the feed people?

Mr. WATTS. I do not know whether we had any individual representatives of feed or not. They did not oppose it.

Mr. HARRISON of Virginia. What about the Department of Agriculture?

Mr. WATTS. They were very strong for it.

Mr. HARRISON of Virginia. What about the retailers that sell the birds to the public?

Mr. WATTS. Well, we had some representatives of some of their organizations and they were for it.

Mr. HARRISON of Virginia. What about the consumer organizations?

Mr. WATTS. The consumer groups were all for it.

Mr. HARRISON of Virginia. Then from the hatchery to the consumer, all of those organizations support the measure?

Mr. WATTS. We did not have a word against the bill.

Mr. HARRISON of Virginia. No appearance against the bill?

Mr. WATTS. Not one.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

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

Mr. HOFFMAN. Who selects the inspectors and what qualifications must they have?

Mr. WATTS. The Department of Agriculture will select the inspectors and they will prescribe reasonable qualifications.

Mr. HOFFMAN. The law does not prescribe the qualifications of the inspectors?

Mr. WATTS. No.

Mr. HOFFMAN. That is up to the Secretary of Agriculture?

Mr. WATTS. Yes.

Mr. HOFFMAN. The gentleman is still willing to trust this to the Department of Agriculture?

Mr. WATTS. Yes. The Department of Agriculture has for some 50 years carried out a compulsory red-meat inspection program which has been very successful in guarding the consumer against unwholesome red meat.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I yield to the gentleman from North Carolina.

Mr. JONAS. How many processing plants are there in the United States?

Mr. WATTS. I have forgotten the exact figure, but there are quite a number of them.

Mr. JONAS. Is that information available? It is not in the report.

Mr. WATTS. I can put it in the RECORD for the gentleman.

Mr. JONAS. Do you have an approximate idea?

Mr. WATTS. I can probably get the information for the gentleman.

Mr. JONAS. What does the committee contemplate would be the number of inspectors that would be required?

Mr. WATTS. Of course, they have a voluntary system now that is inspecting about 30 percent of the poultry that goes on the market; as a matter of fact, I think they inspect about 67 percent of the turkeys that go in the market. It is a little bit difficult to say the exact number, because some of them are going to be folks who service 5 or 6 plants, if they are located in one community, or, if not, they might work for an hour a day.

Mr. JONAS. They could not service 2 or 3 or more plants at the same time, though, could they?

Mr. WATTS. No.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, H. R. 6814 is a bill to provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products. This bill would require that all poultry and poultry products which are processed for sale in interstate or foreign commerce be inspected by the United States Department of Agriculture. The bill also provides authority for the Secretary of Agriculture, after public hearings, to designate major consuming areas in which all poultry processed and sold must be inspected under the authority of this act even though a proportion of this poultry is involved only in intrastate commerce. The designation of major consuming areas by the Secretary of Agriculture is authorized after receipt of application to designate such areas from appropriate governing officials or bodies or upon application by an appropriate local poultry-industry group in the area.

The bill contains authority for the Secretary to perform an ante mortem inspection where and to the extent considered by him necessary, and requires a post mortem inspection of the carcass of each bird processed. The bill contains provisions relating to sanitation, facilities, and practices as are necessary to produce wholesome poultry.

The bill would prohibit the interstate sale of uninspected poultry and the interstate sale of poultry which has not been labeled in accordance with its provisions. It also would prohibit, first, the sale of any poultry product declared to be unwholesome or adulterated; second, the false making or issuing or altering or forging of official inspection marks, memorandums, and so forth; third, the use in commerce of a false or misleading label on poultry products; and, fourth, the delivering, receiving, transporting, selling, or offering for sale or transportation of poultry in so-called New York dressed form, except that the movement of such poultry in interstate commerce would be permitted when this poultry is destined for an official establishment where it will be processed into a poultry product.

All poultry products processed in official establishments operating under this bill would have to be processed in compliance with its requirements. The bill also provdes appropriate penalties for noncompliance with its provisions.

The poultry inspection bill would become effective upon enactment, but would not require inspection until January 1, 1959. However, poultry processing plants may apply for and receive inspection under the provisions of this bill any time following January 1, 1958.

There are four exemptions provided for in this bill: First, an exemption to poultry producers with respect to poultry of their own raising on their own farms which they sell directly to household consumers, restaurants, hotels or boarding houses; second, an exemption for retail dealers with respect to poultry products sold directly to consumers in individual retail stores providing that the only processing operation performed by such retailers is the cutting up of poultry; third, authority for the Secretary to exempt processors until July 1, 1960, when he determines that it would be impracticable to provide inspection and the exemption would aid in the effective administration of the act; and fourth, exemptions may be made as necessary to comply with recognized religious dietary laws.

Imports of poultry would be required to meet the same standards of wholesomeness as would be provided for domestically produced poultry.

The cost of inspection would be borne by Federal appropriations, except the cost of overtime.

This proposed legislation would provide the poultry meat industry with compulsory inspection on a basis similar to that which has been in effect for the red meat industry for better than 50 years. The only inspection for poultry at the present time and until this bill is enacted is provided in a voluntary program administered by the Department of Agriculture under the authority of the Agricultural Marketing Act of 1946. The poultry industry has demonstrated broad interest in providing consumers with wholesome poultry through the use of this voluntary service. I am told that this service program has met with increasing acceptance over recent years, to to point where now approximately 320 poultry processing plants operate under this service and process approximately 27 percent of the poultry which is sold off farms.

This legislation was developed after extensive House and Senate hearings in the 2d session of the 84th Congress and in the present session of the 85th Congress. At the hearings on H. R. 6814, approximately 80 different groups and individuals appeared, all of them in support of this legislation. These groups represented all of the national farm organizations; all of the regional and national poultry organizations representing both producer groups and marketing groups; representatives of public health groups and representatives of consumer groups. There were no representatives at any of the hearings in opposition to this legislation.

Estimated cost of poultry inspection bill: First year, $3,535,000; second year, $7,750,000; third year, $10 million.

Mr. Chairman, I yield such time as he may desire to the gentleman from Connecticut [Mr. MORANO].

Mr. MORANO. Mr. Chairman, it has long seemed to me to be an anachronism that we have had compulsory meat inspection, but we have had no mandatory inspection for poultry. Yet poultry is an everyday food item. It is on my family's dinner table every week. And I am certain it is on the dinner tables of millions of other Americans often.

There is no reason why poultry should not be a popular food. It is nutritious, tasty, and inexpensive. However, there is also no reason why the consumer who buys poultry in good faith should not be guaranteed to the maximum degree possible that the bird is of good quality and has been processed in a clean environment.

The United States Public Health Service blames poultry for an average of one-third of the food poisoning cases reported each year. Part of this abnormally high figure is due to spoilage, which no inspection can correct. But a good proportion—in fact the majority of food poisoning cases—will be prevented by the compulsory inspection for wholesomeness and cleanliness.

I am also greatly concerned about the health of poultry workers. During the hearings of the Committee on Agriculture, testimony was presented demonstrating the transmittal of poultry diseases to men and women in the poultry processing plant. The most dramatic of these illnesses is psittacosis, which in 1956 caused the deaths of 3 men and illness among 133 others.

Mr. Chairman, I believe it is high time for Congress to enact a mandatory poultry inspection law. Such a law is needed by consumers, farmers, processors, and workers.

I want to commend the Committee on Agriculture, and especially its Poultry and Egg Subcommittee, for their great work in developing this legislation. I would have liked to see the committee report a bill with stronger consumer-protective provisions. However, the committee has had to take a course designed to accommodate the many viewpoints which came before it, and I believe it has done that well.

H. R. 6814 may not be as strong as some of us would have liked. But, as it is written now, it has sufficient consumer-protective features to allow a good compulsory poultry inspection to be instituted.

I urge my colleagues to approve H. R. 6814 without any weakening amendments.

Mr. WATTS. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. ANFUSO].

Mr. ANFUSO. Mr. Chairman, the House of Representatives will today be able to close one of the most dangerous loopholes in our food laws. By enacting H. R. 6814, we will be able to assure the consumer that poultry in interstate commerce and in designated areas will be free of filth and disease.

Unfortunately, that is not true today. The overwhelming majority of poultry processors do their utmost to put good quality poultry on the market. And they improve their plants, so that the maximum of sanitation is achieved. But some processors put profit above their responsibility to the public. It is these processors who make poultry inspection legislation necessary as protection not only to the consumer but also to the honest, responsible processors.

To demonstrate what we are trying to prevent, let me read to you excerpts from three of many affidavits taken from poultry workers. One affidavit states:

> When packing, there would be hundreds of chickens every day coming into the packing room that would be bruised, have sores on them, and the chest cavity would be covered with pus. Sometimes the skins of the chickens would have sores (sores that would have openings with hard gristly ring around them, others that would have scabs over the sores, and others with red pimples that looked like chicken pox), so that I would have to take the entire skin off. Some of the sores could be cut off. After taking the skin off or cutting the sores off, I would pack them in boxes and see them loaded on trucks to be taken to market.

Another poultry worker says in an affidavit:

> We killed some (chickens) on the line that were already dead, that is, we would attempt to kill them. The reason that I knew these chickens were already dead was because they would fail entirely to bleed when I cut their throats. I have killed some chickens which seemed to be affected by some kind of disease because streams of fluid and pus would be running out of their beaks and mouths.

A woman working in a poultry plant states in an affidavit:

> When splitting many of these chickens, pus spurted out. This caused me to vomit on several occasions. It was a vile and sickening odor coming from the insides of the chicken. Some days we would run chickens all day long that would be sick. Many of the chickens would be full of worms, long stiff wiry worms.

I apologize to my colleagues for bringing up these sickening facts. But I believe we should have a clear picture of what we are legislating about.

These conditions exist in some processing plants throughout the country. They are a danger to the consumer, to the workers in the plant and to the overwhelming majority of processors.

In both the 84th and the 85th Congresses, I introduced legislation to do something about this situation. These were bills for compulsory poultry inspection. As a member of the Poultry and Egg Subcommittee of the Committee on Agriculture, I took part in the hearings on this legislation both in this and in the last Congress. My experience with this legislation makes me certain that compulsory poultry inspection is one of the greatest legislative needs of consumers today.

Frankly, I preferred my bill, H. R. 5403. I thought it would provide greater consumer protection. But in H. R. 6814, the subcommittee has written a clean bill which provides adequate protection to the consumer. It is a good and meaningful compromise between the various bills which were before the committee and I want to congratulate the author, the distinguished chairman of the subcommittee, for his patience and fairness in all of the deliberations of the committee.

I urge that the House approve H. R. 6814 today. We must do so without any weakening amendments. This measure is already a compromise. If attempts are made to weaken it, then attempts must also be made to strengthen it.

We have a meaningful compromise now. If that compromise bill were weakened, we would be betraying the consumer. I, for one, will not be a party to that. I believe we would then have to reconsider the sections on ante mortem inspection, State inspection programs, agencies carrying out the inspection, and other provisions.

Instead of this, I urge that we enact H. R. 6814, as reported by an overwhelming vote from the Committee on Agriculture. The consumer needs this protection now and we must provide it now.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. KEATING].

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

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

There was no objection.

Mr. KEATING. Mr. Chairman, H. R. 6814 is a sound and progressive legisla-

tive step which will provide needed protection for the consuming public, and will at the same time protect the good name of one of our finest agricultural groups, the poultry industry. There is no sound reason why poultry should be exempt from Federal inspection to which meat is subject.

This bill has the support of the Department of Agriculture and the Department of Health, Education, and Welfare—the two Federal agencies most directly concerned. It is also backed by all major farm organizations, as well as consumer groups, health officials, professional societies, and labor unions.

This morning I received a telegram from Stanley B. Smith, secretary of the New York State Poultry Council, urging support of H. R. 6814, and indicating it has the backing of the poultry industry.

It is gratifying to note the strong support for this measure among those who will be regulated, indicating clearly their good motives and willingness to serve the public in the best possible manner.

Mr. Chairman, I urge passage of H. R. 6814. Its enactment will provide added insurance for the happy and healthy tomorrow all Americans want.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I yield 5 minutes to the gentleman from Utah [Mr. DIXON].

Mr. DIXON. Mr. Chairman, the processors of poultry as well as the producers are to be complimented on taking the initiative in this movement. It is not just the consumers who have made a universal demand for compulsory inspection. It is the processors and the producers as well who want it. They all realize the situation. I certainly congratulate the processors for asking for this improvement as well as the producers, because it is in the interest of public welfare.

Mr. SEELY-BROWN. Mr. Chairman, will the gentleman yield?

Mr. DIXON. I yield to the gentleman from Connecticut.

Mr. SEELY-BROWN. Is it not also true that this legislation may in fact result in an increase in the consumption of poultry products by the public?

Mr. DIXON. Definitely. The question was, Will this result in an increased consumption of poultry? I believe the voluntary inspection program is to a considerable extent responsible for doubling the consumption of poultry since 1939. That is the best way to sell poultry, to have the housewife know that her food is clean, sanitary, and free from disease.

With regard to the question about the charge that inspection is impossible for so many small plants. I also have a letter from the Department of Agriculture in which they claim that they can provide this inspection and will be compelled to wherever it is necessary. Of course this bill is largely for poultry going into interstate commerce. The USDA testified before our committee that they used the inspectors frequently. All inspectors do not need to be veterinarians. The USDA also showed us that they have veterinarians employed on an hourly basis in nearly all sections of the country. They testified that they can meet this demand for qualified inspectors.

Of course the bill cannot become operative all at once. It will not become compulsory, as I understand, until 1959. As fast as the processors and poultry people themselves want to have the inspection they can ask for it, even before, any time now.

That brings me to the next commendable thing, and that is this voluntary poultry inspection movement paid by the processors and operated by USDA. In 1951 there were only 145 plants that had voluntary inspection. Now we have more than double that number which process now 28 percent of all poultry.

The testimony was uniform all through our hearings day after day that inspection is the finest thing that ever happened for the poultry grower himself as well as for the consumer; furthermore, that the United States Department of Agriculture has done a magnificent job in this voluntary inspection program. The Farmers Union, the Farm Bureau, the Grange, all of the organizations testified they were very much pleased with the voluntary inspection program as it has gone along. So this is not new, because the USDA voluntary inspection has paved the way.

Mr. REECE of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. DIXON. I yield.

Mr. REECE of Tennessee. If the voluntary program has been successful and the Department of Agriculture has done a good job of helping promote voluntary inspection, then why should it not be desirable to do as was originally contemplated, authorize the Department of Agriculture to install such inspection as in the Department's judgment would be necessary to safeguard the health of the people in all respects.

Mr. DIXON. Because there is universal demand on the part of the consumers for some protection. We have compulsory inspection of the red meats. Compulsory inspection has proved so indispensable for the red meats. Everybody wants it now for poultry. This is just the response to a universal demand for the same protection for poultry that we get for red meats.

Mr. REECE of Tennessee. There is a big difference between inspecting a 1200-pound steer carcass and a 2¼-pound fryer carcass. The inspection for the beef does not run to safeguard the health so much as it does to determine the quality of the beef so that the housewife will know the grade of beef she is buying when she buys it, being unschooled in many instances in how to determine the grade.

Mr. DIXON. I think it involves, too, health, because we have trichinosis in pork and inspection for that. We would not be without that inspection for anything in the world. There are 26 poultry diseases that are communicable to individuals.

Mr. SANTANGELO. Mr. Chairman, will the gentleman yield?

Mr. DIXON. I yield.

Mr. SANTANGELO. I am in favor of the principle of this bill, but I am a little disturbed about it. As a young man I worked in a poultry market. I used to kill and clean chickens. I wonder whether under the terms of this bill inspectors will be assigned to the retail poultry markets. For example, in the city of New York which is a large consuming area, if inspectors are assigned to every retail poultry market, you would have a tremendous number of inspectors assigned to the retail markets selling poultry and they would be working from Monday through Saturday from 9 o'clock in the morning to about 8 o'clock at night.

Mr. WATTS. Mr. Chairman, will the gentleman yield?

Mr. DIXON. I yield to my honored chairman.

Mr. WATTS. The bill does not provide any type of inspection at a retail plant. It provides for inspection only in the processing plants.

Mr. SANTANGELO. As I read the provisions with regard to exemptions, it seems to me it applies to retail plants and that is why I am disturbed about it. The bill says that no such exemptions shall continue in effect beyond 1960.

Mr. WATTS. The exemption that you are talking about has to do with the cutting up of poultry and not with reference to a retail store.

Mr. SANTANGELO. That is another exemption. I am talking about the other exemption which the bill says shall not go beyond a certain date.

Mr. WATTS. There are three exemptions set out.

Mr. SANTANGELO. One exemption applies to where they cut up the poultry. Another applies to where they are selling processed poultry. Now a retail place which sells poultry in the city of New York, which is a large consuming area, would be processing and slaughtering poultry from morning until night from Monday through Saturday and if the bill provides for the assignment of an inspector to these little retail places in the city of New York you are going to have the Federal Government in every place and you would have a situation which would be very difficult to tolerate. If there is an exemption in such a case and the bill does not apply to that, I think the bill is a very good bill. I would like to be assured that this does not apply to each and every retail plant requiring an inspector to be there from Monday morning to Saturday night.

Mr. WATTS. I can give the gentleman that assurance.

Mr. SANTANGELO. I thank the gentleman.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I yield 5 minutes to the gentleman from Maine [Mr. McINTIRE].

Mr. McINTIRE. Mr. Chairman, this legislation is presented to the House of Representatives after careful consideration by the Poultry Subcommittee of the House Committee on Agriculture and the full Committee on Agriculture.

Legislation dealing with this subject matter—the compulsory inspection of poultry—was introduced in the 84th Congress, and although it was considered by the appropriate committees of both bodies, no legislation was enacted during that Congressional session.

At the inception of the 85th Congress, bills relating to the subject of compulsory inspection of poultry were introduced by numerous members of the House of Representatives, myself included. It is my opinion that full and adequate hearings were conducted by the subcommittee considering these bills, and I wish to commend my able colleague from Kentucky, the chairman of the subcommittee on poultry and eggs, for the thorough and objective manner in which this legislation was considered. After due discussion within the subcommittee and consideration of suggested amendments, a clean bill was drafted by the subcommittee chairman, considered by the full Committee on Agriculture, and referred to the House of Representatives for consideration today. It is my considered opinion that this bill has merit, and I urge its approval.

Mr. SEELY-BROWN. Mr. Chairman, will the gentleman yield?

Mr. McINTIRE. I yield.

Mr. SEELY-BROWN. The gentleman is very familiar with the problems which the New England poultry producers face. Does he see anything in this legislation which would be harmful either to the poultry producers or to the small cooperative processing plants who find their problems already difficult? Does this add a new problem to their operation?

Mr. McINTIRE. I may say to the gentleman it is my considered opinion that this bill will not seriously inconvenience the small processor in the areas with which we are both familiar, and that the inspection service will be made available to him on a basis which will be flexible enough to meet his usual production schedule through his processing plant. It may be pointed out that this bill deals only with processors, and the idea that it creates a problem to the producer is far out of the proper perspective of the bill.

Mr. HOFFMAN. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Evidently no quorum is present. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 135]

Adair	Cunningham, Nebr.	Jones, Mo.
Allen, Calif.	Curtis, Mass.	Kearney
Anderson, Mont.	Davis, Tenn.	Kearns
Ashley	Dawson, Ill.	Keeney
Barden	Delaney	Kelly, N. Y.
Barrett	Dennison	Kilburn
Bass, N. H.	Derounian	Kluczynski
Baumhart	Diggs	McConnell
Beamer	Donohue	Mailliard
Bentley	Dorn, N. Y.	Meader
Blitch	Eberharter	Miller, N. Y.
Bonner	Engle	Minshall
Bowler	Fallon	O'Konski
Boyle	Fogarty	O'Neill
Bray	Fulton	Ostertag
Brownson	Granahan	Philbin
Buckley	Green, Pa.	Polk
Byrne, Ill.	Gregory	Powell
Byrne, Pa.	Hardy	Prouty
Cederberg	Harvey	Radwan
Chelf	Hays, Ohio	Rains
Chiperfield	Healey	Riehlman
Christopher	Hillings	Robeson, Va.
Chudoff	Holtzman	Saund
Colmer	Ikard	Shelley
Coudert	Jennings	Smith, Kans.
		Smith, Miss.
Springer	Thornberry	Wilson, Ind.
Taylor	Tuck	Winstead
Teller	Widnall	Withrow
Thompson, La.	Willis	Younger

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. O'BRIEN of New York, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 6814) and finding itself without a quorum, he had directed the roll to be called, when 339 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. McINTIRE. Mr. Chairman, it should be said that a sincere effort was made to enable all parties having an interest in this legislation to be heard. As the record reveals, there were more than 70 witnesses who presented either testimony or statements. Testimony and/or statements were presented by 34 groups representing the poultry industry, 16 health officers, 12 representatives of labor unions, 6 general consumer organizations, representatives, and members of the major farm organizations—all of these supported some type of compulsory poultry inspection. Too, the Department of Agriculture and the Department of Health, Education, and Welfare have indicated their support of this legislation now before us.

H. R. 6814 is a compromise bill in many respects, differing only mildly with S. 1747, the Senate poultry bill passed by that body on April 8 of this year. H. R. 6814 does not thoroughly satisfy the interests of all parties advocating mandatory poultry inspection legislation—it does not fully accomplish all that has been requested by the labor unions; it does not entirely satisfy the representatives who spoke in behalf of the health groups; and it does not attain all of the objectives endorsed by the poultry producers. However, it does have eminently favorable features, for it is a timely piece of legislation that will aid—through a comprehensive and standardized program of inspection—in the progressive development of the poultry industry. It would also assure the consuming public that the poultry offered on the market would be wholesome in nature, having been processed in plants meeting uniform and high grade standards of sanitation.

I wish to pay tribute to poultry producers and processors, together with governmental agencies at the Federal and State level, for the excellent job that they have done in bringing to the American people very fine poultry products. I believe that this legislation will prove an assist in doing an even better job in providing palatable poultry, and that it will add confidence to the consuming public's interest in a food item which, because of its delicious nature, has today become a popular food requirement in our everyday diet.

I say "everyday diet" because chicken is no longer just a Sunday dinner, nor is turkey just for Thanksgiving and Christmas. Inasmuch as poultry has become so universally used—because of its perishable nature—handled fresh, I believe the time has come, as it did with red meats, for the public interest to be recognized—this to be accomplished through the establishment of high standards of sanitation and wholesomeness that are maintained through a program of compulsory inspection.

It is interesting to note that per capita consumption of poultry has grown from 22 pounds in 1940 to nearly 40 pounds in 1956, and production of poultry meat has now reached 6.6 billion pounds. With the development of refrigeration, frozen and precooked foods, and ready-to-cook packaging, the consumption and production of poultry meat has progressed very rapidly.

In effect, this is a very competitive industry today, one which often operates on very slim margins, and in the industry there are the careless and the unscrupulous. Many of these weaknesses presently evident in the industry can, in large degree, be substantially corrected or eliminated through an inspection system that requires sanitary facilities that will process only wholesome birds.

The Voluntary Poultry Grading and Inspection Service was started by the Poultry Branch of the Agricultural Marketing Service, under authority of the Agricultural Marketing Act of 1946. Under this provision it has been possible for a poultry processor to enter into agreement with the Poultry Branch of the Department of Agriculture and receive inspection, providing his plant is designed to meet requirements, and the processor pays all costs associated with this service. Two States—Maine and North Dakota—worked out Federal-State agreements for this service to processors in those States, and the processors pay the full cost of inspection service. At the present time, 28 percent of all classes of poultry are inspected at processing, and 68 percent of all turkeys.

At this point, I would like to commend the Maine poultry processors for the fine work they have done under this program, and for the high standards they have established for processing plants and for birds processed for market.

The poultry industry is now substantial in practically every State in the Union. The 10 leading States in 1956, in broiler production, were Georgia, Texas, Arkansas, North Carolina, Delaware, Alabama, Maryland, Virginia, California, and Maine, in that order. The 10 leading States in 1956 in the production of farm chickens were Iowa, Minnesota, Illinois, California, Missouri, Pennsylvania, Indiana, Wisconsin, Ohio, and Texas, in that order. The 10 leading States in turkey production in 1956 were California, Minnesota, Virginia, Iowa, Texas, Ohio, Missouri, Utah, Wisconsin, and Arkansas, in that order.

This legislation is of particular importance to the aforementioned States. It is also important to all other States where poultry is processed, because the inspection required will be applicable to processors that sell in interstate commerce and in intrastate commerce, where designated areas are involved.

You have had the separate provisions of the bill presented to you by previous

speakers, and in consideration of the fact that the committee staff has prepared a very thorough and concise report on the bill, I would like to point out briefly the requirements of H. R. 6814:

(a) Compulsory Federal inspection on all poultry and poultry products moving in interstate commerce and in major intrastate consuming areas.

(b) This is not a poultry grading bill, and it does not apply in any manner to the handling, shipment, or sale of live poultry; nor does it apply in any manner to the processing or sale of eggs or egg products or game birds.

(c) The legislation requires post mortem bird by bird inspection and ante mortem inspection, as the Secretary deems necessary.

(d) Sanitary practices are required by regulations of the Secretary.

(e) Labeling requirements are established.

(f) Penalties are established.

(g) Exemptions are provided.

(h) Provisions are made to enable the Secretary to cooperate with States in respect to inspection service and standards.

(i) Inspection costs are borne by the Federal Government through general appropriations.

It is my considered opinion that the marketing of poultry as a fresh meat product has attained proportions which—in the public interest—demand an inspection designed to assure uniform standards of wholesomeness; that any associated costs should—because they are in the public interest—be at public expense. Because this bill, in large measure, achieves these objectives, I sincerely believe it has merit.

I would like to add just one or two other points. One is to reemphasize that this bill does not apply to the producers. It applies to the processors. The question was asked—how many additional plants would be brought under inspection. May I add for the record and for the information of the Committee that approximately 700 additional plants would be brought under inspection as soon as they qualify under the inspection requirements.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. McINTIRE. I yield.

Mr. HALLECK. Does that include the little processing plants which I know exist in my district? Does the Department know how many of them are out there?

Mr. McINTIRE. This figure was obtained from the Department of Agriculture, I will say to the gentleman from Indiana.

Mr. HALLECK. I feel constrained to say that if little processing plants such as are in my district are found in other places in the country, then that number, if they are to be inspected, and the gentleman has said that it would be provided to cover them, then the number will be many more than 700.

Mr. McINTIRE. This figure is one which I obtained from the Department and I base my statement on their information.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. McINTIRE. I yield.

Mr. COOLEY. It is contemplated by this program that if the Secretary cannot provide the necessary inspectors to carry out the program, he is authorized to exempt the little poultry slaughterhouses; is that not true?

Mr. McINTIRE. That is true, during the period in which the program is being built up for its full application.

Mr. COOLEY. And we think we have allowed sufficient time in the law to put the program into operation without causing any undue hardships.

Mr. McINTIRE. I might say to my chairman that that point was given very careful consideration by the subcommittee and the full committee, as the chairman will recall, and in consultation with the Department. We believe the effective date of this act is very fair.

Mr. COOLEY. The charge has been made that it is the purpose of this act to put the small producer out of business. I am sure the gentleman will agree with me that that is not the purpose of the law and no member of the committee had that in mind at the time we reported this bill.

Mr. McINTIRE. I would like to reply with reference to that point that as one member of this subcommittee that factor has been given very close consideration. I think we have endeavored, and quite successfully, to draft legislation which certainly did not have that objective as its purpose. We have done a diligent job to make sure that it does not work that way.

The CHAIRMAN. The time of the gentleman has expired.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I yield such time as he may desire to the gentleman from Iowa [Mr. SCHWENGEL].

Mr. SCHWENGEL. Mr. Chairman, it is strange that a people as health conscious as we Americans are, have not yet provided for compulsory inspection of poultry.

Poultry is one of our major foods. More than 6 billion pounds of it are consumed in the United States each year—enough for 35 pounds for every man, woman, and child. And yet there are no adequate and compulsory safeguards concerning this food for the consumer.

This is despite the fact that veterinarians have testified before the Committee on Agriculture that 26 diseases are transmissible from poultry to man. Some of these diseases cause extreme illness and even death.

While much of food poisoning comes from improper handling of foods, the United States Public Health Service reports that in 1956 nearly 36 percent of the cases of food poisoning reported to it were caused by poultry or poultry products. This is extremely high—far higher than for any other food.

Mr. Chairman, I believe these statistics are alarming. I know that the responsible sections of the poultry industry—and that is the overwhelming majority of the industry—is doing all it can to prevent these dangers. Many firms in the industry even pay for an inspection program to assure the consumer clean and wholesome poultry.

But the majority of the industry cannot control the few who, in order to make a "fast buck," will put diseased and filthy poultry on the market. The consumer must be protected against these unscrupulous operators.

The best means of doing this is through a system of compulsory poultry inspection. Fifty years ago, the Nation learned that a good Federal inspection program could make the jungle which was then the meat industry into an excellent provider of a tasty, nutritious, and wholesome food.

We can assure the consumer the same type of protection with poultry by approving H. R. 6814 today. Enactment of this measure is an immediate and pressing necessity.

Mr. WATTS. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. JOHNSON].

Mr. JOHNSON. Mr. Chairman, I wish to speak briefly in support of H. R. 6814, a bill to provide for the inspection of poultry and poultry products so as to prevent the movement in interstate or foreign commerce of poultry products which are unwholesome or otherwise unfit for human food. I think we can all agree with the purpose of the bill as set forth in the declaration of policy as most desirable and vital to the well-being of the consumer and producer.

It is not many years ago that the production of poultry was a sideline affair, and the consumption of poultry was more or less restricted to holidays and special occasions. That is no longer true. The production of poultry has become one of the major industries of this country, and consumption of poultry has increased by leaps and bounds to a point where 6.4 billion pounds of poultry were consumed last year as compared with 2.1 billion pounds in 1920. In this 46-year period, the consumption of poultry in this country has tripled while the consumption of red meat has just about doubled.

Yet the inspection of red meat has been in force since 1906 while poultry, at the present time, is still on a voluntary inspection basis with many areas of the country having no inspection at all.

In the 84th Congress, numerous versions of the mandatory inspection bill were introduced in both House and Senate. The Senate held hearings early in the second session of the 84th Congress, but the House held no hearings until July of 1956, close to the time of adjournment. At that time there was no unanimity of opinion among the various people concerned. And because unanimity could not be reached, it was decided to discuss the subject further and schedule hearings in the next session of Congress.

Early in March of this year, the House Agriculture Committee held further hearings and there were many bills before the committee. After the hearings were completed, H. R. 6814, the bill under discussion today, was introduced and passed out by the subcommittee. It is a compromise bill between the views of consumers, public health personnel, the Department of Agriculture, labor unions in the poultry field on one hand, and the poultry industry groups on the other

hand. Although all groups agreed on the need for adequate inspection to protect consumers and laborers in the processing plants, while at the same time not burdening the processor with extraordinary expense and redtape, there were many diverse points of view on how to achieve such an inspection program.

In the 83d Congress, there was one group which wanted the inspection functions vested in the Pure Food and Drug Administration of the Department of Health, Education, and Welfare. Another group thought they should be vested in the red-meat inspection branch of the Agricultural Research Service of the Department of Agriculture, which has handled red-meat inspection for 51 years. A third group thought it should be placed with the Poultry Division of the Agricultural Marketing Service, which has handled the voluntary inspection program for poultry for 30 years. When the House Agriculture Committee considered the matter this session, there were only two schools of thought.

One wanted the inspection performed by the Red-Meat Division of the Department of Agriculture and the other group thought it should be performed by the Poultry Division of the Agricultural Marketing Service. There were strong arguments for both positions.

H. R. 6814 places the inspection with the Department of Agriculture, but leaves it to the discretion of the Secretary of Agriculture whether the responsibility for poultry inspection shall be placed with the Red Meat Division or the Poultry Division of the Agricultural Marketing Service. If the Secretary of Agriculture decided to place this responsibility with the Marketing Service and, after a trial period, finds that it should be with the Red Meat Division, he has the authority to transfer the function.

Another point of disagreement was the question of antemortem inspection of each bird. One group felt that each bird should have antemortem inspection prior to slaughter, while another group thought the only inspection necessary was post mortem. H. R. 6814 provides for post mortem inspection of each bird and leaves it to the discretion of the Secretary of Agriculture to use antemortem inspection whenever he considers it necessary. This authority can be delegated to the individual inspector in the field, and if there are areas where antemortem inspections become necessary, they can be invoked.

The third point of disagreement between the various groups was the effective date of compliance under the mandatory inspection program. Only 35 percent of the poultry consumed at this time is subject to voluntary Federal inspection. Many processing plants will have to make necessary changes in order to come under the law. H. R. 6814 allows ample time for the poultry industry to get ready for inspection by making inspection available to plants which request it by January 1, 1958, and extending the time for mandatory inspection to January 1, 1959.

The fourth point of disagreement had to do with the enforcement of the act. One group advocated language which would require the Department of Agriculture to prove that a processor knowingly violates the law. The testimony of the representative of the Poultry Inspection Division was that this would make the law practically unenforceable, and he also stated that, in the many years voluntary poultry inspection has been in effect, violations have been very minor. H. R. 6814 compromises these points of difference by giving a reduced penalty for the first offense and dropping the word "knowingly" in the enforcing clause. Strong enforcement penalties are provided after the first offense. The objective of the poultry-inspection bill is to protect the consumer and the worker in the plant from unfit and diseased poultry and to protect the producer and processor from an unworkable inspection program that might drive them out of business.

To show the committee that various groups which have been at crossed points at the hearings now express their endorsement of H. R. 6814, I would like to state that a processor and turkey grower in my district who was one of the first to testify before the committee at that time strongly advocated the use of the word "knowingly" and was opposed to ante mortem inspection. He now favors H. R. 6814. I would also like to read you a letter from a processor in my district who endorses the provisions now contained in H. R. 6814.

WISCONSIN PRODUCE, INC.,
Eleva, Wis., March 4, 1957.

Congressman LESTER JOHNSON,
House Office Building,
Washington, D. C.

HONORABLE SIR: I am writing in regard to the mandatory poultry-inspection bill now up before Congress. There are several points which I feel should be included in this bill if small processors like ourselves are to survive.

First, the law should leave the inspection program in the hands of the Secretary of Agriculture. This will allow the Poultry Branch to function as it has in the past.

Second, the decision as to the use of ante mortem inspection should be left to the discretion of the Secretary of Agriculture and his advisers. Under no circumstances should it be legislated into law.

Third, a reasonable date for compliance should be allowed. The bill should not become effective before January 1, 1958.

We in the poultry industry realize the necessity for producing quality products; however, a costly or unworkable inspection program will sound the death knell for small processors like ourselves.

I sincerely hope you will do your utmost to include in any inspection program passed the three points listed above.

Sincerely yours,
WILLIAM J. WERNERSBACH,
General Manager.

I should also like to read you a letter from the Amalgamated Meat Cutters and Butcher Workmen of North America who were opposed to the stand taken by producers and processors at the time of the hearings and who now endorse H. R. 6814.

AMALGAMATED MEAT CUTTERS
AND BUTCHER WORKMEN
OF NORTH AMERICA,
Chicago, Ill., June 5, 1957.

The Honorable LESTER R. JOHNSON,
Member of Congress, United States House of Representatives, Washington, D. C.

DEAR CONGRESSMAN JOHNSON: During the past 3 years, we, on behalf of our union, have been writing to Members of Congress urging the enactment of legislation to provide the compulsory inspection of poultry. We have pointed out that the lack of inspection to guarantee wholesomeness and cleanliness posed serious dangers to consumers and poultry workers. A similar inspection program, as our organization suggested for poultry, has been in effect for red meats for more than half a century to the very great benefit of the entire Nation.

We are very happy to be able to say that the House of Representatives will soon vote on a compulsory inspection bill. The Senate has already passed such a measure.

The Committee on Agriculture recently reported H. R. 6814. This bill is a compromise between the views of the consumer, public health, women and labor groups on the one hand and poultry industry groups on the other. Quite frankly, H. R. 6814 does not have all the points we and other groups believed necessary, but we consider this bill to be a good compromise. This fact, and the great, immediate need for this legislation leads us to support H. R. 6814.

We respectfully urge that you support H. R. 6814 when it comes to the floor of the House of Representatives for a vote. It is very important consumer-protective and worker-protective legislation. It will provide the safeguards which groups, like our union, have so long sought against filth and disease in poultry processing.

Very truly yours,
EARL W. JIMERSON,
President.
PATRICK E. GORMAN,
Secretary-Treasurer.

Mr. WATTS. Mr. Chairman, I yield such time as she may desire to the gentlewoman from Minnesota [Mrs. KNUTSON].

Mrs. KNUTSON. Mr. Chairman, the legislation we are considering today will have a direct effect on virtually every household in America.

Our action today on compulsory poultry inspection, will decide whether housewives can go into the market with almost complete assurance that the poultry they buy is good and healthful for their families.

I have heard a number of the gentlemen here say that compulsory poultry inspection legislation is long overdue. Let me assure them that to the housewife this is a great understatement. The homemaker has believed—and many still do—that all poultry is now inspected for wholesomeness and sanitation. She believed that this is a natural consequence of meat inspection.

I know that I was surprised and shocked when I discovered that only a fraction of our poultry is currently being inspected and that the processor had to request and pay for this program.

Congress must provide the homemaker with what she has long thought we had already given her—a protective inspection program, which will allow only wholesome, clean and unadulterated poultry to come to the market. The homemaker has a right to this protection.

Decades ago, most of us bought our poultry live from a farmer. We would see the bird before slaughter. We would clean and prepare it ourselves. We had no complete guaranty against disease, but we had some idea of the health of the bird. And we definitely knew that the poultry was sanitarily processed.

Today, with the labor-saving processing operations, we no longer have these safeguards. We buy our poultry in a grocery store or supermarket already processed, and perhaps even cut up into parts. We have no idea of its condition nor how it was processed.

The looks of the poultry offers us no indication of its quality, for the processor who wants to sell unfit birds—and there are fortunately few such processors—know tricks to fool the unsuspecting housewife. A diseased bird can be made to look as much like a tempting morsel as a wholesome bird.

The housewife now needs the protection of experts. Under a compulsory poultry inspection program, as provided in H. R. 6814, the Department of Agriculture will put trained inspectors in each processing plant whenever poultry is being slaughtered and prepared. He will inspect a flock, coop or batch of poultry before slaughter and each carcass after slaughter. He will make certain that processing plant, facilities, and operations are clean and will not lead to any adulteration.

That is the type of protection the housewife needs. That is the type of protection she must have.

Since discovering the absence of any compulsory poultry inspection, I have not bought any poultry which did not bear the stamp of the Department of Agriculture's voluntary inspection program. I look forward to the day soon when I do not have to search carefully for that stamp—the day when all poultry sold in interstate commerce and in major consuming areas will be federally inspected, in accordance with law.

I appeal to the members of the House of Representatives to make certain that that day will come on January 1, 1959. We can do this by approving H. R. 6814 today.

Mr. WATTS. Mr. Chairman, I yield 5 minutes to the gentlewoman from Missouri [Mrs. SULLIVAN].

Mrs. SULLIVAN. Mr. Chairman, I have been working for more than 3 years for the enactment of a compulsory poultry inspection bill, and while the bill now before us is not the perfect bill—while it does not quite dot every "i" or cross every "t"—nevertheless I am happy to say that I can go along with it. If properly administered—if it is administered with the same spirit which motivates the Department of Agriculture in administering the Meat Inspection Act—then I am sure it will protect the consumer fully, and we can foresee an end to these constantly recurring incidents of widespread infection, outbreaks of disease and epidemics attributable to bad or diseased or unwholesome poultry.

Perhaps it may still come as a surprise to some Members to know that at the present time, there is no assurance that when you go into the stores to buy poultry you are not being sold diseased or unwholesome poultry. If the poultry bears a stamp on it which says it has been inspected for wholesomeness by the United States Department of Agriculture—and only about a fourth of all the poultry sold bears such a stamp—then you know it is all right. But the present program under which poultry is inspected is a voluntary one, and not effective enough.

At present, the processing plant can subscribe to this inspection program if it wants to—and if it is willing to pay the cost of having the inspectors sent in by the Federal Government. And if some of the poultry in an inspected plant does not pass inspection, then, it can be sold anyway—although of course without the Federal stamp on it. But it can still be sold. Furthermore, most poultry now being sold is not inspected at all.

Obviously, this does not protect the consumer. As a result, the American public—which each year buys more than 6 billion pounds of poultry—has been victimized by being sold a lot of diseased, filthy, contaminated, unwholesome, unfit poultry, processed under unspeakable conditions, and sent out in the channels of trade to poison the unwary purchaser.

It is time that we put a stop to such shameful practices. This bill, I believe, will do that.

It will require processors selling poultry in interstate commerce to have their poultry inspected and approved, just as every meat packingplant for the past 51 years, under the Meat Inspection Act, has had to have every carcass inspected and approved before it can be shipped in interstate commerce.

Furthermore—and this is not in the Meat Inspection Act but will apply only to poultry—in consumer centers, such as the major cities, all poultry coming into such an area, both interstate and intrastate, will have to be inspected and approved under this bill certain conditions. That is, if the locality asks to come under the program and if the Secretary of Agriculture finds that the intrastate poultry sales into that city have an effect on or burden interstate commerce. This is not a new provision of law as it involves the concept of interstate commerce, but it is new in connection with any form of meat inspection legislation.

I might add that this provision was inserted primarily at the request of processors engaged in interstate commerce, so as to prevent unfair competition in the major city markets from producers within the same States. As long as the consequence of this is to provide more protection for the consumer, I am quite willing to accept and support this idea.

Now let me explain how the need for this poultry legislation has arisen. One might ask why we suddenly need poultry inspection laws when we have managed to get along for 51 years since the passage of the Meat Inspection Act without having poultry included along with the red meats—beef, pork, lamb—under a compulsory inspection system.

There are two answers to that question. One is that until food technology and refrigeration engineering made possible freezing and nationwide distribution of poultry by big firms, you usually bought a chicken or turkey raised not far from where you lived, and sold by a farmer from his truck or sold by a neighborhood storekeeper whom you knew had a good reliable supplier from a nearby farm.

But in recent years, poultry has gone bigtime and big business. The small farmer is not a factor. As a matter of fact, under this bill, the farmer can still raise his chickens and take them to town and sell them directly to the housewife without having to worry about inspection. But when you buy his poultry you know where that chicken comes from.

But most poultry sold in this country comes from major producing centers, from big processors who buy up or own whole flocks, and who may take this poultry and cut it up, freeze it, and send it half way or all the way across the country. Much of the poultry sold in St. Louis comes from Georgia. Georgia poultry, incidentally, also goes to California.

I am not picking on Georgia. I use the illustration only for geographical explanation. If I buy a Georgia-produced chicken in my St. Louis neighborhood store, or one from Illinois or Pennsylvania or anywhere else; however, I think I have a right as a consumer to expect that it be completely wholesome and fit for use—and that no bad parts were removed to give the impression a sick bird was a healthy one.

I have a right as a consumer to expect that when I buy a frozen turkey, it not be full of water "needled" into it before freezing to make it weigh more.

I have a right as a consumer to expect that when I buy cut-up poultry, the parts not be the healthy-looking legs or wings of a diseased and infected bird.

That is what this bill is intended to accomplish. Also, since we have periodically had outbreaks of epidemics in uninspected poultry-processing plants, causing not only sickness and hardship to employees but in many cases actually causing substantial numbers of deaths, we need this legislation to help and protect the worker, too. And since the greatest proportion of digestive ailments traced to food in this country have been traced to bad poultry, and since the sale of poultry is certain to decline if the consumer cannot have faith in the product he is buying, then the poultry industry itself must also have legislation of this kind.

I think these facts have been brought home to the poultry industry within the past few years. I know, Mr. Chairman, that the overwhelming majority of the industry is zealously trying to provide the consumer with wholesome and clean poultry, but there is a small minority which attempts to profit at the expense of the consumer's health. It is because of these unscrupulous operators we need this legislation.

When I first began working on legislation on this subject in 1954, it was bitterly opposed by people in the poultry-processing field and by some farm groups. That is now changed. This bill, I believe, has no organized opposition from the industry. As a matter of fact, since it is a compromise intended to meet industry fears as well as consumer needs, it is not as strong as I would want to make it, but I think, as I said, it can be used effectively to do the main job which must be done—and that

is protect the public from being poisoned by diseased and unfit poultry products.

I believe the gentleman from Kentucky [Mr. WATTS], who is chairman of the subcommittee which handled this legislation, has done a truly outstanding job in bringing together diverse viewpoints on this legislation and bringing about agreement on a compromise which the poultry industry believes is fair and which those of us primarily concerned with the consumer's needs can also accept. I should emphasize most strongly that this is a compromise. If we can pass it in this form, then all points of view will be treated fairly.

But I must warn that if the consumer protections which we have insisted on in this compromise are weakened, then the compromise would be upset. There would be an obligation upon us then to move to make the bill stronger. For I must point out that while this bill will have the effect of increasing poultry sales—by bolstering consumer faith and confidence in the purity of the poultry sold in the stores—it is primarily a consumer-protection bill, not a poultry-merchandizing one.

The poultry-merchandizing objectives will be enhanced, I can assure you, by assuring the consumer he is getting good food whenever he buys poultry.

It is my feeling that the objectives of a good inspection system could be achieved most simply and directly merely by amending the 51-year-old Meat Inspection Act to include poultry. My bill, H. R. 12, a successor to H. R. 11800 which I introduced in the previous Congress, would have approached it in that manner. However, the subcommittee felt it would be important to achieving the support and agreement of the poultry-processing industry and the farm groups if there was separate legislation on poultry, making it thus unlikely that poultry inspection would be made a subordinate stepchild of the Meat Inspection Branch dealing with red meats.

In line with that feeling, I agreed to submit a second bill along those lines, H. R. 5398, and thus both my bills were before the subcommittee. As we know, H. R. 6814, which is now before us, is a compromise of the provisions of my bills and of suggestions made by the industry groups, and was introduced by Mr. WATTS at the conclusion of the hearings. It incorporates many of the provisions of H. R. 5398 as well as the overall objectives of H. R. 12.

I have asked the Library of Congress Legislative Reference Service to provide me with a detailed table listing the differences as between the three bills—H. R. 12, to amend the Meat Inspection Act, H. R. 5398, which represented an ideal consumer approach in separate poultry-inspection legislation, and H. R. 6814, the compromise bill containing industry as well as consumer proposals. I include this excellent table at this point, Mr. Chairman:

Provisions of 3 poultry inspection bills

H. R. 12 by Mrs. SULLIVAN	H. R. 5398 by Mrs. SULLIVAN	H. R. 6814 by Mr. WATTS
Sec. 1. Finding by Congress that poultry and poultry products are being marketed without adequate inspection to insure wholesomeness and that amendments are hereby made to the Meat Inspection Act and the Tariff Act of 1930 to give the Secretary of Agriculture power to regulate shipments which (1) are in interstate and foreign commerce, or (2) burden, obstruct, or affect interstate or foreign commerce. The Meat Inspection Law has never been considered to apply to purely intrastate transactions. The act of 1942 (56 Stat. 351) which extended the inspection on a voluntary basis, to establishments in intrastate commerce was repealed in 1947 (61 Stat. 449, sec. 1).	Sec. 1. Title: Poultry Products Inspection Act. Sec. 2. Legislative finding: Makes a finding as to (1) the large quantities of poultry products that are in interstate commerce, and (2) the great volumes of poultry products used within certain large centers of population which directly affect poultry and poultry products in interstate commerce. According to the Department of Agriculture, in their comment on previous bills, the application of the act to market areas was requested by the poultry processors whose products are largely in interstate commerce and who feel that compliance would put them in an adverse competitive position in large market areas represented by big cities. It is based on the regulatory technique used by the Secretary of Agriculture under sec. 8c of the Agricultural Marketing Act which was upheld by the Supreme Court in *United States* v. *Wrightwood Dairy* (1941), 315 U. S. 110.	Sec. 1. Title: Poultry Products Inspection Act. Sec. 2. Identical to sec. 2 in H. R. 5398.
	Sec. 3. Declaration of policy—Congress therefore provides in this act for inspection of poultry and poultry products in interstate commerce, and in designated cities and areas.	Sec. 3. Same as in H. R. 5398.
Sec. 2. Proviso. Provides that the Secretary of Agriculture may regulate any shipments which directly burden, obstruct, or affect interstate and foreign commerce.	Sec. 4. Designation of inspection area. The procedure is as follows: (1) Application for regulation by the appropriate official or governing body of a city or area. (2) Public hearing by Secretary of Agriculture on whether regulation would effectuate provisions of act. (3) Order by Secretary placing city or area under regulation if the findings of fact at the hearing so warrant. (4) Designation goes into effect 6 months after publication in Federal Register.	Sec. 4. Designation: The procedure is as follows: (1) The Secretary is the motivating force. (2) A public hearing is conducted at his instance. (3) After the necessary finding of fact, he issues an order establishing regulation of the city or area. (4) Provided the city or area consents. This is equivalent to veto power. (5) The order establishing inspection goes into effect 6 months after publication in the Federal Register.
Sec. 2. The inspection process under H. R. 12 would be assimilated to the regulations governing meat inspection, or set up separately at the Secretary's discretion. The bill does require both ante mortem and post mortem inspection. In the regulations under the Meat Inspection Act (9 C. F. R. 21.1) the query on a suspicion of unwholesomeness is made "to the immediate superior." Does the word "appeal" in H. R. 5398 and H. R. 6814 permit the formulation of a less expeditious regulation?	Sec. 5. Inspection: The inspection process consists of— (1) compulsory ante mortem inspection whenever processing operations are being carried on, in such manner as is determined necessary. (2) post mortem inspection of the carcass of each bird processed. (3) Condemnation of all poultry, parts, or products found to be unwholesome, and unless an appeal is taken, destruction thereof. (4) Permission to appeal a condemnation, which appeal shall be paid for by the person making it, if it is found frivolous. (5) Compliance with proper sanitary regulations established under the act is required.	Sec. 5. Inspection: The inspection process consists of— (1) Discretionary ante mortem inspection, where and to the extent considered necessary. (2) Post mortem inspection provisions the same as in H. R. 5398. (3) Condemnation of all poultry, parts, or products found to be unwholesome, and, unless an appeal is taken, destruction thereof. Such carcasses, parts and products which may by reprocessing, be made not unwholesome and not adulterated, need not be so condemned and destroyed, if reprocessed under supervision of an inspector and thereafter found not to be unwholesome and not adulterated. (4) Compliance with proper sanitary standards under the act is required.
Sec. 7. Empowers the Secretary to establish regulations governing sanitary conditions.	Sec. 6. Sanitation, facilities, and practices: Grants authority to establish regulations effecting these.	Sec. 6. Sanitation, facilities, and practices: Same as H. R. 5398.
Sec. 16. The labeling provision governs the items inspected and passed. It does not refer to accompanying material, or false and misleading labels, other than those claiming an item has been "inspected and passed" which has not been. Violators are subject to criminal penalties only; not to injunction proceedings.	Sec. 7. Labeling: (1) Requires each "shipping" container of any inspected product to bear in legible form (a) official inspection mark (b) name of product (c) accurate weight, measure, or numerical count (d) name and address or approved plant number in which contents were processed. (2) Requires each "individual consumer" package to bear in legible form (a) name of product (b) statement of ingredients if made from 2 or more (c) net weight or other appropriate measure (d) name and address or approved plant number of establishment where contents were processed. However, the name and address of the distributor may be used if the approved plant number is employed also. (3) Prohibits false or misleading written, printed, or graphic matter; and the use of false or deceptive names for the products unless the Secretary finds such names	Sec. 7. Labeling: (1) Requires "shipping" containers to bear in legible form the official inspection mark and the approved plant number of the official establishment in which the products were processed. (2) Requires the "immediate" container to bear in legible form the same items of information as the "individual consumer" package under H. R. 5398. The provisions respecting name and address and plant number are not, however, in the alternative under H. R. 6814. (3) Provisions as to labeling are the same as under H. R. 5398.

Provisions of 3 poultry inspection bills—Continued

H. R. 12 by Mrs. SULLIVAN	H. R. 5398 by Mrs. SULLIVAN	H. R. 6814 by Mr. WATTS
	are legitimate trade names. The Secretary may require any label which is false or misleading in any particular to be modified. The person using the label may request a hearing; but use shall be withheld pending the hearing. Thereafter, if the finding is adverse to the use of the label, he may appeal to the United States circuit court of appeals in the circuit where he resides. Some factors under this section should be pointed out. Subsec. (a) has as its objective the proper identification of inspected poultry and poultry products and this is comparable to the labeling provision in the Meat Inspection Act (21 U. S. C. 75). Subsec. (b) in referring to "printed or graphic material" not only upon but also accompanying the inspected product, together with its prohibition against false and misleading labels borrows concepts from the misbranding provisions of the Food, Drug, and Cosmetic Act (21 U. S. C. 343) which is administered by the Department of Health, Education, and Welfare. The Meat Inspection Act subjects anyone violating its labeling provisions to criminal penalties. Under the Food, Drug and Cosmetic Act, items which have been misbranded are subject to seizure; the person (including firm) so doing is subject to injunction or criminal proceeding. As you may note, the libel for seizure has not been included in either of these bills.	
Sec. 9 and Sec. 10. Prohibit uninspected products, or improperly labeled products to be transported in interstate or foreign commerce.	Sec. 8. Prohibited Acts. There are 9 of these as follows: (1) Placing in interstate commerce or for sale, delivery, etc., of any poultry or poultry product unless it has been inspected and its container is properly marked. (2) Sale or other disposition for human food if any poultry or product thereof which has been found unwholesome or adulterated. (3) Forging or counterfeiting an official inspection mark. (4) Using a false or misleading label on any product. (5) The use of a container bearing an official inspection mark except for the products originally put in it.	Sec. 8. Prohibited Acts. Same as in H. R. 5398, except (9), below:
Sec. 8. H. R. 12 provides that inspections shall be made in the nighttime as well as the daytime, whenever slaughtering is being conducted at nighttime.	(6) Refusal to permit access to any authorized representative of the Secretary, at all reasonable times, to the premises of an establishment under this act engaged in processing poultry. (7) Refusal to permit access to and copying of records. (8) The use by any person, to his own advantage, of information acquired under this act. (9) Delivering, receiving, selling, etc., any poultry other than poultry under this act in commerce or a designated city or area.	(9) Contains a further clause permitting poultry to be transported between official establishments and to foreign countries subject to the regulations of the Secretary.
	Sec. 9. Prohibits any establishment processing poultry or poultry products for commerce or for marketing in a designated city or area except in compliance with this act.	Sec. 9. Same as in H. R. 5398.
No comparable provision in H. R. 12	Sec. 10. Records of interstate shipment: Records coming under these provisions must be maintained for 2 years following each transaction, and be opened to the inspection of any duly authorized representative of the Secretary.	Sec. 10. Records of interstate transactions. Same as in H. R. 5398.
No comparable provision in H. R. 12	Sec. 11. Injunction proceedings: The district courts are empowered to issue injunctions both to enforce and to prevent and restrain violations under the act. The analogous provision in the Food, Drug, and Cosmetic Act allows only prohibitory injunctions to be brought (21 U. S. C. 332).	Sec. 11. Injunction proceedings. Same as in H. R. 5398.
Penalty for violation of the Meat Inspection Act, assimilated by H. R. 12 to poultry is conviction of a misdemeanor carrying a sentence of imprisonment for not more than 2 years and for a fine not exceeding $10,000.	Sec. 12. Penalties: Persons violating the provisions of this act shall be guilty of a misdemeanor. (1) For a 1st offense the penalty shall be imprisonment for 1 year and/or a fine of $5,000. (2) For a 2d offense, after a previous conviction has become final, the penalty shall be imprisonment for 2 years and/or a fine of $10,000. These bills do not carry penalty provision for those convicted of an attempt to defraud as does the Food, Drug and Cosmetics Act (21 U. S. C. 333 (b)). (b) Not carried in H. R. 5398.	Sec. 12. Penalties: Persons violating the provisions of this act shall be guilty of a misdemeanor. (1) For a 1st offense, the penalty shall be imprisonment for 6 months and/or a fine of not more than $3,000. (2) For a 2d offense, after a previous conviction has become final, the penalty shall be imprisonment for 1 year and/or a fine of not more than $5,000. (3) For any offense after the 2d, the penalty shall be imprisonment for not more than 2 years and/or a fine of not more than $10,000. (b) Carriers are not subject to the penalties of the act where their only act consisted of the carriage of poultry products. Carriers who violate the provision requiring records, whether or not with knowledge, shall be subject to the penalties of this section.
No comparable provision in H. R. 12.	Sec. 13. Requires a hearing before instigation of criminal proceedings, during which the defendant may state his side of the case, orally or in writing. The Secretary is authorized to overlook violations of this act. This provision is based on that in the Food, Drug and Cosmetic Act (21 U. S. C. 335). However, the penal provision of the bill (sec. 12), unlike the penal provision of the Food, Drug and Cosmetic Act does not explicitly note the defenses which could be raised (see 21 U. S. C. 333 (c)). The second sentence of this proviso is likewise based on a provision of the Food, Drug and Cosmetic Act (21 U. S. C. 336), but unlike that provision it does not limit to merely minor violations the Secretary's authority to overlook violations of the act.	Sec. 13. Similar to H. R. 5398.
Sec. 11. The Secretary of Agriculture is to appoint inspectors and make necessary regulations.	Sec. 14. The Secretary of Agriculture is empowered to establish necessary regulations.	Sec. 14. Same as in H. R. 5398.

Provisions of 3 poultry inspection bills—Continued

H. R. 12 by Mrs. SULLIVAN	H. R. 5398 by Mrs. SULLIVAN	H. R. 6814 by Mr. WATTS
Sec. 12. The Secretary of Agriculture may set volume limitations as the basis for exemption of certain poultry raisers, retail poultry butchers, and retail poultry dealers.	Sec. 15. Exemptions. 2 classes of persons are exempt: (1) Poultry producers raising their own poultry which they sell to household consumers only. (2) Retail dealers with respect to poultry products sold directly to consumers in individual retail stores.	Sec. 15. Exemptions. 4 classes of persons are exempt: (1) Same as in H. R. 5398. (2) Same as in H. R. 5398. (3) For such period of time as the Secretary determines would be necessary to so aid setting this Act into effect, those persons ordinarily subject to the act; but not beyond July 1, 1960. (4) Persons slaughtering, etc. poultry under religious dietary laws, to the extent the Secretary provides.
Sec. 12. Persons otherwise exempt are subject to imprisonment not in excess of 1 year and/or a fine not in excess of $1,000 for violations of the act.	Sec. 16. Violations by exempted persons: Persons otherwise exempt who sell, etc. unwholesome poultry products in commerce or in a designated area shall be subject to penalties of act.	Sec. 16. Violations by exempted persons: Here the element of scienter is required.
Sec. 15. The importation of diseased and unwholesome meats and poultry is prohibited.	Sec. 17. Imports: Prohibits imports of poultry, parts, or products thereof unless they are wholesome and comply with rules and regulations of the Secretary. Permits the Secretary to cooperate with other branches of the Government and State agencies.	Sec. 17. Imports: Same.
Sec. 14. Cost of inspection shall be borne by the United States except the cost of overtime.	Sec. 19. Cost of inspection. The Government is to bear the cost of inspection except for overtime.	Sec. 19. Cost of inspection. The Government is to bear the cost of inspection except for overtime and holiday work.
Sec. 13. Also includes this inspection under the permanent appropriation authority of the Meat Inspection Act.	Sec. 20. Authorizes necessary appropriations.	Sec. 20. Same as H. R. 5398.
No comparable provision in H. R. 12.	Sec. 21. Separability provision.	Sec. 21. Same as H. R. 5398.
No comparable provision in H. R. 12. Authority is implicit in the Secretary to make the necessary definitions in the regulations.	Sec. 22. Definitions. Generally similar to those in H. R. 6814, except that "inspection service" is definitely placed in the Agricultural Research Section of the Department of Agriculture.	Sec. 22. Definitions. Similar to H. R. 5398, except— (1) "Adulterated" is defined as not embracing any situation where the substance is not an added substance and is not present in such quantity as to be injurious to health. (2) "Inspector" specifically includes State employees authorized to make inspections by the Secretary of Agriculture.
Sec. 16. Effective date: 6 months after enactment.	Sec. 23. Effective date is set at July 1, 1958.	Sec. 23. Effective date: Jan. 1, 1959.

The record will show that H. R. 6814 allows discretion to the Secretary of Agriculture in the manner in which he will require inspection of poultry before slaughter, that is, ante mortem, and requires carcass-by-carcass inspection after slaughter.

If this legislation is administered with the same spirit with which the meat inspection law has been administered, we need have no fears as to its effectiveness in protecting us from diseased poultry.

Mr. Chairman, I do not want to take the time of the House for unnecessary further comment on this legislation. I think there is by now general understanding and agreement among the membership on the need for such legislation. The Senate has passed a somewhat similar bill, also a compromise, and if we enact this bill today, I am confident we can quickly reach agreement and send a final bill to the White House. It is urgent we have poultry inspection on a compulsory basis as soon as possible and practical.

I have, over a period of 3 years, invested a good bit of time and effort and research into this legislation, and some of it, I believe, would be useful in connection with the legislative history of the bill. However, rather than take the time of the House to go into it here, I intend to include for the RECORD, as part of and at the end of my remarks, a presentation I made in the House in June 1956, which included several public health studies on the transmissibility of disease from poultry to humans, the incidence of food poisoning from unfit poultry, and so on. This material also outlines the steps which I took toward the achievement of this goal of getting a good bill before the House.

Mr. Chairman, I shall consider it one of the proudest and most heartwarming occasions of my political career if this bill passes. While it does not bear my name, I like to feel that my efforts have had some substantial influence in the development of this bill, and I am grateful for the help I have received on it from so many of my colleagues.

Every Member on this House floor today can contribute everlastingly to the health and well-being and safety of the people in their districts by supporting this legislation.

The research material referred to above is as follows:

CLOSING THE LOOPHOLES IN THE MEAT INSPECTION LAWS TO PROTECT THE CONSUMER AGAINST DISEASED POULTRY—REMARKS BY CONGRESSWOMAN LEONOR K. SULLIVAN OF MISSOURI IN THE HOUSE OF REPRESENTATIVES, JUNE 18, 1956

The SPEAKER. Under the previous order of the House, the gentlewoman from Missouri [Mrs. SULLIVAN] is recognized for 30 minutes.

(Mrs. SULLIVAN asked and was given permission to revise and extend her remarks and include a report.)

Mrs. SULLIVAN. Mr. Speaker, I have asked for this time today in order to call to the attention of the House of Representatives a bill which I have just introduced this afternoon to close one of the most glaring loopholes in our pure-food laws.

It is a bill to require Federal inspection for wholesomeness of all poultry or poultry products in interstate commerce or which directly burden, obstruct, or affect interstate commerce.

My bill would accomplish this long-overdue reform by amending the Meat Inspection Act to include poultry and poultry products along with beef, pork, lamb, and the other red meats now covered by the terms of this law.

The bill states that Congress finds that poultry and poultry products are being marketed through the channels of interstate and foreign commerce without adequate inspection to protect the public against poultry and poultry products which are diseased, unsound, unhealthful, unwholesome, or otherwise unfit for human food.

OBJECTIVE: TO PROTECT THE PUBLIC

It further states as its objective: To protect the general consuming public, to protect the health of persons engaged in the processing and distribution of poultry and poultry products, to prevent the spread of disease through shipments in interstate and foreign commerce of unwholesome poultry and poultry products, and to promote the wider use of poultry through assurance to the consuming public of its wholesomeness and freedom from disease, thus assisting agriculture and the food-marketing industries in expanding their sales and augmenting their important contributions to our economic system, the following amendments are made to the Meat Inspection Act—34th United States Statutes at Large, page 1260, as amended—and the Tariff Act of 1930—46th United States Statutes at Large, page 689, section 306—giving the Secretary of Agriculture power to inspect, condemn, or regulate any shipments of poultry in interstate or foreign commerce, or any shipment thereof which directly burdens, obstructs, or affects interstate or foreign commerce in such commodity.

FIFTY YEARS OF MEAT INSPECTION

The Meat Inspection Act will be exactly 50 years old this month. During all of that time, we have had compulsory inspection for wholesomeness of all red meats shipped in interstate commerce. This law represented a great reform following the disclosures of the filth and complete lack of sanitation in the meat industry a half century ago. The law has worked fairly and well to protect the consumer. It has also been a great thing for the legitimate meat-packing industry.

The effectiveness of this program can be seen, Mr. Speaker, right in the bare figures and statistics of the Federal budget. We find on page 359 of the budget document for the coming fiscal year that in fiscal 1955, the year which ended last June 30, nearly 100 million meat animals were inspected by Federal meat inspectors, both before and after slaughter, to make sure the animals were healthy and the meat was wholesome. Out of this number, more than a quarter million carcasses were condemned as unfit for human consumption.

Just imagine how many illnesses those quarter million diseased or unfit steers, lambs, pigs, or other animals could have caused if the meat inspectors had not condemned the meat from them.

The budget shows that more than 16 billion pounds of processed meat and meat-food products were inspected by the Federal meat inspectors in that fiscal year, at a cost to the Federal Government of nearly $15 million that year. The estimate for meat-inspection work for the coming year is nearly $16 million, and it is money well spent—to protect our health.

NO COMPULSORY INSPECTION OF POULTRY

But while we have had compulsory inspection for wholesomeness of the red meats in interstate commerce, we have had no such requirement for poultry and poultry products. Consequently, we have been victimized as consumers many, many times by being sold poultry products which should have been condemned and destroyed. We have been defrauded by being sold products unfit for human food. We have been poisoned by the consumption of poultry products which carried disease. And, even more tragically, we have seen some employees in the poultry-processing industry die as a result of extremely serious disease transmitted to them by poultry which should have been detected as diseased before slaughter and thus never should have been brought in contact with the workers whose death they caused.

I have cited the consequences to consumers, to the general public, and to workers in the poultry-processing industry because we have not had adequate inspection of poultry and poultry products to insure that these foods are wholesome. Let me add an additional group which is being adversely affected—the poultry processors themselves and the food-distribution industry.

The spread of illness through sale of diseased poultry has caused many housewives to hesitate about buying poultry, particularly frozen poultry. A number of people in this line of business have told me that sales are adversely affected by the lack of confidence of many housewives in the wholesomeness of poultry products offered for sale. As they point out, this affects not only the fly-by-night or unscrupulous operator, but the legitimate concern as well. Firms which sell only the most wholesome commodities suffer from the lack of public confidence in the wholesomeness of poultry products generally.

IN BEST INTEREST OF PRODUCERS, TOO

So it is to the advantage of the consumer, then, the general public, the poultry processing plant worker, and to the poultry farmer and the poultry processor and the poultry distributor that we close this 50-year-old loophole in our meat-inspection laws and include poultry as well as the red meats under the terms of the Meat Inspection Act.

It may come as a shock to some Members, Mr. Speaker, to learn that the chicken or duck or turkey which you buy in the store could be shipped in interstate commerce without Federal inspection as to its wholesomeness—its purity—its fitness as human food. Do we not have laws to prohibit the sale in interstate commerce of food products unfit for human consumption? Of course we do.

We have the Food, Drug, and Cosmetic Act which prohibits the sale in interstate and foreign commerce of contaminated, unfit, filthy, adulterated foods. Since we have such a law on the books, we are inclined to sit back and be complacent in the belief that everything is nicely taken care of.

FOOD AND DRUG FUNDS INADEQUATE

As many of the Members know, I have been protesting ever since coming to Congress that we live in an atmosphere of false security about the purity of our foods, drugs, and cosmetics—despite a good law on the subject—because we treat the Food and Drug Administration like a stepchild. We starve out the agency responsible for protecting our own health against poisonous foods and drugs and cosmetics. It is a shortsighted and tragic thing.

The Food and Drug Administration hopes in this coming year—with the help of a very substantial increase in its appropriation—to expand back to the level of 1952 and have as many as 300 inspectors on its staff for food, drug, and cosmetic enforcement work.

It has been able to spare only about 7 or 10 men, at the outside, on a man-year basis, for poultry inspection. It has been able to send an inspector around to the various poultry processing plants engaged in interstate commerce about once every 3 or 4 years.

Yes; occasionally they do uncover a shipment of unfit, rotten poultry, which they then seize and remove from the channels of commerce. But this is hardly the kind of procedure which can assure the wholesomeness of the poultry we consume in this country.

Obviously, a visit every 3 or 4 years for a few hours by a food and drug inspector to a poultry-processing plant is not the answer.

PRESENT POULTRY INSPECTION ONLY PARTIAL PROGRAM

Well, then, do we not have Federal inspection of poultry by the Department of Agriculture? We do. Primarily such inspection was to protect the farmer and his poultry flock from diseased birds. It is illegal to ship diseased live poultry in interstate commerce and it is illegal to ship the carcasses of poultry which died from certain specified diseases.

But the loophole here is interesting. If the diseased birds suffering from such illnesses are slaughtered, the carcasses can be shipped, nonetheless, because they did not die of these specified diseases. Is that not, indeed, a ridiculous distinction?

The diseased poultry would not have been shipped live in violation of the act, nor would they actually have died of the disease from which they suffered.

Therefore, we cannot depend upon this particular statute to protect the consumer, or to protect the health of the poultry-processing plant worker, or to reassure the public as to the wholesomeness of the poultry they see offered in the stores.

Under the terms of another law, however, there is Federal inspection of poultry for wholesomeness. This is in the Agricultural Marketing Act of 1946, which provides for a voluntary inspection program, with the full cost of the service being paid for by the processors which use the service.

Hence, you can now find federally inspected poultry, certified as to its wholesomeness, in many stores today. When you see such poultry in the stores carrying the Department of Agriculture seal attesting that it has been inspected for wholesomeness, you can be sure this poultry is good—that it is wholesome. I am very pleased by the actions of so many food-merchandising companies in emphasizing in their advertising that they sell only United States inspected poultry, approved for wholesomeness. The customer should insist on this.

But, unfortunately, this voluntary program—which the processing industry must pay for—covers only a small proportion of our poultry supplies and is utterly inadequate in protecting the public.

Only about 25 percent of the Nation's poultry supply is inspected by the Federal Department of Agriculture for wholesomeness. The present Federal poultry inspection program, as I said, is purely voluntary on the part of the processors willing to participate under it, and willing to pay for the inspection service on a fee basis. That is why 75 percent of our poultry is not inspected by the Federal Government.

ILLNESS AND DEATH FROM DISEASED POULTRY

On the other hand, the Federal Government pays the full cost—now more than 15 million dollars a year—for inspection of the red meats for wholesomeness. When you stop to consider that we consume more than 6½ billion pounds of poultry a year, it is obvious there is a big gap in our machinery for protecting the consumer from unwholesome poultry products. We know that many diseases are transmitted from poultry to humans. We know that diseased poultry in the last few months in the Far West, and in the last few years in Texas and elsewhere has caused the death of a number of poultry processing workers and the serious illnesses of many workers—epidemics, for instance, of psittacosis. And we know that diseased, unfit poultry has caused an unusually high percentage of all food poisoning illnesses, particularly salmonellosis and gasteroenteritis.

I mentioned the Food and Drug Administration's efforts to combat this menace. Let me again point out that the Food and Drug Administration, with a total appropriation for all purposes of less than one-half of what we appropriate each year to the Federal Meat Inspection Service, cannot begin to do the job of protecting the public against all unsound, unhealthful, unwholesome poultry. There are 1,300 or more interstate poultry dressing, freezing, or canning establishments in the United States, and the Food and Drug Administration can visit them, as I said, only about once every 3 or 4 years.

Obviously, we need full-time inspectors to examine this poultry before it is killed—antemortem—and again after it is killed, exactly as it is done with the red meats.

MEATCUTTERS UNION HAS ALERTED PUBLIC

My attention first was called to this problem by the Amalgamated Meat Cutters and Butcher Workmen of North America, whose president, Mr. Earl W. Jimerson, and secretary-treasurer, Patrick E. Gorman, along with other officers and members, have been deeply concerned by the danger to the health of their fellow members from diseased poultry. Members of this union have sickened and, in some cases, died, from handling diseased poultry. Others have been made violently nauseous by the conditions in some of the plants, and by the unfit products—filthy products—they have had to process.

Two years ago, on June 15, 1954, after officials of this union called some of these matters to my attention in connection with my efforts to obtain higher appropriations for the Food and Drug Administration, I directed an inquiry to Mr. Charles W. Crawford, then Commissioner of the Food and Drug Administration, asking what was being done to overcome the menace to public health of diseased poultry being shipped in interstate commerce, and also asking of any instances known to his agency of the transmission of disease from poultry to humans. I received a most interesting answer from him on June 23, 1954. Subsequently, on July 26, 1954, I called this material to the attention of the House in the following statement in the CONGRESSIONAL RECORD:

"DISEASED AND 'NEEDLED' POULTRY ENDANGER AND CHEAT THE PUBLIC, AND OTHER RACKETS FLOURISH IN FOODS, DRUGS, AND COSMETICS, AS FOOD AND DRUG ADMINISTRATION APPROPRIATION AGAIN IS CUT

"(Extension of remarks of Hon. LEONOR K. SULLIVAN, of Missouri, in the House of Representatives, Monday, July 26, 1954)

"Mrs. SULLIVAN. Mr. Speaker, I hope that many Members of the Congress, and also officials of the administration, particularly those with policymaking responsibilities in

the field of health and welfare, read the excellent article in the Washington Evening Star on Wednesday, July 21, dealing with the Food and Drug Administration of the Department of Health, Education, and Welfare. The article was entitled 'Food and Drug Watchdogs Face Work With Less Funds.'

"I have tried during my tenure in the Congress to keep abreast of the work of the Food and Drug Administration and to do what I can to assure it adequate authority to do the work we expect of it, and also adequate funds. Last year, as a result of the Supreme Court decision, a loophole was disclosed in the basic authority of the Food and Drug Administration which prohibited inspectors of the agency to gain admission to factories preparing food, drug, or cosmetics preparations, except on the invitation of the operators of those factories. We succeeded in closing that loophole in the legislation. It was a great victory for the consumer, for it restored the right of our Government to inspect the conditions under which these products are prepared and processed, and to act against insanitary conditions threatening the health of the public.

"The fact remains, however, that the Food and Drug Administration has not been getting adequate funds to enable it to make the number of inspections it should make each year in preventing products which are dangerous to health, or which are fraudulently packaged, from getting into interstate commerce. The administration this year asked for only $5,200,000 for the appropriation of the Food and Drug Administration, as against the $5,600,000 appropriated under the Truman administration. The Congress then cut the administration's request by another $100,000, leaving the Food and Drug Administration only $5,100,000. That means a cut in the staff of this very essential Government agency by about 11 percent since 1952. Considering the work which the Food and Drug Administration does for all the people of the United States by seeking to eliminate poisoned, or adulterated, or mislabeled foods, drugs, and cosmetics from being sold to the public, I think this was one of the most shortsighted cuts ever made in an appropriation.

"The diseased poultry situation

"The work of the Food and Drug Administration has come in for renewed attention in recent months as a result of disclosures dealing with the sale in interstate commerce of diseased poulty and of frozen poultry which has been fraudulently weighted with water prior to freezing. Estimates on the extent of this dangerous and immoral racket have varied, but all the facts indicate that it has been an extensive problem. With its cut in funds in both last year's appropriation and this year's, the Food and Drug Administration has had to cut its enforcement work in this field by about 30 percent.

"Following disclosures of this diseased poultry racket, I wrote last month to Mr. Charles W. Crawford, Commissioner, of the Food and Drug Administration, asking for full information on the work of the FDA to protect the consumer against the sale of this diseased poultry, the time devoted to this work, the number of poultry processors in the country doing interstate business, the frequency with which they are inspected, etc. I also asked for any information he might have indicating transmission of diseases to humans as a result of the processing or consumption of diseased poultry. His reply, I believe, will be of extreme interest to every Member of the Congress concerned about protecting the health of the people of the United States and protecting them against fraud.

"With the unanimous consent of the House, Mr. Speaker, I include as part of my remarks the article Food and Drug Watchdogs Face Work With Less Funds, from the Washington Evening Star of July 21, and also an exchange of correspondence between myself and Commissioner Crawford, of the Food and Drug Administration, as follows:

"[From the Washington Star of July 21, 1954]

"'FOOD AND DRUG WATCHDOGS FACE WORK WITH LESS FUNDS

"'Housewives might do well to provide themselves with scales to check the weight of packages of food they buy.

"'They would thus be taking over part of the work of the Food and Drug Administration. But that agency, its budget cut and its staff reduced, has assigned a low priority to the checking of the net weight of packaged food against the statement of weight on the label.

"'Wallace F. Janssen, assistant to the Commissioner of the Food and Drug Administration, said he does not believe the housewife would find many packages not full weight. But it would provide a check the administration is not able to make.

"'The budget of the agency has been trimmed steadily in the last 4 years. For fiscal 1952 Congress appropriated $5.64 million. The next year the appropriation was $5.6 million. Last year it was $5.2 million, and for this fiscal year, 1955, it is $5.1 million.

"'Eleven percent cut since 1952

"'The estimated number of the staff for this year is 815, an 11-percent reduction since 1952. That number includes laboratory scientists, administrators, clerical workers, and, finally, the frontline troops, the inspectors.

"'There were only 230 inspectors in 1950, Last year the number was 195. These figures leave out about 170 persons employed in testing certain products as they are produced, with the manufacturer paying the salaries through fees.

"'The head of the Food and Drug Administration is Charles W. Crawford, a career man with 37 years' experience. He has applied for retirement.

"'The staff cuts have led the Agency to the conclusion that it is more important to direct its efforts toward activities that protect health rather than those that protect the pocketbook. Therefore, it has assigned lower priorities on checking weights of packaged goods, checking the contents of cans and packages to make sure their composition is what the label says, and proceeding against those who make extravagant claims for products unless danger to health is involved.

"'Occasional cases on these grounds are made, it is true, but usually they are incidental to other activities.

"'The Agency admits frankly it would take 200 inspectors 12½ years to make inspections of each of the 96,000 food and drug company plants and warehouses. Last year 8,650 plants and warehouses were inspected.

"'Lacks followup facilities

"'While the Agency is alert to cases in which public health is involved, it says it lacks the facilities to keep up with the testing of new products and materials which are being developed in increasing numbers. It cannot make followup investigations of the safety of new drugs after they are placed on the market. Important cases involving serious frauds have been delayed by a lack of medical and legal manpower.

"'The Agency does continue to seize contaminated and spoiled foods in large amounts. It goes after medical devices and products which make false claims. It prosecutes druggists who sell barbiturates and other prescription drugs without a physician's prescription.

"'After coffee prices went up the Agency decided it should check attempts by unethical dealers to take advantage of the higher prices. It seized a number of consignments of coffee.

"'It was learned that chickpeas, imported for canning, had become infested with insects. The chickpeas were diverted to coffee roasters. Coffee shipped by some firms were found to contain, in addition to the chickpeas, spent coffee grounds, barley, chicory, and soybeans.

"'Frozen food adds work

"'The expanding market for frozen foods has added to the Administration's work. One plant producing frozen turkeys was found to operate with a water hose having a hypodermic needle as a nozzle. Water was injected into the turkeys before they were frozen.

"'When one turkey was thawed 2 pounds of water seeped out. It was part of a lot of turkeys weighing 50,000 pounds. Taking the average weight of a turkey at 15 pounds, allowing for 1 pound of water per bird and taking the price at 75 cents a pound, the buyers were thus paying $2,500 for 3,300 pounds of water.

"'May be political appointee

"'With the retirement of Mr. Crawford pending, the agency has this question:

"'Will the new administrator be a professional man, perhaps trained in the agency, or a person from some other category whose appointment is cleared with the Republican National Committee?

"'When the Eisenhower administration directed that Government policymaking jobs be listed and that they be taken from under civil-service coverage, various trade associations in the food and drugs fields urged that politics be kept out of the Food and Drug Administration. Mr. Crawford was not replaced.

"'With the prospect of his retirement the requests are being repeated. Carlos E. Campbell, secretary of the National Canners Association, said his organization has urged that the appointment be kept in the professional category. Other organizations have done the same.'"

JUNE 15, 1954.

Mr. CHARLES W. CRAWFORD,
Commissioner, Food and Drug Administration, Department of Health, Education, and Welfare, Washington, D. C.

DEAR MR. CRAWFORD: In view of the recent publicity given the sale of diseased poultry and the action of the AFL Meatcutters Union to try to bring about legislation to protect the American consumer against this menace, I would appreciate your sending me a statement on what the FDA is doing and intends to do to correct this situation. I would specifically like to have answers to the following questions, as well as any other information you can properly send me in connection with this problem.

What does the FDA do to protect the consumer against the sale of diseased poultry?

How much time is devoted to the inspection of that one particular item?

Are there any diseases of poultry that can be transmitted to humans through the consumption of diseased poultry being put up for sale?

If so, do you know of any instances where diseases of poultry have been transmitted to humans?

Do you know how many poultry processors there are in the country that do interstate business?

How often does the FDA inspect them?

I would appreciate it if you would send me your reply to these questions in quadruplicate.

Sincerely yours,
MRS. JOHN B. (LEONOR) SULLIVAN,
Member of Congress.

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
FOOD AND DRUG ADMINISTRATION,
Washington, D. C., June 23, 1954.

Hon. LEONOR SULLIVAN,
House of Representatives.

DEAR MRS. SULLIVAN: We have your letter of June 15 in which you ask several questions concerning our enforcement program on diseased poultry. We are answering your questions in the order in which you have asked them.

Under the Federal Food, Drug, and Cosmetic Act, a food is deemed to be adulterated if it is the product of a diseased animal or of an animal which died otherwise than by slaughter. This section of the act takes into account the basic objections of the consumer to the diseased product, whether or not actual danger to health can be demonstrated.

We have a carefully planned enforcement program under this section of the law, which includes inspection of poultry dressing and eviscerating plants and of other poultry processors, and sampling surveys in consumer markets to find diseased or otherwise unfit poultry. Under this program for fiscal 1953 and the first 11 months of fiscal 1954, we approved 106 seizure actions for the removal of unfit birds from the market, of which 64 actions included charges that the article was in whole or in part the product of a diseased animal. During the same period we also approved 33 criminal actions, 22 of which involved diseased poultry.

During fiscal 1953 we devoted 10 man-years to the poultry project, of which the work on diseased poultry is a part, along with work on filthy, decomposed or otherwise unfit poultry and poultry which has been "needed" or otherwise fraudulently watered to increase its weight. During fiscal 1954 this work has necessarily been reduced. We estimate, based on reports for the first 3 quarters, that 7 man-years will have been expended this year on this project.

The question of whether poultry diseases may be transmitted to man through the sale of diseased poultry cannot be answered with assurance. It is well established that certain poultry diseases are transmissible to man. These would include, for instance, psittacosis (parrot fever) and Newcastle disease. However, outbreaks of these diseases, so far as we know, have occurred only among persons handling live poultry or working in poultry dressing establishments. We do not know of any instances in which it has been proved that a specific disease was contracted through the consumption or preparation in the kitchen of a diseased bird. On the other hand, the possibility cannot be ruled out.

Several outbreaks of psittacosis have occurred recently among workers in turkey processing plants in Texas. In cooperation with the Public Health Service of this Department we are currently investigating these outbreaks to determine whether diseased birds have been shipped in interstate commerce and the degree of hazard, if any, to the purchaser of such birds.

There is another group of diseases common to poultry and to man and apparently caused by the same disease organism in both, in which definite transmission has not been established. However, it is believed that poultry may at least serve as a reservoir of human infection by routes still unknown. Certain types of encephalitis and meningitis, pseudotuberculosis, and pasturella infections are in this group.

In a closely related category are the food-poisoning illnesses—salmonellosis and gastroenteritis—which are attributed to poultry and poultry products or in which such products are suspected as the vehicle of infection. Poultry which are actively infected with salmonella or which are carriers of the organisms, though apparenly not diseased in the ordinary sense, undoubtedly are involved in many of these instances, and fecal contamination during processing may be a factor. For your further information on this phase of your inquiry, we are enclosing a mimeograph entitled "Poultry Diseases Transmissible to Man—Including Summary Report of Outbreaks," prepared by the Communicable Disease Center of the Public Health Service.

We estimate that there are approximately 1,300 interstate poultry dressing, freezing, or canning establishments in the United States. For the past 2 years we have made about 400 poultry-establishment inspections each year, of which we estimate that perhaps one-fourth represents reinspections of the same firms. Thus our program contemplates complete coverage of this industry about once every 3 or 4 years.

If we can be of further service, please do not hesitate to let us know.

Sincerely yours,
C. W. CRAWFORD,
Commissioner of Food and Drugs.

FULL REPORT ON TRANSMISSIBLE DISEASES

I did not, at that time, include in the RECORD the report which Mr. Crawford referred to—"Poultry Diseases Transmissible to Man Including Summary Report of Outbreaks"—but I believe it is relevant now in light of the bill which I have introduced and the goal I am trying to achieve. I therefore am including it today as part of my remarks, identified as exhibit A at the end of my discussion. It is rather long, and for that I apologize, but I do believe it is important enough to the legislative process—if we are to achieve the goal of assuring the wholesomeness of the poultry we buy and eat—to include it in the RECORD. I hope that Members will be able to find the time to read it and to note especially the many incidents of food poisoning in the 1951-52 period studied which were directly attributable to diseased poultry.

For 2 years, then, Mr. Speaker, I have been actively interested in this problem of diseased poultry, and finding a solution to it which would protect the consumer and the public generally. I think the bill which I have today introduced is the best approach which has yet been made to solving the problem.

I have mentioned the intense interest of the Amalgamated Meat Cutters Union in this whole field, and I am pleased to acknowledge their leadership in bringing the matter to public attention and in enlisting my help and the help of other Members of Congress in seeking a solution. Since the Amalgamated's proposed solution has been somewhat different from mine, although our objectives are identical, I think it only fair to point out the development of our respective legislative approaches.

CONGRESSIONAL INVESTIGATION SOUGHT

The meat cutters union at first sought to meet the increasing problem of diseased poultry in interstate commerce through the vehicle of a congressional investigation, and several bills were offered in the Congress calling for such investigations. Unfortunately, however, no action was taken on these bills last year in either House or Senate.

EXCELLENT ASSISTANCE FROM LIBRARY OF CONGRESS

Over the congressional recess, as I thought about this problem I turned to the Legislative Reference Service of the Library of Congress for some guidance and assistance on the best way to accomplish the goal of assuring the wholesomeness of poultry in interstate commerce. I want now to acknowledge the outstanding assistance I have received on this from Miss Margaret M. Conway, of the American Law Division, who in December submitted to me a comprehensive and truly excellent exposition of the legal aspects of the problem. Her report to me was as follows:

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE,
Washington, D. C., December 12, 1955.

To: Hon. LEONOR K. SULLIVAN.
(Attention: Mr. Holstein.)

From: American Law Division.

Subject: Suggestions as to legislation to require inspection of all poultry shipped in interstate commerce.

For your information, and to place the question in a proper perspective, we are reviewing here for you, first, the laws already on the books providing certain types of inspection of poultry, and also the meat inspection laws which require compulsory inspection of meat shipped in interstate commerce.

POULTRY INSPECTION

There are at present the following several laws in effect which permit agents of the Federal Government to inspect poultry. Each of them has certain limitations in its coverage which we point out below.

1. The act of February 7, 1928 (45 Stat. 49): This law included live poultry within the purview of several previous inspection acts administered by the Department of Agriculture. By it, live poultry was made subject to the provisions of the act of May 29, 1884, establishing the Bureau of Animal Industry (23 Stat. 31; 7 U. S. C. 391); of the act of February 2, 1903, enabling the Secretary of Agriculture to suppress and prevent the spread of contagious diseases among livestock (32 Stat. 791; 21 U. S. C. 111-121); and of the act of March 3, 1905, enabling the Secretary of Agriculture to maintain quarantine districts and regulate the movement of cattle and other livestock therefrom (33 Stat. 1264; 21 U. S. C. 123-130).

The regulations concerning poultry hereunder are incorporated in the Federal regulations concerning the interstate transportation of animals and poultry suffering from specified contagious diseases (9 C. F. R. 71.1 through 81.2. The sections concerning poultry are 9 C. F. R. 81.1 and 81.2). They prohibit the interstate transportation of "live chickens, turkeys, or geese affected with or directly exposed to the contagious disease known as European fowl pest or other similar contagious poultry disease, [or the] carcasses of such animals which have died from any such disease."

The regulatory power of the Secretary of Agriculture in this instance is compulsory (21 U. S. C. 111). The wording of the law states that he has power "to seize, quarantine, and dispose of any hay, straw, forage, or similar material, or any meats, hides, or other animal products coming from an infected foreign country * * * or from one State or Territory in the United States in transit to another." The regulation, in itself, however, is deficient, so far as the alleged practices of some of the modern poultry packers are concerned. Its wording is such that chickens, not yet dead but suffering from any of the prescribed diseases, could be slaughtered and packed within a State for interstate shipment. In such instances, the poultry would not be shipped live, nor would it actually have died from any such disease, so that the shipment of the carcasses would come under the prohibition.

2. The second act which provides for inspection of poultry is the Agricultural Marketing Act of 1946 (60 Stat. 1087; 67 Stat. 205; 7 U. S. C. 1622-1627). The aim of this act was to promote a scientific approach to marketing of agricultural products. In order to accomplish this, it was suggested that the various types of activity required, such as inspection, regulatory work, and other services, be done in cooperation with State

agencies and State departments of agriculture, and State bureaus and departments of markets.

The inspection and certification provision is contained in 7 U. S. C. 1622 (h):

"To inspect, certify, and identify the class, quality, quantity, and condition of agricultural products when shipped or received in interstate commerce, under such rules and regulations as the Secretary of Agriculture may prescribe, including assessment and collection of such fees as will be reasonable, and as nearly as may be to cover the cost of the service rendered, to the end that agricultural products may be marketed to the best advantage, that trading may be facilitated, and that consumers may be able to obtain the quality product which they desire, except that no person shall be required to use the service authorized by this subsection. Any official certificate issued under the authority of this subsection shall be received by all officers and all courts of the United States as prima facie evidence of the truth of the statements therein contained."

The regulations issued hereunder are contained in 7 C. F. R. 70.1 through 70.410. They make provision for three main inspection activities: (1) the grading of poultry; (2) the inspection of poultry; and (3) the inspection of sanitary standards. A certificate to be used in marketing the poultry is given showing the completion of one, or a combination, or all of the above services.

Without going into the regulations in detail, certain determinative statements therein are herewith pointed out.

(a) Definitions (7 C. F. R. 70.01):

"Grader" means any employee of the Department authorized by the Secretary, or any other individual to whom a license has been issued by the Secretary, to investigate and certify, in accordance with the regulations in this part, the class, quality, quantity, and condition of live poultry. By 7 C. F. R. 70.384, however, the grader is permitted to confine himself to the condition only, and the mark he then issues is a statement as to the sanitary standards of the handler, rather than a certification of the quality of the product.

"Inspector" means any graduate veterinarian or layman who is an employee of the USDA or of a State, who has been licensed by the Secretary of Agriculture to inspect (1) the condition and wholesomeness of dressed poultry; (2) the condition and wholesomeness of any edible product at any stage of the preparation of packaging thereof in the official plant where inspected and certified; (3) the condition and wholesomeness of any previously inspected and certified product which has not lost its identity; (4) the condition of dressed poultry. The comment on 7 C. F. R. 70.384, above, is also applicable here.

(b) Services performed (7 C. F. R. 70.3):

Grading and inspection services of the following types may be rendered: (1) grading of live poultry; (2) certification of dressed poultry produced under sanitary conditions in official plants; (3) grading of dressed poultry produced under sanitary coterminal markets and other receiving points; (4) inspecting of dressed poultry in official plants for processing as ready-to-cook poultry; (5) grading of ready-to-cook poultry, in an official plant, or at terminal markets and other receiving points; (6) inspection service in official canning plants.

Sanitary requirements are mandatory in official plants (7 C. F. R. 70.44). There is no similar regulation as to other places.

(c) Inspection (7 C. F. R. 70.151, 70.152, and 70.191):

The section outlining the Department of Agriculture inspection service states that ante mortem examination may be required by the Administrator. Both the Federal and the Federal-State cooperative services provide post mortem examination (9 C. F. R. 70.152, and 70.191).

(d) Fees and charges (7 C. F. R. 70.130):

Any person requesting grading or inspection service shall pay certain fees and charges; the fees for services by United States agents shall be payable to the Treasurer of the United States; and the fees for services performed under any cooperative agreement with a State shall be payable as provided for in the agreement.

(e) Marks placed on poultry (7 U. S. C. 70.380–70.384):

The facsimile marks contained in the regulations, and the accompanying explanatory material show that four types of markings are provided: (1) Grade mark (quality); (2) inspection mark (wholesomeness); (3) a combination of the above; (4) dressed poultry (graded and inspected for condition only—not for quality or wholesomeness).

3. Two laws which permit inspection of a very limited nature, and whose chief purpose is other than detection of diseased fowl or protection of the public health are:

(a) The Department of Agriculture Organic Act (58 Stat. 734, sec. 101 (b), amended and superseded by act of August 4, 1950 (64 Stat. 413). This made permanent an authorization carried in the appropriations acts of 1935 and subsequent, allowing the USDA to administer regulations for the voluntary program of improved poultry breeding, and incidentally to aid in eradicating a disease called pullorum. The regulations hereunder are contained in title 9, Code of Federal Regulations, section 145.1 through 145.30.

(b) The act of March 3, 1927 (44 Stat. 1355; 7 U. S. C. 491–497) which permitted inspection of poultry by the USDA on behalf of any person aggrieved by malicious dumping or destruction of his products by any handler in interstate commerce.

MEAT INSPECTION

Meat inspection is currently conducted under the authority of the Meat Inspection Acts, beginning with the temporary act of 1906, made permanent by the act of March 4, 1907 (34 Stat. 1260; 21 U. S. C. 71–91, 96) and the Imported Meat Act of June 17, 1930 (46 Stat. 689; 19 U. S. C. 1306). The regulations under these acts will be found in title 9, Code of Federal Regulations, section 1.1 through 28.1.

The three chief aspects of these laws are (1) the inspection extends only to cattle, sheep, swine, and goats, and meat and meat-food products made therefrom, (2) the inspection is mandatory except as to certain farmers and retailers under prescribed circumstances, and (3) the primary object of the inspection is to determine the wholesomeness of the meat for human consumption.

Paralleling the major provisions of the poultry-inspection service which we outlined above, the regulations for meat inspection provide the following:

(a) Definition (9 C. F. R. 1.1):

Limiting ourselves here to the qualifications for inspectors contained in the definitions, we find that inspectors and division employees are those "who are authorized by the director or chief of division to do any work or perform any duty in connection with meat inspection."

(b) Services performed (9 C. F. R. 9.1, 12.1, and 10.1):

Although an ante mortem examination by law is discretionary with the Secretary of Agriculture (21 U. S. C. 71), he has exercised his discretion to make it mandatory. (9 C. F. R. 9.1 and 12.1.) The post mortem examination is mandatory by law (21 U. S. C. 72) and also required by regulation. It must be conducted, except in emergencies, at the time of slaughter. (9 C. F. R. 10.1.)

(c) Inspection (9 C. F. R. 2.1 and 5.3):

In section 2.1 of the regulation, it is stated that "every establishment" in which cattle, sheep, swine, or goats are slaughtered, or their products processed, is subject to mandatory inspection. Further, as a concomitant of such inspection, section 5.3 requires that inspection "shall not be begun if the establishment is not in a sanitary condition." Part 8 of the regulations, i. e., section 8.1 through 8.15 govern standards of sanitation required.

(d) Fees and charges: None.

(e) Markings (9 C. F. R. 1.1):

(1) "Inspected and passed" or "U. S. inspected and passed" or "U. S. inspected and passed by USDA." This shall mean that at the time they were inspected, passed, and so marked, they were found to be sound, healthful, wholesome, and fit for human food.

(2) "U. S. passed for cooking." These have been passed on condition they be cooked, rendered, etc., before used for human consumption.

(3) "U. S. passed for refrigeration." These must be refrigerated, or handled as required in section 11.1 through 11.34, governing carcasses of animals suffering from specified diseases.

(4) "U. S. inspected and condemned," found unwholesome, and must be disposed of; "U. S. retained," there is some doubt and the carcass or meat product is held for further examination; "U. S. suspect," also held for further examination; and "U. S. condemned" where the live animal is found in a dying condition from a disease that would cause condemnation of its carcass.

An inspection service similar to that conducted with respect to poultry is also conducted with respect to meat under the authority of the Agricultural Marketing Act of 1946 (60 Stat. 1087; 67 Stat. 205; 7 U. S. C. 1622–1627). It provides grading service, for a fee, at any designated market or location. However, it states that products to be eligible for grading service must be prepared under Federal inspection (that is under the Meat Inspection Acts, above) or under other official inspection services. It also contains regulations governing this inspection, including a requirement of both ante mortem and post mortem inspection of each animal (7 C. F. R. 53.3). If the grading service is withdrawn, public notice must be given of the withdrawal (7 C. F. R. 53.5). This is the service which results in markings on meat and meat products of "prime," "choice," "commercial," etc.

SUGGESTIONS FOR DRAFT OF BILL

There are certain considerations which must be paramount in order to accomplish the objective of an effective inspection of poultry being shipped and marketed in interstate commerce. Among these we would suggest: (1) that the bill put inspection for wholesomeness on a mandatory basis, ahead of all other types of inspection service; (2) that the bill obviate the deficiency in the regulations under the act of February 7, 1928 (noted above) respecting ill fowl being slaughtered and then shipped in interstate commerce; (3) if possible, the continued operation of the grade classification services under the Agricultural Marketing Act of 1946 should not be unduly hampered; (4) such mandatory poultry inspection service should be able to be effectuated in the most expeditious manner possible; and (5) the bill should contain adequate penalty provisions to enforce the law.

Under point (4) above, there are two things we have not gone into: first, an estimate of the cost of a mandatory inspection service, and secondly, the marketing pattern for live and/or dismembered poultry. The appropriation for the present meat inspection service for fiscal 1956 was $14,325,000 (Public Law 40, 84th Cong.). The size and cost of an increased inspection force will undoubtedly depend on the marketing pattern. At present, live poultry dealers and handlers are licensed under the Packers and Stockyards

Act (7 U. S. C. 218), but this regulation extends chiefly to financial responsibility. It is indicative, however, of the market pattern.

The only two previous bills which we have been able to find were introduced in 1929 and 1930 respectively. They are S. 5376 of the 70th Congress, and S. 5371 of the 71st Congress.

S. 5376 of the 70th Congress was based upon provisions of the Meat Inspection Act. The bill, in our opinion, is deficient in the following respects:

(a) All the material after the first semicolon in Twenty-first United States Code, at page 71, dealing with separate slaughter of suspected animals (it would be poultry in the bill) is omitted.

(b) The language of the bill with respect to both the ante mortem and post mortem inspection is a permissive "may cause to be made." In the law (21 U. S. C. 72), the post mortem inspection is mandatory.

(c) The following several provisions of the Meat Inspection Act are not included (21 U. S. C. 73, 74, 75).

(d) Section 5 of the bill, which, of course, is dated 1929, completely exempts retailers and farmers from inspection. The Meat Inspection Act, on the other hand, was modified by the act of June 29, 1938 (52 Stat. 1235), to provide a limited supervision over farmers and retailers, plus a penalty provision for transporting unwholesome meat (poultry) in interstate commerce by either of these.

S. 5371, 71st Congress, would provide a mandatory inspection service for drawn poultry and on through all the other processing stages. This bill makes mandatory an inspection service starting with a post mortem inspection and following through all the other stages of preparation and handling under regulations of the Secretary of Agriculture. The principal defect of the bill is that it limits inspection of chicken and turkey.

We would suggest as the simplest and most effective method of accomplishing the objective of a mandatory inspection of poultry would be to make necessary changes in the Meat Inspection Act (34 Stat. 1260). This act itself is not divided into sections. For your convenience, the examples given are based on the section distribution in the code.

(a) Where the present phrase reads "meat and meat products", change it to "meat and poultry, and meat and poultry products" or "meat and poultry, and meat products and poultry products" (21 U. S. C. 71).

(b) Where the present phrase reads "cattle, sheep, swine, and goats", change it to "cattle, sheep, swine, goats, and poultry" (21 U. S. C. 71).

(c) Where the present phrase reads "any slaughtering, meat canning, salting, packing, rendering, or similar establishment", add the term "dismembering" or some other comprehensive term that would cover the ready-to-cook processors in the poultry industry (21 U. S. C. 72).

We would also suggest that in 21 U. S. C. 71 the phrase the "Secretary of Agriculture, at his discretion, may cause to be made" be changed to the "Secretary of Agriculture shall cause to be made" and thereby give him legislative support for the regulation he has already promulgated relating to mandatory ante mortem inspection of animals subject to inspection under the act. This, together with the fact that all the phraseology after the semicolon of that section would be applicable to poultry suspected of disease, should obviate the deficiencies under the current regulations. Since a parallel grade classification of meat is carried on at the same time as the mandatory meat inspection, the suggested amendment of the act to include poultry should not hinder the continuance of the grading service under the Agricultural Marketing Act of 1946. The Meat Inspection Act contains penalties which would then become applicable to poultry handlers and dealers. We also call your attention to the fact that the above-suggested changes in terminology are also applicable to the act of June 29, 1938 (52 Stat. 1235; 21 U. S. C. 91), governing sale of products by farmers and retailers.

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DECEMBER 15, 1955.

Subsequently, Mr. Speaker, I turned this report over to the House Legislative Council for actual drafting of a bill to carry out the suggestions made by Miss Conway and the American Law Division. The first draft of the bill which I received back was as follows:

"FIRST DRAFT OF THE BILL

"A bill to amend the Meat Inspection Act to provide for the inspection of poultry to be shipped in interstate or foreign commerce

"*Be it enacted, etc.*, That the portion of the act entitled 'An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1908,' which appears after 'For meat inspection,' under the heading 'Bureau of Animal Industry' (21 U. S. C., sec. 71–93), is amended—

"(1) by striking out 'cattle, sheep, swine,' or 'cattle, swine, sheep,' each time either appears therein and inserting in lieu thereof 'cattle, poultry, sheep, swine,';

"(2) by striking out 'cattle, calves, sheep, lambs,' each time it appears therein and inserting in lieu thereof 'cattle, poultry, calves, sheep, lambs,';

"(3) by inserting 'or poultry' after 'animals' each time it appears therein;

"(4) by inserting 'dismembering', after 'rendering,' each time it appears therein;

"(5) by striking out of the first paragraph 'the Secretary of Agriculture, at his discretion, may cause to be made' and inserting in lieu thereof 'the Secretary of Agriculture shall cause to be made'; and

"(6) by inserting 'poultry' after 'beef' in the 15th paragraph thereof, beginning 'And no clearance shall be given'.

"SEC. 2. The amendments made by this act shall take effect ——— days after the date of its enactment."

AMALGAMATED PROPOSES INSPECTION BY FOOD AND DRUG ADMINISTRATION

Meanwhile, the top leadership of the meatcutters union was also working on the drafting of legislation, and came forward with bills which provided for compulsory poultry inspection by the Food and Drug Administration. When a draft of this legislation was brought to my attention, it was my view that it would be better to lodge this assignment with the Meat Inspection Branch of the Department of Agriculture because I knew the Food and Drug Administration is and has been terribly undermanned and is and has been unable to obtain sufficient funds to do the tremendous job we have already placed upon its shoulders.

As a result of this difference of opinion on the best way to proceed, I agreed to hold off on the introduction of my bill in order to give the union officials an opportunity to obtain legislative action on the bill which they had prepared and sponsored. The important thing, of course, is to get legislation enacted.

In recent weeks, the Food and Drug Administration has definitely gone on record against being given the powers to administer a compulsory poultry inspection law. The Department of Agriculture, meanwhile, has gone on record as promising effective administration of a compulsory poultry inspection law if one were to be enacted putting this responsibility on the Department of Agriculture.

I have consequently introduced my bill after very substantial changes and elaboration from the first draft provided me by the legislative counsel. Although I am not a lawyer, it seemed to me the first draft did not cover the ground completely.

The bill which I introduced today is as follows:

"H. R. 11800

"A bill to amend the Meat Inspection Act (34 Stat. 1260, as amended) and the Tariff Act of 1930 (46 Stat. 689, sec. 306) to require compulsory inspection for wholesomeness of poultry and poultry products

"*Be it enacted, etc.*, That the Congress of the United States finds that poultry and poultry products are being marketed through the channels of interstate and foreign commerce without adequate inspection to protect the public against poultry and poultry products which are diseased, unsound, unhealthful, unwholesome, or otherwise unfit for human food.

"To protect the general consuming public, to protect the health of persons engaged in the processing and distribution of poultry and poultry products, to prevent the spread of disease through shipments in interstate and foreign commerce of unwholesome poultry and poultry products, and to promote the wider use of poultry through assurance to the consuming public of its wholesomeness and freedom from disease, thus assisting agriculture and the food marketing industries in expanding their sales and augmenting their important contributions to our economic system, the following amendments are made to the Meat Inspection Act (34 Stat. 1260, as amended) and the Tariff Act of 1930 (43 Stat. 689, sec. 306) giving the Secretary of Agriculture power to inspect, condemn, or regulate any shipments of poultry in interstate or foreign commerce, or any shipment thereof which directly burdens, obstructs, or affects interstate or foreign commerce in such commodity.

"SEC. 2. The first paragraph of the act of March 4, 1907 (34 Stat. 1260; U. S. C. 71) authorizing inspection of cattle, sheep, swine, and goats before slaughter is amended to require such ante mortem inspection of cattle, sheep, swine, goats, and poultry, as follows:

"(a) by striking out the phrase 'meat or meat products' and inserting 'meat or poultry, and meat or poultry products';

"(b) by striking out the words 'at his discretion may' following the words 'Secretary of Agriculture' and inserting the word 'shall';

"(c) by striking out the phrase 'cattle, sheep, swine, and goats' wherever it appears, and inserting 'cattle, sheep, swine, goats, and poultry';

"(d) by adding to the phrase 'any slaughtering, packing, meat-canning, rendering, or similar establishment', the words 'or poultry processing plant';

"(e) By striking out the phrase 'the meat and meat food products thereof are to be used in interstate or foreign commerce' and inserting 'the meat or poultry or poultry pieces, and meat or poultry food products thereof are to be used in interstate and foreign commerce';

"(f) by adding at the end of said paragraph '*Provided*, That at his discretion the Secretary of Agriculture may also regulate any shipments of poultry or poultry products which directly burden, obstruct, or affect interstate or foreign commerce.'

"SEC. 3. The second paragraph of the act of March 4, 1907 (34 Stat. 1260; 21 U. S. C. 72) dealing with post mortem inspection of carcasses, labeling and marketing, destruction of condemned carcasses and reinspection, is amended:

"(a) by striking out the phrase 'cattle, sheep, swine, and goats' wherever it appears, and inserting 'cattle, sheep, swine, goats, and poultry';

"(b) by adding to the phrase 'any slaughtering, meat-canning, salting, packing,

rendering, or similar establishment', the words 'or poultry processing plant';

"(c) by adding after the words 'and carcasses and parts thereof of all such animals', wherever they appear, the words 'or poultry';

"(d) by adding 'or poultry processing plant' after the words 'any such establishment' and 'any establishment' in the clauses dealing with removal of inspectors from establishments failing to comply with requirements hereunder.

"SEC. 4. The third paragraph of the act of March 4, 1907 (34 Stat. 1261; 21 U. S. C. 73) dealing with the examination of carcasses brought into slaughtering or processing establishments, and meat-food products issued from and returned thereto, is amended:

"(a) by striking out the phrase 'cattle, sheep, swine, and goats' and inserting 'cattle, sheep, swine, goats, and poultry';

"(b) by striking out the phrase 'meat or meat products' and inserting 'meat or poultry, or meat or poultry products';

"(c) by adding to the phrase 'any slaughtering, meat-canning, salting, packing, rendering, or similar establishment, the words 'or poultry processing plants';

"(d) by striking out the phrase 'treated and prepared for meat food products' and inserting 'treated and prepared for meat or poultry food products.'

"SEC. 5. The fourth paragraph of the act of March 4, 1907 (34 Stat. 1261; 21 U. S. C. 74) dealing with the powers of meat inspectors in approving sound, healthful, and wholesome products and in condemning and causing the destruction of unsound, unhealthful, and unwholesome products, is amended:

"(a) by striking out the phrase 'meat food products' wherever it appears and inserting 'meat or poultry food products';

"(b) by adding to the phrase 'any slaughtering, meat-canning, salting, packing, rendering, or similar establishment' the words 'or poultry processing plant';

"(c) by striking out the phrase 'meat or meat food products' and inserting 'meat or poultry, or meat or poultry food products';

"(d) by striking out the phrase 'condemned meat food products' and inserting 'condemned meat or poultry food products.'

"SEC. 6. The fifth paragraph of the act of March 4, 1907 (34 Stat. 1261; 21 U. S. C. 75) dealing with labeling requirements, is amended:

"(a) by striking out the phrase 'meat or meat food products' in the four instances where it appears, and inserting 'meat or poultry, or meat or poultry food products.'

"SEC. 7. The sixth paragraph of the act of March 4, 1907 (34 Stat. 1262; 21 U. S. C. 76) governing sanitary inspection and regulation of the premises of slaughtering and packing establishments, and rejection of products of unsanitary establishments, is amended:

"(a) by adding to the phrase 'any slaughtering, meat-canning, salting, packing, rendering, or similar establishment', the words 'or poultry processing plant';

"(b) by striking out the phrase 'cattle, sheep, swine, and goats' and inserting 'cattle, sheep, swine, goats and poultry';

"(c) by striking out the phrases 'meat and meat products' and 'meat or meat products' and inserting 'meat or poultry, or meat or poultry food products.'

"SEC. 8. The seventh paragraph of the act of March 4, 1907 (34 Stat. 1262; 21 U. S. C. 77) permitting inspections during the nighttime as well as during the daytime, when slaughtering is conducted during the nighttime, is amended:

"(a) by striking out the phrase 'cattle, sheep, swine, and goats' and inserting 'cattle, sheep, swine, goats, and poultry.'

"SEC. 9. The eighth paragraph of the act of March 4, 1907 (34 Stat. 1262; 21 U. S. C. 78) dealing with transportation of carcasses, meat, or meat food products not properly inspected and marked, is amended:

"(a) by striking out the phrase 'meat or meat food products' and inserting 'meat or poultry, or meat or poultry food products';

"(b) by adding at the end of said paragraph '*Provided*, That nothing in this section shall preclude the Secretary of Agriculture from regulating shipments of poultry or poultry products which directly burden, obstruct, or affect interstate or foreign commerce.'

"SEC. 10. The 17th paragraph of the act of March 4, 1907 (34 Stat. 1264; 21 U. S. C. 87) dealing with transportation or sale of meat or meat food products not complying with the inspection laws, is amended:

"(a) by striking out the phrase 'meat or meat food products' wherever it appears, and inserting 'meat or poultry, or meat or poultry food products';

"(b) by adding to the phrase 'any slaughtering, meat-canning, salting, packing, rendering, or similar establishment' the words 'or poultry processing plant.'

"SEC. 11. The 19th paragraph of the act of March 4, 1907 (34 Stat. 1264; 21 U. S. C. 89) dealing with the appointment, duties, and regulations governing inspectors, is amended:

"(a) by striking out the phrase 'cattle, sheep, swine, and goats' and inserting 'cattle, sheep, swine, goats, and poultry';

"(b) by striking out the phrases 'meats and meat food products' and 'meat and meat food products' and inserting 'meat or poultry, or meat or poultry food products';

"(c) by striking out the words 'meat food products' wherever they appear and inserting 'meat or poultry food products.'

"SEC. 12. The 21st paragraph of the act of March 4, 1907, as amended (34 Stat. 1265, as amended by 52 Stat. 1235; 21 U. S. C. 91) exempting certain farmers, retail butchers and retail dealers from the inspection provisions of the Meat Inspection Act, is further amended by adding the following subsection thereto:

"(d) The Secretary of Agriculture is hereby authorized to establish the basis on which certain categories of poultry raisers, retail poultry butchers, and retail poultry dealers are exempted from the inspection requirements of this act: *Provided*, That these exemptions shall be based on maximum volume limitations which are fair and reasonable in relation to other exemptions in this section: *And provided further*, That such exempt poultry raisers, retail poultry butchers and retail poultry dealers shall be subject to the provisions of the second paragraph of subsection (c) above for violations of the requirements of this act.

"SEC. 13. The authorization included in the act of June 30, 1906 (34 Stat. 679, as amended by 48 Stat. 1225; 21 U. S. C. 95) is amended:

"(a) by striking out the phrase 'cattle, sheep, swine, and goats' and inserting 'cattle, sheep, swine, goats, and poultry';

"(b) by striking out the phrase 'meat and meat food products' and inserting 'meat or poultry, and meat or poultry food products.'

"SEC. 14. The act of June 5, 1948 (62 Stat. 344; 21 U. S. C. 98) providing for payment of costs of the inspection service by the United States, is amended by striking out the phrase 'meat and meat food products' and inserting 'meat and poultry, and meat and poultry food products.'

"SEC. 15. Section 306 of the Tariff Act of 1930 (46 Stat. 689; 19 U. S. C. 1306) dealing with the importation of meat and meat products is amended:

"(a) by inserting the words 'or poultry' in subsection (b) thereof after the words 'meat' or 'meats' wherever they appear;

"(b) by striking out the phrase 'cattle, sheep, and other domestic ruminants, and swine' in subsection (c) thereof, and inserting 'cattle, sheep, and other domestic ruminants, poultry, and swine'; and in the same subsection (c) thereof, inserting after the word 'meats' the words 'or poultry.'

"SEC. 16. The compulsory poultry inspection provided for by this act shall commence on the first day of the sixth month after enactment hereof."

ANTE MORTEM INSPECTION MADE MANDATORY

It will be noted, Mr. Speaker, that my bill not only amends the Meat Inspection Act to include poultry and poultry products in the same way that cattle, sheep, swine, and goats are covered under that act, but that, in one particular, it also amends the act as it applies to those other meat animals. That is in section 2, which would make it mandatory to have ante mortem inspection not only of poultry but of the other animals as well.

The act presently says that the Secretary of Agriculture may at his discretion require such ante mortem inspection of cattle, sheep, swine, and goats. Actually, by regulation, he requires this type of examination before slaughter. In order to make it clear that it is the intent of Congress to require such ante mortem inspection of poultry, also, I have proposed in my bill this change in the basic statute to make ante mortem inspection mandatory for all of the meat varieties covered.

APPLICATION TO INTERSTATE SHIPMENTS

Another provision of my bill which involves more than merely including poultry along with beef, lamb, pork, and so on under the Meat Inspection Act, also contained in section 2 of my bill, would empower the Secretary of Agriculture to regulate certain shipments of poultry in intrastate commerce. These would be shipments which directly burden, obstruct, or affect interstate commerce.

The concept of including some intrastate as well as all interstate shipments of poultry under compulsory inspection laws has been suggested, as I understand it, by the poultry industry itself. The feeling on the part of some of the industry people, as it has been reported to me, is that where interstate and intrastate shipments are commingled in the same establishments, or where they directly compete in such way as to affect the interstate sales, that fairness requires all shipments be inspected.

While this raises legal issues I do not personally feel qualified to discuss, nevertheless I am informed by experts in the legal questions involved that the Supreme Court has upheld this concept as it applies to milk marketing and that it could, therefore, be applied to poultry. I have included this in my bill, because it is my understanding that there is widespread support within the poultry industry for compulsory inspection if it is fairly extended to all groups competing in the major market areas.

EXEMPTIONS

The Meat Inspection Act presently exempts farmers and certain categories of retail butchers and retail dealers, providing, of course, that they do not ship in interstate commerce products which are diseased or unfit in violation of the law. The exemptions for butchers and dealers are based on the number of animals or carcasses they ship per week. Having no means by which I could translate these standards into terms of chickens, ducks, or turkeys, for instance, I have instead provided that the Secretary of Agriculture should determine such exemption standards as they should apply to poultry raisers, butchers, or dealers. He would be expected to set standards which would be fair in relation to those now applying to butchers and dealers under the Meat Inspection Act.

PRIOR TO 1956, LAST SUCH BILL WAS IN 1930

The research material which I have received from the Library of Congress, and which I have inserted above, shows that up

to the time this memo was prepared for me in December, there had not been a bill introduced in the Congress dealing with this subject of compulsory inspection of poultry since 1930.

This year, we have seen the introduction of a number of bills, and I think all of us are pleased to see such interest in the serious problem of assuring wholesome poultry supplies.

My bill differs from the others in that it is the only one, I believe, which provides for compulsory inspection of poultry on exactly the same basis as we now inspect the other meats. The penalties are the same. The exemptions would be the same. The procedures would be exactly the same. The valuable enforcement history built up by the Meat Inspection Branch these past 50 years would now become available for the enforcement of poultry inspection. No elaborate new definitions, subject to endless litigation, would be necessary.

This has been the approach suggested to me by the research people in the American Law Division, and I think it is the best of the various approaches proposed to this important issue.

ADEQUATE APPROPRIATIONS WILL BE REQUIRED

Recently, a friend in St. Louis, Mr. August Gieseke, secretary-treasurer of the Meat Cutters Union Local 88, wrote to me on behalf of the local, urging my support for the bills which the international has sponsored on this subject. Our exchange of correspondence was as follows:

AMALGAMATED MEAT CUTTERS
AND BUTCHER WORKMEN
OF NORTH AMERICA,
AFL–CIO, LOCAL NO. 88,
St. Louis, Mo., March 9, 1956.

The Honorable Congresswoman Mrs. JOHN B. SULLIVAN,
House Office Building,
Washington, D. C.

DEAR MRS. SULLIVAN: Our union membership of 3,100 people, which consists of retail meatcutters and poultry workers who slaughter and dress poultry, are very much interested in bills H. R. 8599, H. R. 9006, and S. 3176, pertaining to Federal poultry inspection and industrial safety for poultry workers.

We are in a position to know firsthand that an inspection law is sadly needed to protect the consumer. Fowl is subject to tuberculosis and is also a disease carrier, same as any farm animal.

The consumer is not aware how dangerous it is to consume fowl which is not processed in a sanitary condition, especially diseased poultry.

We strongly urge you to support these bills for the public's protection.

Thanking you in advance for your favorable support, I am

Sincerely yours,

AUG. GIESEKE,
Secretary-Treasurer, Meat Cutters Union Local No. 88, AFL–CIO, St. Louis, Mo.

MARCH 14, 1956.

Mr. AUG. GIESEKE,
Secretary-Treasurer, Meat Cutters Union, Local 88, AFL–CIO, St. Louis, Mo.

DEAR MR. GIESEKE: I appreciated hearing from you in regard to the bills for the inspection of poultry, as urged by local 88 and also by the international officers of the Amalgamated Meat Cutters and Butcher Workmen. I am sure you know that this matter of diseased poultry being sold in interstate commerce is of very great concern to me as a Member of Congress interested in the consumer.

I have been in correspondence with the international officers of the Amalgamated on this question, and at their request I have held back on introducing a bill which I have had prepared. My bill would call for the inspection of poultry on exactly the same basis as beef and pork are inspected by the Department of Agriculture. However, the bills which the Amalgamated is sponsoring would place poultry inspection under the Food and Drug Administration.

We are in some disagreement as to the best basis for proceeding, but there is no disagreement between us as to the need for legislation. Because of the work the Amalgamated has done in bringing this matter to public attention, I am deferring to President Jimerson and the other officials of the Amalgamated on the question of strategy for the time being. So I am holding up on it for the time being, as I said.

Please be assured I will do everything I can to get legislation enacted for effective poultry inspection by the Federal Government. But even if we succeed in that, then there is the additional need for adequate appropriations. These are among my main objectives in Congress.

With kindest personal regards, I am,

Sincerely yours,

LEONOR K. (Mrs. JOHN B.) SULLIVAN,
Member of Congress, Third District, Missouri.

As I pointed out to Mr. Gieseke, Mr. Speaker, our responsibility here is not only to enact laws which will require inspection of poultry for wholesomeness, but—wherever we put the authority or regardless of the type of bill we pass—we must make sure adequate funds are appropriated to carry on the work. That is where we have fallen down in the past in our handling of pure food and drug laws. We write laws providing for penalties for selling unsafe or unwholesome foods or drugs or cosmetics, but we have not given the Food and Drug Administration the money it needs to police these very excellent laws.

Mr. Speaker, in connection with the introduction today of my poultry inspection bill, H. R. 11800, and in connection with these remarks on the House floor, I have submitted some rather lengthy material for the CONGRESSIONAL RECORD. Normally, I do not like to load down the RECORD with extraneous material. In this instance, I think it serves a highly useful purpose in bringing together in one place the basic information available on this important issue. I am including one further document, as exhibit B following my remarks, in the form of a memorandum from the Amalgamated Meat Cutters Union going into the actual conditions under which poultry is now being marketed.

I have received and read a vast amount of material on this subject. Some of it has been so graphic, so shocking, that I have decided against using it here. But this memorandum is a calm and objective report which, I believe supplements the other document from the Public Health Service, and so I include them both. I hope, as I said, that the Members can find the time to read these reports. If so, I know we will act to stop this evil.

Mr. Speaker, Exhibit A: Poultry Diseases Transmissible to Man, is as follows:

"EXHIBIT A

"POULTRY DISEASES TRANSMISSIBLE TO MAN, INCLUDING SUMMARY REPORT OF OUTBREAKS

"(By Mildred M. Galton, bacteriologist, Communicable Disease Center, Public Health Service, Federal Security Agency, Atlanta, Ga., assigned to Bureau of Laboratories, Florida State Board of Health, Jacksonville, Fla., prepared for the Chief Veterinary, Public Health)

"The diseases of poultry to which man is also susceptible comprise a rather large group. In his excellent review Ingalls (1) lists 26 such diseases including those caused by bacteria viruses, fungi, and protozoa. It is apparent that some of these diseases constitute a considerable hazard to public health.

"In a more recent discussion of this subject, Brandly, C. A. B., (2) pointed out that interspecies infection cycles usually favor similar hosts, thus, a disease in animals generally would have a greater chance of thriving if transmitted to related species than to avian hosts. He emphasized, however, that this may not always be true and discussed the nature of the host-parasite relationship of certain diseases common to man and fowl. Earlier, these infections were discussed by Brandly, P. J., (3) from the standpoint of poultry inspection and public health. In the present report the current status as public health hazards of the following diseases common to man and fowl will be reviewed:

"Bacterial: Salmonellosis, paracolon infections, erysipelas, staphylococcosis, streptococcosis, tuberculosis, brucellosis, listeriosis, tularemia, pseudotuberculosis, and diphtheria.

"Viral: Equine encephalomyelitis, newcastle disease, psittacosis, and rabies.

"Fungal: Favus, thrush, and aspergillosis.

"Parasitic: Dermanyssus gallinae, Toxoplasmosis.

"Salmonellosis

"The role of fowl, swine, cattle, and many other animals as a source of outbreaks of salmonellosis in man has been established but only during the past decade has great emphasis been placed upon the public health significance of these reservoirs in the epidemiology of Salmonella infections. There have been numerous reports incriminating poultry or poultry products in outbreaks of the disease in man. The studies of Edwards, Bruner, and Moran (4) indicate that fowls are the largest single reservoir of Salmonella in this country. While S. pullorum and S. typhimurium are the most common types, these authors found a greater number of Salmonella types (60) in fowl than any other species except man. Of these at least 56 have been found in humans. As pointed out by Hinshaw and McNeil (5, 6) 'there may well be no truly avian nor truly human types; in fact such a description frequently means only priority in isolation.' They observed 7 cases of gastroenteritis among attendants on poultry farms caused by contact with acute outbreaks in poultry. Further evidence indicated the transmission of Salmonella to fowl by human carrier attendants on the ranch. All types are potentially pathogenic for man, animals, and fowls. In poultry as in man (8, 9) and other animals (4) Salmonella infection depends largely upon age and general resistance rather than upon the type of Salmonella, the young appearing most susceptible. S. pullorum until recently considered relatively nonpathogenic for man has been incriminated as the cause of one large outbreak of food poisoning (10) and several sporadic cases (11, 12). In Florida, S. pullorum has been isolated from cases of mild enteric fever and gastroenteritis in three individuals.

"Considerable evidence is accumulating concerning the presence of Salmonella in poultry meat. Cherry, Barnes, and Edwards (13) report the recovery of a nonmotile Salmonella from the skin of frozen turkeys. Galton, Mackel, and Haire (14) isolated anatum, from material appearing to be encysted egg yolk in a frozen chicken. Schneider and Gunderson (15) found 4 Salmonella types on the skin of 4.4 percent of 1,014 eviscerated chickens. They concluded that the customary methods of sanitation in the plant did not eliminate Salmonella. Most of these birds had been frozen and stored for some time. Browne (16) found that S. typhimurium survived for at least 13 months on the skin of frozen turkeys. It is thus apparent that freezing does not kill all of the Salmonella.

"More recently, attention has been given to the study of Salmonella in the environment of poultry processing plants. Browne (16) studied a turkey processing plant and isolated S. typhimurium from trays on which viscera were placed, pans in which cleaned giblets were stored, waste buckets and hands of eviscerators, trimmers, and inspectors. These organisms were also obtained from the loading platform, scalder chute, and floor, from the final wash trough, and even from dust on the rafters.

"During an extensive study of the bacteriology of commercial poultry processing, Kyle, McFadden, and Gunderson (17) isolated Salmonella from the hands of workers on the evisceration line, from the skin of birds ready for storage, from organs of the chickens, and other items on the evisceration line. Reports of outbreaks of food poisoning following the consumption of poultry meat are numerous as evidenced by the weekly reports of the National Office of Vital Statistics (see table 1).

"Reports implicating raw, frozen, or dried eggs as sources of Salmonella outbreaks appear frequently. Watt (18) reported such an outbreak attributed to raw eggs which contained S. montevideo. S. tennessee was isolated from frozen whole eggs and from powdered eggs by Schneider (19). Extensive studies on the occurrence of Salmonella types in dried egg powder have been reported by Schneider (20), Solowey (21) and associates, and the British investigators (22). Further studies on heat resistance and destruction by pasteurization of Salmonella organisms isolated from spray dried or liquid whole egg have been reported by Solowey et al. (23), Winter et al. (24, 25), and Goresline (26 et al.). The investigation carried out by Goresline et al. revealed that pasteurization can be used successfully, under processing-plant conditions, to produce liquid, frozen, and dried whole eggs free of Salmonella. They recommend flash heating the liquid whole egg to 140° F. and holding at that temperature for 3 minutes to kill any Salmonella present.

"That breaks in the pasteurization procedure do occur in large processing plants is indicated by a recent announcement in the Associated Press (November 28, 1952) in which the Food and Drug Administration issued a warning to the public to discontinue use of Swift & Co.'s canned dried egg yolk due to the presence of Salmonella organisms. This product had been pasteurized.

"McCullough and Eisele (27) were able to produce clinical salmonellosis in 32 human volunteers by experimental infection with strains of Salmonella meleagridis and Salmonella anatum derived from spray dried whole egg. Similar studies (28) with S. newport, S. derby, and S. bareilly resulted in clinical illness in 15 subjects, and with 4 strains of S. pullorum (29) there were 27 cases of human illness.

"It is thus obvious, as emphasized by Hinshaw and McNeil (5) that 'both from a poultry economic and public health standpoint, Salmonellosis is a hazard which should be eliminated.' These investigators present the following essentials for prevention of the disease in poultry: (1) 'elimination of known infected flocks as sources of replacements for breeding flocks (2) the use of separate hatching facilities for eggs from such flocks (3) the frequent use of diagnostic laboratories, to discover new outbreaks which may endanger future replacement sources (4) the recognition of numerous animal reservoirs of these diseases which must be controlled to prevent transmission (5) fly control, and (6) cooperation of growers, hatcheries, veterinarians and State agencies in securing replacements from salmonellosis-free sources.

"Paracolon infections

"The significance of the etiological relationship between paracolon organisms and enteric infections in man is difficult to determine due to the frequent recovery of some of these strains from the feces of apparently healthy persons and the lack of adequate methods of classification of different types. However, there have been numerous reports (8, 9, 30, 31) indicating pathogenicity of some types.

"Many of the paracolon organisms contain antigens common to the Salmonella and Shigella groups. This is particularly true of the Arizona group of paracolons which are closely related to the Salmonella. The excellent work of Edwards and his coworkers (32, 33, 34, 35) in establishing a satisfactory serologic classification for the Arizona group and presentation of epidemiological data leaves no doubt that these paracolon organisms are pathogenic for animals. The majority of cultures of this group that have been studied were isolated from fowls, egg powder, and reptiles. Many cultures were obtained by Hinshaw and McNeil (36, 37) during studies of infections among reptiles and turkeys. The symptoms and pathology in birds infected with these paracolon bacilli are comparable to those which occur in salmonellosis in fowls. The organisms have been isolated from heart blood, and all organs indicating a definite septicemia; young fowls, particularly poults, appear more susceptible. Mortality in flocks was comparable to that found in Salmonella infections. The spread of the inftctions by hatcheries and through eggs has been clearly established (35, 36).

"There have been scattered reports of the isolation of Arizona paracolon bacilli from man. Of 456 cultures studied by Edwards, West and Bruner (35) 5 were from human sources. All were from cases of enteric infection in which no other pathogenic organisms were recognized. Verder et al. (38) isolated a paracolon identified by Edwards as Ar. 1, 2:1, 2, 5 from 70 percent of patients cultured during an outbreak of gastroenteritis involving 51 student nurses. The organism was not obtained from 16 normal students cultured. Buttiaux and Kesteloot (39) reported the isolation of paracolon bacilli similar to the Arizona group from 6 patients, 3 with acute enteric disease, 2 with chronic colitis, and 1 with a typhoidlike fever. In 1950, Murphy and Morris (40) described 2 small outbreaks of gastroenteritis, both of which were associated with a member of the Arizona paracolon group. In both episodes, evidence relating to source of infection, incubation period and symptoms of individuals involved resembled the pattern observed in food infections due to Salmonella. Bacteriological findings indicated the paracolon bacillus was the etiologic agent.

"Thus, the necessity for the prevention and control of this infection is fowl is obvious.

"Erysipelas

"The occurrence of a septicemia associated with Erysipelothrix rhusiopathiae the causative agent of swine erysipelas and erysipeloid infection in man, has been reported in many species of birds. Fish though not susceptible carry the organism on the slime. The disease is relatively common in turkeys and ducks (41, 42, 43). It is characterized in acute cases by febrile symptoms and occasionally diarrhea; death may occur in 1 to 2 days; in chronic cases by loss of appetite, diarrhea and gradual emaciation (44). Diagnosis depends upon bacteriological examination as lesions are indefinite and not usually considered pathognomonic. The infection in man, first recognized by Rosenbach, in 1884, may occur as a mild, localized cutaneous lesion, sometimes accompanied by mild arthritic symptoms; as a diffuse or generalized cutaneous eruption, with arthritic symptoms and negative blood culture or as a septicemic form with endocarditis (45). Chronic cases of long duration have also been reported (46).

"Ersipeloid has long been recognized as an occupational disease of abattoir employees, veterinarians, butchers, kitchen workers and those handling poultry and fish (47). In a review of 100 cases Klauder (48) was able to obtain a history of contact with animals, animal products or fish. Stiles (41) reported cutaneous lesions and symptoms of erysipeloid in the owners of an infected turkey flock. Successful treatment of the disease in man with penicillin has been reported frequently (46, 49, 50). Stiles considered the public health significance of marketing possible infected turkeys and outlined the procedure followed in an outbreak in one flock. Apparently healthy fowls were marketed to a processing plant where they were subjected to Federal inspection. Questionable birds were rejected and the slaughtered birds were boned and sterilized by canning.

"According to Klauder (48), the virulence of E. rhusiopathiae varies in different species and in the same species. The organism has the capacity to change suddenly from a harmless saprophyte to a pathogenic parasite. Although man is relatively immune when the organism enters the gastro intestinal tract, cutaneous infections appear rather commonly. Skalova (51) in Yugoslavia has reported one fatal case of infection with E. rhusiopathiae.

"Staphylococcosis

"Staphylococci are widely distributed in nature but they may cause a variety of disease entities in man, domestic animals and fowl. Avian staphylococcosis has been reported in turkeys by Jungherr (52) Hinshaw and McNeil (53) and Hinshaw (54), in geese by Lucet (55), in ducks by Van Heelsbergen (56), and less frequently in chickens (57, 58). In fowl the infection occurs as an acute septicemia or chronic arthritis also known as bursitis, hock disease, ostitis or synovitis. In man, the most frequent manifestation is food poisoning, produced by an enterotoxin liberated by the growth of some staphylococcus strains in food prior to ingestion. Septicemia occurs occasionally in man. Althought no reports have been found concerning the transmission of fowl staphylococcosis to humans McNeil (59) states that they have isolated Micrococcus pyrogenes from boils on the hands of workers in poultry killing plants. This potential source of infection in man warrants further study.

"Streptococcosis

"Streptococcus infections occur in both man and birds. Ingalls (1) is of the opinion that the infection in poultry does not play a prominent part in human disease, however, he has observed that the handling, dressing or eating of infected birds may serve as a source of infection in man. Acute streptococcic septicemia in fowls was first observed in this country by Norgaard and Mohler, 1902 (60) and later by Hudson (61). The disease is highly fatal. A chonic infection of hens due to hemolytic streptococci (group C) was reported by Edwards and Hull (62). Buxton (63) in England reports an acute infection of poultry due to streptococcus zooepidemicus which became chronic after 4 weeks. Edwards (64) states that all streptococcal infections of poultry that he has encountered have been due to the so-called animal group C types. A search of the literature revealed no reports of infection of fowls due to group A streptococcus strains.

"Tuberculosis

"Avian tuberculosis is widely distributed in poultry throughout the central and north central sections of the United States. It frequently also infects swine, occasionally cattle and rarely man. It is most common in chickens and pigeons, although it does infect other species of fowl. Chickens are susceptible only to the avian type of the tubercle bacillus. The question of the pathogenicity of avian tubercle bacilli for man

has received much speculation. Feldman (65) has reviewed the literature up to 1938 and concluded that although human infection does occur, it is very rare. He further observed that many of the reported cases were inadequately or incompletely studied resulting in a questionable diagnosis of avian tuberculosis. Rich (66) reviewed the data available up to 1944 and 'noted that if progressive tuberculosis is ever produced in the human being by the avian tubercle bacillus it must be only rarely.'

"There have been a few confirmed cases, however, in which the organisms were identified. Bradbury and Younger (67) reported a case of pulmonary tuberculosis in a man from whom organisms were identified as the avian type on three occasions. This man had consumed 1 or more raw eggs a day for 30 years providing a possible source of infection. Avian tubercle bacilli were also isolated from a mediastinal lymph node from a man (68). A diagnosis of Hodgkin's disease had been made. Another isolation was reported from a case diagnosed as Boeck's sarcoid in a 50-year-old woman who had lived on a farm in Norway where tuberculosis of chickens was common (69).

"In chickens the disease is characterized by its chronicity and by lesions in the liver, spleen, kidneys, ovaries, intestines, and bone marrow. Large numbers of organisms are disseminated in fecal material. The bacilli are occasionally present in eggs from tuberculous hens.

"Feldman (70) makes the following statements concerning the suitability of tuberculous fowl for human consumption: 'When food markets are supplied from territories where tuberculosis is prevalent among chickens, the question of the suitability of the tuberculous fowl for human consumption is important. The problem is pertinent, not only because of the possible transmission of avian tuberculosis to human beings, but also because of the natural aversion of most people to food prepared from diseased animals. In the absence of a nationwide, efficient post mortem inspection of poultry, the only assurance to the consuming public that carcasses of dressed poultry represent healthy animals is the integrity of the merchant and the ability of the laity who dress fowl to recognize morbid processes.'

"Brucellosis

"Natural outbreaks of Brucella infection on poultry farms have been described in Italy by Fiorentine, in France by Dubois (71) and in the United States by Emmel (72). The symptoms in birds appear quite variable. In some, general debility, diarrhea, and paralysis are observed with high mortality; in other, no symptoms appear. Post mortem examination shows enlargement of spleen, degeneration of liver and kidney with necrotic foci and enteritis. Emmel and Huddleson (73, 74) were able to produce infection in fowl by feeding naturally infected milk, portions of an aborted fetus and cultures. They also reported the occurrence of natural infection in four flocks. Pagnini (75) attempted to infect chickens by giving them gelatin capsules containing Brucella. He succeeded only when employing large numbers of organisms and concluded that chickens were not of great significance in the spread of brucellosis. Pavlov (1938) (76) reported 5 of 7 rabbits placed with infected chickens became infected and died in 3 months. Brucella organisms were isolated from the rabbits. None of 3 normal chickens and 10 normal guinea pigs, placed with the infected chickens showed evidence of infection. Eggs from chickens infected with massive doses of Brucella were found to contain the organism only between the 4th and 14th day after infection.

"The experiments of Felsenfeld and his associates (77) showed that intramuscular, and intraperitoneal infections and feeding of Brucella, caused bacteriemia, fecal excretion of organisms and the appearance of significant serum agglutinin titers. They also observed cross reactions with Vibrio cholerae, Proteus OX-19 and S. pullorum antigens. Brucella were transmitted to normal chickens by feces from infected chickens. These investigators point out the possibility of misinterpreting pullorum disease in flocks of chickens with Brucella infection due to the cross reactions with pullorum antigens. They have observed also the difficulty in detecting infected chickens during inspection due to the frequent absence of significant pathology.

"Since birds can become infected with Brucella and may thus transmit the disease to other fowl, domestic animals and man, efforts to prevent the contact of poultry with infected mammals should be taken.

"Listeriosis

"Listeria monocytogenes is a causative agent of sporadic cases of meningitis in man and also has been isolated from the blood of patients with an infectious mononucleosis-like syndrome (78). In chickens it produces a specific septicemia with apparently few clinical symptoms. Necrotic lesions of the heart muscle and generalized edema may occur. Many other hosts are susceptible to spontaneous infection including the goat, sheep, cow, fox, guinea pig, and rabbit. It is noteworthy that the encephalitic symptoms, characteristic of listeriosis in domestic mammals have not been observed in naturally affected chickens.

"Distribution of the infection in man and animals appears to be worldwide (78, 79); in chickens outbreaks have been reported in many parts of the United States and England (80, 81, 82).

"Although no reports have been found to indicate direct transmission of Listeria infection from poultry to man the fact that both are susceptible warrants consideration of the situation from a public-health standpoint.

"Pasteurelia

"Tularemia

"According to Burroughs (83) grouse, sage hen, quill, and horned owl have been found naturally infected with tularemia. At least two cases of tularemia (84, 85) have occurred in man where the source of infection was attributed to pheasants dressed by the individuals. Apparently the disease does not exist or is very rare in poultry since it is not referred to in Disease of Poultry edited by Biester and Schwarte in 1948.

"Pseudotuberculosis

"Pseudotuberculosis caused by Pasteurella pseudotuberculosis rodentium, is a disease occurring in birds, animals, and man (86, 87). It is characterized by an acute septicemia of short duration followed by a chronic focal infection which gives rise to tubercular lesions in various organs. In fowl, outbreaks have been reported chiefly in turkeys and rarely in ducks, pigeons, and chickens causing considerable losses in the former. In man it appears to be rare but highly fatal. Meyer (88) refers to reports of 14 human cases, 11 of which terminated fatally. According to Meyer the mode of transmission is not definitely known, but it is believed that P. pseudotuberculosis, widely distributed in nature and disseminated through infectious excretions of affected birds or rodents, attacks susceptible animals through the digestive tract. Usually the abdominal viscera are primarily diseased. Injuries of the skin may also serve as portals of entry. Direct or indirect contact may introduce the infection into a flock of birds. Hygienic conditions and prevention of exposure to infection are the usual prophylactic procedures.

"Pasteurella multocida, as the name indicates has more than one host. The many strains of this group change continuously in physiologic functions, antigenic structure, and pathogenic ability. The total range of susceptible animal species is wide, including man, rodents, herbivores, fowls and possibly carnivores but each host has its characteristic limitations beyond which it rarely goes in spontaneous disease. The first bacteriologically proved human case was reported by Brugnatelli (88) in 1913. Since that time human infections with P. multocida are being recognized more frequently.

"A review of the literature since 1930 by Schipper (90) revealed 21 bacteriologically proven cases from reports on 39 cases. Further evidence to support the occurrance of more frequent infection in man was presented by Needham (91). He isolated P. multocida from 11 patients of the Mayo Clinic during 1947. Later Olsen and Needham (92) reported the isolation of this organism from an additional 26 cases bringing the total to 37 cases observed at the Mayo Clinic during the period from October 1946 to July 1951. Twenty-seven of the thirty-seven patients were either farmers or members of a farmer's family. The source of material for bacteriologic study included bronchial secretion 17, sputum 15, empyema fluid 2, abscess of frontal sinus 1, appendiceal abscess 1, and purulent drainage from joint 1. All strains from these cases were found to be sensitive to low concentrations of penicillin. Although most of the patients had bronchiectasis, the authors consider P. multocida a probable "secondary invader." They emphasize, however, that the isolation of animal Pasteurella in cases of human disease has a definite significance. In view of the relative prevalence of human infection they recommended a more thorough search be made for this organism in infected material. Neter and associates (93, 94) have observed P. multocida wound infections in four children following bites by or contact with animals. These investigators (95) found aureomycin superior to terramycin treatment of P. multocida infection in mice.

"Numerous outbreaks of Pasturella infection (fowl cholera) in poultry have caused considerable losses. Murray (96) states that 'while man may generally consume without harm fowls that are suffering from the disease, it is advised that their meat should under no circumstances be used as human food.'

"Diphtheria

"Although there appears to be no evidence indicating that diphtheria in poultry is of public health significance, at least one human case has been reported in which evidence pointed to chickens as the source of infection. In a study of 256 cases of human diphtheria where contact with chickens was established, Litterer (97) reported 2 instances in which fowl harbored the virulent organisms. Identical organisms were isolated from a child in the family who owned the fowls. He was able to infect chickens with cultures obtained from infected children and chickens and concluded that fowl can transmit virulent diphtheria to man. According to Huyyra and Marek (44) the so-called fowl diphtheria or roup is caused by a virus and the disease is now known as the muco-membranous form of fowl pox.

"Virus diseases

"Eastern Equine Encephalomyelitis

"Eastern equine encephalomyelitis primarily a summer disease of equine and avian animals, is transmissible to man, in whom it is usually characterized by extensive inflammation and destruction of the central nervous system. It was first recovered from human CNS tissue by Fothergill et al (98), 1938; in the same year the first natural outbreak in birds was reported by Tyzzer, Sellers, and Bennett (99) who encountered fatal infection in ringnecked pheasants in Connecticut. Also in 1938 Fothergill et al (100) observed natural infection in pigeons in Massachusetts. Beaudette and Black (101)

have reported the appearance of natural outbreaks in pheasants in New Jersey from 1938 through 1946 except in 1940 and 1941.

"Davis (102) found that 6 species of Aedes mosquitoes were capable of transmitting the virus from infected birds to normal animals after a 9-day incubation period. Mosquitoes fed on infected birds transmitted virus to mice and birds; those fed on mice transmitted it to birds, mice, and guinea pigs.

"The symptoms reported in pheasants include paralysis, staggering, head drawn over back, and anorexia. Death occurred in 1 or 2 days or the birds recovered slowly. The infection has been produced experimentally in chickens and turkeys. After experimental inoculation, Ten Broeck (103) and Tyzzer (104), working independently, showed that chickens may develop a viremia without visible signs of infection.

"In man, children appear more susceptible. A mortality rate of 65–70 percent has been reported in the age group under 10 years.

"Western and St. Louis Encephalomyelitis

"The western and St. Louis types of encepholamyelitis are similar in many respects and although they are quite distinct from the eastern type, they also infect a wide range of hosts including equine animals and fowl. The extensive studies of Hammon have shown the important role that birds play in the epidemiology of these diseases. During the summer of 1941 Hammon et al. (105, 106) in the Yakima Valley, Wash., found that Culex tarsalis mosquitoes were infected with the viruses of western and St. Louis equine encephalitis, and that approximately 50 percent of the chickens of the area had specific antibodies for these viruses, but no chicken epizootic had been observed. Experimental infection with both viruses produced a viremia but no signs of illness. Evidence indicates that viremia of man and horses is of short duration. Virus isolations from blood are rare. These authors also observed that Culex tarsalis fed predominantly on birds. Recently (107, 108) the chicken mite Dermanyssus gallinae has been found infected with the St. Louis and western type viruses. These findings have focused even more attention on the chicken as an important source of mosquito infection. In further studies in the Yakima Valley, Hammon (109) examined 576 sera from mammals and wild and domestic birds by the neutralization test for antibodies against both viruses. Each of the viruses were positive in approximately 50 percent of sera from domestic fowl; 17–22 percent in wild birds, and only 8 percent from wild mammals.

"Japanese B Encephalitis

"Another of the summer encephalitides, chiefly prevalent in the Far East, is characterized by varied clinical symptoms, and caused by a virus similar in many ways to that of St. Louis encephalitis. According to Hammon less certainty is felt about the source of mosquito infection in this type, Hammon et al. (110) have demonstrated virus in mosquitoes caught in Japan. Thus the virus must be available in the blood of some animal. They have been able to detect small amounts of virus in the blood of inoculated chickens. More recent studies (111) have indicated wild birds as potentially important as a source of mosquito infection.

"Thus, it appears that poultry, especially chickens, may serve as an important source of infection with the eastern, western, and St. Louis encephalitis viruses and possibly also the Japanese B type.

"Newcastle Disease

"Newcastle disease (avian pneumoencephalitis) primarily a disease of world-wide distribution in fowls was first recognized in man in 1943, by Burnet (112) who isolated the virus from a case of conjunctivitis in a laboratory worker. Subsequently, reports have appeared of virus isolation from 8 cases of conjunctivitis in man (113, 117). Anderson (113), 1946 in Australia reported 2 laboratory infections. The remaining cases were in the United States. Ingalls (115) encountered 2 cases of natural infection; one in a broiler plant operator and the other in a veterinary student. Both cases were related to recent contact with NDV infected chickens. More recently, Nelson, et al. (118) have reported the occurrence of an outbreak of conjunctivitis in poultry plant workers. Of the 40 cases, virus isolation was successful in 4 of 10 acute cases. Specimens were obtained from the conjunctiva. They obtained a high SN index on specimens from employees in the plant showing no symptoms and observed that this may indicate resistance.

"In a recent study on food poisoning bacteria in poultry and poultry products, Kyle, MacFadden and Gunderson (17) isolated Newcastle disease from chicken livers and spleens collected on the evisceration line of a commercial poultry processing plant in Nebraska. The relative frequency of cases of conjunctivitis occurring in workers on the evisceration lines of poultry processing plants prompted this study. These investigators (17) studied 3 additional cases of conjunctivitis in humans from which Newcastle disease virus was isolated at the University of Nebraska Hospital. All patients had dressed chickens prior to onset of symptoms.

"An earlier report of an outbreak of conjunctivitis among kitchen workers handling poultry in an agricultural school in Israel was made by Yatom (119).

"It is obvious from the evidence presented that Newcastle disease of poultry is capable of infecting the mucous membrane of the human eye. Thompson (120) has observed that the high prevalence of the disease in poultry as compared with the scarcity and mildness of reported cases in man indicates that general alarm concerning human infection is not warranted. More recently, evidence obtained by several workers indicates that NDV is capable of causing systemic involvement in man. Mitchell and Walker (121) report a laboratory infection apparently acquired through the respiratory tract which produced an influenza-like attack lasting about 5 days. NDV was isolated from bronchial mucus. There was no evidence of conjunctivitis. A case of acute hemolytic anemia with autohemagglutinative vascular phenomena was reported by Moolten and Clark (122) in which NDV was isolated from the patient's blood shortly after the acute phase of illness had subsided. The isolation of the virus from 5 additional cases of human infection has been reported by Quinn, Hanson, Brown, and Brandly (123). These authors have noted the possibility of man to man transmission of the disease in view of the demonstration of virus in saliva, nasal discharge and conjunctival sac washings. In one of their cases NDV was isolated from the urine. Kyle, MacFadden and Gunderson (17) observed that due to the inherrent resistance and potential adaptability of the virus, it may well become a significant public health problem.

"Psittacosis

"Psittacosis (ornithosis), an apparent, or more frequently an inapparent, infection found in parrots, parakeets, canaries, pigeons, and many other birds is also communicable to man. The infection is caused by Miyagawanella psittaci, coccoid elementary bodies intermediate between Rickettsiae and true viruses. It was formerly thought to be contracted through association with psittacine birds, however, more recent reports have incriminated ducks (124), chickens (125), and turkeys (126), as the source of infection in man. Of great importance was the discovery that visibly healthy birds harbor the virus and as shedders or chronic carriers distribute the infective agent. Irons (126) has observed that the importance of common barnyard fowl in the spread of psittacosis frequently is overlooked.

"According to Meyer (127), the significance of the demonstration of psittacosis virus in the organs and intestinal contents of ducks to the duck-raising industry has not been assessed. He further states that there is evidence that the virus, present in approximately one-third of the bird population, occasionally infects workers on commercial farms, or persons who keep ducks as pets. In a study of the problem in ducks on Long Island, during a period when psittacosis occurred in man in the area, 38 percent of 115 ducks and ducklings on 9 different farms yielded psittacosis-like virus similar to the pigeon strain.

"A recent report by Irons (126) et al., described an outbreak of psittacosis in turkey dressers in a poultry plant in Texas. There were 22 cases and 3 deaths among 78 employees of the plant. All cases had been killing, picking feathers, or wrapping heads of turkeys. Few cases had been dressing chickens. It appeared that discharges from a group of turkeys was the source of the outbreak. Clinical findings varied widely in severity of illness, from mild influenza-like attacks to fatal illness.

"A recent communication from Dr. Irons stated that they have encountered a second outbreak of ornithosis in a Texas poultry and egg plant attributed to dressing turkeys for the 1952 Christmas market. In this outbreak psittacosis virus isolations were made.

"Pigeons have frequently been incriminated in outbreaks in man and in some instances chickens have been involved also. A human infection was traced to a chicken in New Jersey. Four of 31 birds examined harbored psittacosis virus resembling the pigeon strain. Study of 2 other human cases attributed to pigeons revealed that the infected birds were caged over a chicken pen; pigeon-psittacosis virus was recovered from the organs of 2 of the chickens. Determination of the extent of spontaneous psittacosis in chickens depends upon the development of a simple serological test for mass examination of barnyard fowl (127). A newly devised indirect complement-fixation-inhibition (128) test has improved detection of the disease in chickens.

"Mandel and Jordan (129) report the demonstration of psittacosis antibodies in serums from a poultry worker with pneumonitis, in serums from other poultry workers, and in sera from fowl slaughtered in local stores.

"A case of atypical pneumonia in a poultry dealer has been reported by Duncan, Thomas, and Tobin (130) in England. Virus of the ornithosis type was isolated from the throat washings. Ward and Birge (131) describe a case of psittacosis in the owner of a pheasant ranch. Complement fixation tests on the patient were performed by the Illinois State Department of Health. Indirect complement fixation test on the pheasant serums were performed by Dr. K. F. Meyer.

"The frequency with which psittacosis has been associated with poultry workers in recent years warrants its consideration as an occupational disease problem.

"Rabies

"Although fowl may be infected experimentally with the rabies virus, there is little evidence of spontaneous rabies in poultry. Remlinger and Bailey (132) reported transmission of the disease to the chicken by bites on the comb by a rabid dog. Thus it appears that chickens can, if bitten by a rabid animal, become infected and serve as a source of human infection.

"Fungus diseases

"Probably of less hazard to poultry workers are the mycotic infections of fowls. Those which deserve mention are aspergillosis, favus, and thrush. Although these infections are rare in man and frequently of a

mild nature they do occur. Emmons (133) states that fungus diseases of poultry are of little danger to man unless there is heavy exposure and the individual has other predisposing factors.

"Aspergillosis

"Aspergillus fumigatus is especially pathogenic for birds and occasionally causes aspergillosis in man. The disease is common enough in domestic birds, pigeons, chickens, and ducks to be of some economic importance. In young chicks it frequently occurs in epidemic form and is known as brooder pneumonia (134). The disease may be localized or generalized but usually occurs in the lungs and air sacs.

"The infection appears to be acquired following inhalation of spores from moldy grain or litter. In man observations have indicated that infection also frequently follows exposure to air carrying many spores. Infections to the external ear have been attributed to aspergillus spores. However, the recent studies of Singer, Freeman, and Hardy (135) on otitis externa indicate that this fungus is of minor importance.

"According to a communication from Dr. W. L. Sippel, of the Georgia Coastal Plains Experiment Station they have encountered outbreaks of aspergillosis in birds in south Georgia.

"Favus

"Favus is a type of ringwork caused by several species of the genus Trichophyton (Achorion). The agent of favus or white comb in poultry is Trichophyton gallinae. In his excellent review of mycotic diseases of animals Gordon (136) states that despite the numerous references to the disease in American literature, there have been only 2 instances that an organism has been cultured which could be identified as T. gallinae according to published reports. It has been isolated from a human infection in France (137) and on many occasions from fowl favus in Europe and South America.

"Thrush

"Thrush (candidiasis, moniliasis) is another fungus infection that has caused high mortality in poultry flocks, especially young birds. It is caused by the yeast-like organism Canadian albicans. The disease has been observed in chickens, pigeons, turkeys, pheasants and other birds, and in man. In poultry lesions are localized in the mucosa of the upper alimentary canal and appear as whitish ulcers or psuedo-membranes in the crop, and gizzard.

"In man (137) Candida albicans may cause infections of the mucous membranes of the mouth and vagina; infections of the skin and nails: systematic infections or a mild broncho-pulmonary infection.

"No reports have been found indicating transmission of the disease from infected fowl to man although this may occur.

"Parasites

"Infestation with Dermanyssus gallinae the poultry mite frequently causes irritation and an itching dermatitis in poultrymen.

"Toxoplasma

"According to Manwell et al. (138 toxoplasmosis is one of the least understood of human infections as well as one of the most recently recognized.

"It is still uncertain whether birds are naturally infected with any strain of toxoplasma infective for mammals. But Manwell et al. (138) found that certain species including the duck, chicken, pigeon, canary, and wild birds are highly susceptible to experimental infection with a toxoplasma strain of human origin.

"The uncertain knowledge of this disease in man and birds, for the present, obscures its significance.

"It should be mentioned that Ingalls (1) has pointed out one other disease, leptospirosis, as an occupational hazard to poultry dressing plant employees, although the birds are rarely, if ever, infected.

"The predominance of poultry workers among the first patients found to have leptospirosis in the Detroit area led Molner (139) to study the problem in poultry dressing plants. It was found that rats were commonly in and around the plants. By washing work tables with Ringer's solution in the morning after exposure to the rats at night and infecting guinea pigs with the washings a clinical picture of Weil's disease was produced. No mention is made of isolation of the organism. This probable source of infection could, however, be eliminated by adequate sanitation measures and rat control.

"Some of the diseases reviewed in this report are of interest chiefly from an academic standpoint, whereas others present a definite public health problem.

"Measures toward controlling the incidence of infections that man may acquire from poultry have been adequately summarized by Brandly (C. A.) 2 as follows: 'It may be emphasized that suppression and eventual eradication of transmissible diseases common to birds and man require, at the onset, thorough elucidation of epizootiology together with adequate and often needed improvements in detection and diagnostic methods. These knowledges and skills, supplemented by sound long-range perspectives and practices and abetted by persistent educational programs must inevitably lead to success against this costly and needless loss and waste. Now, and in the future, necessary safeguards must aim to reduce the "occupational hazards" both against established bird to man infection chains, and against the factors of contact and exposure which may favor adaptation of other infectious agents to man from birds, and vice versa. Finally, a sound and inclusive poultry inspection service based on established practices and under competent veterinary supervision must be our primary bulwark toward protecting both the health of the public and the integrity of one of our major sources of food.'

"TABLE 1.—*Reported outbreaks of salmonellosis attributed to poultry or poultry products reported by FSA (National Office of Vital Statistics) 1951–52*

Date of outbreak	Location	Number of persons involved	Type isolated	Probable vehicle	Type isolated from material
Jan. 13, 1951	California	11	S. anatum	Turkey	S. anatum.
May 19, 1951	Minnesota	10	S. typhimurium	Raw turkey eggs	Not stated.
June 9, 1951	Illinois	340	None	Egg white	S. montevideo.
Sept. 8, 1951	California	30	S. typhimurium	Duck eggs in ice cream	No ice cream examined.
Sept. 15, 1951	Washington	16		Roast turkey	Salmonella-like organism.
Nov. 24, 1951	California	31	S. typhimurium	Roast turkey sandwiches	Negative.
Dec. 22, 1951	do	33	do	do	Do.
Jan. 19, 1952	do	41	S. newport	Sliced turkey	S. newport.
May 17, 1952	do	14	S. typhimurium	Pudding with eggs, chicken and turkey fat	S. typhimurium.
June 28, 1952	do	10	S. montevideo	Eggs in homemade ice cream	S. montevideo from ice cream.
July 5, 1952	Massachusetts	84	S. typhimurium	Roast turkey	Not examined.
July 12, 1952	Illinois	11	do	Turkey dinner	Do.
July 26, 1952	California	27	S. newport	Chicken chili	Do.
Oct. 4, 1952	Maryland	7	Sal. Sp	Eggnog	Do.
Nov. 15, 1952	New York	2	S. heidelberg	Turkey	None.
Dec. 20, 1952	14 States and District of Columbia	68	S. montevideo	Commercial canned powdered egg yolk	S. montevideo.
Dec. 20, 1952	Mississippi	14	S. oranienburg	Partly cooked turkey	Not examined.

"*Reported outbreaks of gastroenteritis in which poultry or poultry products were the suspected vehicle of infection, FSA (National Office of Vital Statistics), 1951–52*

Date	Location	Number of persons ill	History
June 16, 1951	Connecticut	65	Both reported in a private school. Onset 10 to 24 hours after eating turkey. Laboratory examination incomplete.
June 16, 1951	do	70	Do.
June 23, 1951	California	300	Poorly cooked turkey indicated as vehicle of infection.
July 7, 1951	Tennessee	[1] 247 [2] 27	Outbreak in State institution. Hemolytic Staph. aureus isolated from chicken salad.
Aug. 18, 1951	Maine	4	Commercially canned chicken and commercial mayonnaise probable vehicle of infection.
Aug. 25, 1951	California	9	Passengers on plane from San Francisco to Honolulu. Staph. aureus isolated from casserole diced ham and creamed boiled eggs.
Apr. 14, 1951	do	8	Chicken sandwiches suspected source of infection.
May 12, 1951	New York	21	Turkey dinner. Investigation incomplete.
June 2, 1951	Connecticut	94	Roast chicken in restaurant suspected source infection.
Sept. 22, 1951	California	7	Hemolytic Staph. aureus isolated from turkey dressing.
Sept. 29, 1951	Connecticut	19	Onset 7 to 18 hours after eating turkey. A paracolon organism isolated from turkey meat.
Oct. 6, 1951	Minnesota	110	Chicken loaf sandwiches. Bacteriological examination revealed gamma Streptococcus, E. freundii and A. Aerogenes.
Dec. 22, 1951	New Y9rk	40	Onset 2 to 5 hours after eating egg salad. Staphylococci, enterococci and coliform organisms isolated from egg salad.
Jan. 5, 1952	Maine	8	Cooked chicken eaten. No other information.
Jan. 19, 1952	Idaho	34	Onset 6 to 12 hours after eating creamed chicken. No laboratory examination reported.
June 24, 1952	California	4	Onset 3 hours after eating turkey a la king. Staph. aureus isolated from turkey.
July 12, 1952	do	6	Onset about 3 hours after eating roast chicken. A Staphylococcus organism isolated from chicken, ham, and cake.
Nov. 22, 1952	Washington	120	Onset 10 to 12 hours after eating chicken. A gram positive Micrococcus isolated from chicken.
Dec. 20, 1952	Arkansas	50	Turkey probable vehicle of infection. None available for laboratory examination.

[1] Patients.

[2] Employees.

"Reported cases of psittacosis FSA (National Office of Vital Statistics), 1951–52

Date	Location	Number persons ill	Laboratory findings	Contact with birds
Mar. 31, 1951	Chicago	2	Rise in complement fixation titer	Parakeet.
June 23, 1951	New York	1	do	Psittacine birds in home, 1 died. Psittacine virus isolated by Dr. K. F. Meyer.
Do	do	1	Unknown	Pigeons.
July 28, 1952	Minnesota	1	Complement fixation	Homing pigeons. Psittacine virus isolated.
Jan. 26, 1952	Chicago	1	Complement fixation positive	Parakeet and pigeons.
Feb. 16, 1952	Minnesota	2	do	Florida parakeet. Died.
Feb. 23, 1952	Connecticut	1	Incomplete	Florida parakeet. Psittacine virus isolated.
Mar. 1, 1952	Texas	29	Complement fixation positive virus isolated	Poultry packinghouse.
Mar. 8, 1952	Connecticut	1	Complement fixation positive	Lovebirds.
Do	Kentucky	2	do	Parakeet.
Do	Indiana	2	Not stated	Do.
Mar. 29, 1952	District of Columbia	1	do	Maryland parakeet. Psittacine virus isolated from bird at NIH.
Do	Connecticut	1	Complement fixation suggestive	None known.
Apr. 12, 1952	do	1	Complement fixation positive	Florida parakeet (mother of Connecticut case Feb. 23, 1952).
Do	Minnesota	1	Rise in complement fixation titer	Parakeet (local).
Apr. 19, 1952	Colorado	1	Rise plus in complement fixation titer	Exposed to Florida parakeets in Minnesota.
May 12, 1952	Missouri	2	Not stated	Parakeet in Kansas City pet shop.
May 10, 1952	New York	1	Rise plus in complement fixation titer	Florida parakeets.

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Mr. Speaker, exhibit B, Poultry Inspection and Health Hazards, is as follows:

"EXHIBIT B

"POULTRY INSPECTION AND HEALTH HAZARDS

"This memorandum seeks to present evidence concerning the need for compulsory Federal inspection of poultry for wholesomeness in interstate commerce.

"The data contained in this memo form the highlights and a summation of the findings made by the Amalgamated Meat Cutters and Butcher Workmen of North America, A. F. of L., during more than a year of study. The information is presented in the hope that you will interest yourself in the problem of bringing standards of wholesomeness and sanitation to the mushrooming poultry industry. You, thereby, can help end the flow of diseased and filthy poultry which is currently endangering the consumer and poultry worker.

"The Amalgamated Meat Cutters and Butcher Workmen, A. F. of L., has more than 300,000 members working in the poultry and meat industries. It has, therefore, become acutely aware of the shocking sanitary and health conditions presently existing in some sections of the poultry industry. The Amalgamated has made great strides in ending these practices in many plants, but the scope of its effectiveness is limited. It, therefore, looks to Congress to protect the health of poultry workers and of consumers, as a whole.

"Lack of poultry inspection

"The poultry industry stands alone among the major producers of food for the Nation in that it is not properly regulated to assure wholesomeness or freedom from disease. Unlike red meat, poultry can be, and is, sold filthy and diseased with immunity. No law exists on a national level to provide for the compulsory inspection of this much-eaten food.

"The phenomenal growth of the poultry industry in the past 20 years is responsible to a degree for the existence of this condition. In 1940 143 million broilers were raised commercially. In 1954 1,050,000,000 were raised. During the same period of time the production of turkeys increased from 34 million to 61 million birds.[1] This expansion has caused the poultry and egg industry to become the third largest source of agricultural income in the United States. The national poultry and egg income is estimated at $4.1 billion for 1954, and latest figures show it is still expanding at a rapid rate.

"An inspection service for sanitation and wholesomeness is maintained by the Production and Marketing Administration of the United States Department of Agriculture. However, inspection is purely voluntary. The processor is under no obligation whatsoever to have his product inspected. If he does seek the inspection, he must pay the full cost of it. In other words, not only can he get by without assuring the public of the wholesomeness of his product, but he is monetarily penalized if he seeks to provide that assurance.

"It should be noted that only 21 percent of the poultry in interstate commerce is inspected for wholesomeness and sanitation. In 1953 United States Department of Agriculture veterinary inspectors condemned as unfit almost 2 million (1,843,446) poultry carcasses. This figure does not take into account the many organs and parts condemned when the carcasses in whole or in part were certified as wholesome.[2]

"These sad facts do not tell the full story of the inadequateness and ineffectiveness of the permissive inspection by the Production and Marketing Administration. One of the major dangers is that Production and Marketing Administration often permits the owner of the poultry business or one of his employees to serve as official sanitarian and grader. Here, certainly is a tremendous conflict of interests, and the interest of the consuming public becomes secondary.

"This system does not meet the criterions laid down by Brig. Gen. Wayne O. Kester, Office of the Surgeon General, United States Air Force, who declared:

"'An inspection agency, to be acceptable, must comply with four cardinal prerequisites for an adequate inspection system.

"'First, the inspectors must be competent and qualified.

"'Second, they must have tenure of office, so that no one may put pressure on them in connection with their duties.

"'Third, the inspectors' agency or supervisors must be responsible and accountable to the consumer.

"'Fourth, the inspector must have no financial interest or connection with anyone in the organization being inspected.'

"Ineffectiveness of PMA program

"Actually, it is little wonder that the Production and Marketing Administration has been ineffective in its inspection, for this service was not intended primarily to safeguard the public health. Instead, it was established to promote the marketing of poultry products.

"Many people believe mistakenly that the PMA inspection service was established to provide a form of inspection and regulation paralleling that of the Federal Meat Inspection Act. In reality, the Production and Marketing Administration initially provided only a grading service which was utilized in trading between dealers. At the request of certain processors, this service was extended to include inspection for wholesomeness and sanitation on a take-it-or-leave-it basis.

"But even when diseased poultry is rejected under the present system, the carcasses are not necessarily condemned. For example, there is the classic case of the 60,000 birds of a Brady, Tex., poultry plant. The Army rejected the turkeys because they had been hit by the 1954 Texas outbreak of ornithosis (psittacosis). But instead of disposing of the carcasses, the processors sold them for civilian consumption. Public health authorities traced them to east coast cities—many of them carrying live ornithosis (psittacosis) virus.

"There are even instances in which health officers of cities having rigid poultry inspection programs have excluded poultry that came from plants inspected by the Production and Marketing Administration. For example, Dr. Aaron H. Haskin, Health Officer of Newark, N. J., wrote on December 7, 1954, to Earl W. Jimerson, president of the Amalgamated Meat Cutters and Butcher Workmen of North America, A. F. of L.:

"'About 1 month ago I excluded from sale in the city of Newark, N. J., the products of a poultry-processing plant which bore a USDA inspection legend. Meat inspectors from this office upon visiting the premises found numerous pertinent violations which had existed for a long time.'

"Limited activities of United States Food and Drug Administration

"The only Government agency responsible for preventing diseased and filthy poultry from coming to the market place is the United States Food and Drug Administration. Acting under the Federal Food, Drug, and Cosmetic Act, that agency has the right to seize any adulterated food, including poultry.

"However, the slashes in appropriations the Food and Drug Administration has suffered and the lack of a compulsory ante mortem, post mortem inspection law has made its job impossible.

"Thus, when Congresswoman LEONOR K. SULLIVAN, of Missouri, asked in September 1954 about the United States Food and Drug Administration's ability to police the poultry industry, then-Commissioner C. W. Crawford replied:

"'We estimate that there are approximately 1,300 interstate poultry dressing, freezing, or canning establishments in the United States. For the past 2 years we have made about 400 poultry establishment inspections each year, of which we estimate that perhaps one-fourth represent reinspection of the same firms. Thus, our program contemplates complete coverage of this industry about once every 3 or 4 years.'

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[1] U. S. Department of Agriculture; Agricultural Marketing Service; outlook issue 1955; released October 4, 1955.

[2] Paper prepared and presented by Dr. Joe W. Atkinson, DVM, consultant, U. S. Public Health Service, to the 39th annual meeting of Central Atlantic States Association of Food and Drug Officials, June 5, 1955, Atlanta, Ga.

"His successor, the present Commissioner, George P. Larrick, went even further in an April 21, 1955, letter to Shirley W. Barker, director, Poultry Department, Amalgamated Meat Cutters and Butcher Workers of North America, A. F. of L., Mr. Larrick wrote:

" 'Your assumption is correct that our average rate of inspection coverage of the poultry-processing plants amounts to a spot check once every 3 or 4 years. One such inspection of one plant at one time requires, on the average, 5 or 6 hours of an inspector's time. It is also true, as you suggest, that such a spot check cannot guarantee the wholesomeness or the legality of products prepared at other times. However, lest this be misleading to you we must point out that in many instances reasonable valid conclusions with respect to the probability of diseased or otherwise illegal poultry being shipped from a plant can be drawn from the observation made during an inspection of this type, and conversations with employees.

" '* * * Although some lots of cull poultry are recognized as obviously diseased from the external appearance of the carcass, it is our view that not only post mortem but also ante mortem examination is essential to a full program of protection of the consumer from diseased poultry.'

"In other words, the present and the former head of the United States Food and Drug Administration bluntly state that their organization cannot, under present circumstances, guarantee protection against diseased poultry for the consumer. The present Commissioner adds that not only after-slaughter inspection is needed to protect the consumer, but also a before-slaughter inspection. Such a program can only be put into force by new legislation providing the compulsory inspection of poultry.

Industrial and consumer hazards

"There are many diseases of poultry transmissible to man which constitute a public health danger.[3] Dr. James Lieberman, DVM, MPH, consultant, Poultry Inspection and Sanitation, Milk and Food Branch, Division of Sanitation, United States Public Health Service, Washington, D. C., stated at the American Veterinary Medical Association, 19th annual meeting, Toronto, July 20-23, 1953:

" 'Veterinary investigations have concluded that there are over 25 diseases of poultry to which man is also susceptible. Some of these diseases, such as staphylococcosis, streptococcosis, and salmonellosis, cause food poisoning and, hence, constitute a threat to individual and public health. Others, such as psittacosis, Newcastle disease, and erysipelas, must be viewed from an occupational standpoint, since they affect primarily our poultry plant workers.'

"Only one of these diseases, psittacosis, has resulted in the following officially recorded cases listed by the National Office of Vital Statistics of the Department of Health, Education, and Welfare:

"Year:	Deaths	Morbidity (illness)
1940	3	--
1941	1	--
1942	4	23
1943	0	1
1944	2	6
1945	0	27
1946	2	26
1947	1	27
1948	0	32
1949	0	35
1950	0	26
1951	1	25
1952	5	135
1953	4	169
1954	3	445
1955 (Jan. 1, 1955, to July 16 1955)	0	168
Total	26	1,145

"These figures, however, do not tell the full story of lost man-hours, illnesses and deaths. The National Office of Vital Statistics lists no deaths and only 32 cases of illness due to psittacosis in 1948, but Dr. J. B. Irons, Director of Laboratories of the Texas State Department of Health, has reported 3 deaths and 22 cases occurring among turkey plant workers in Giddings, Tex. alone during that year. This situation emphasizes that public health authorities are not fully aware of the annual frequency of these diseases.

"The tremendous impact of more sanitary methods and control of diseases in poultry processing plants is well illustrated by W. Vic Pringle, of the Rockingham Marketing Cooperative, Inc., Broadway, Va. Speaking before the Outlook Workship of the Institute of American Poultry Industries, Kansas City, Mo., in 1955, he said:

" 'One firm I know saved $12,000 last year in compensation insurance, by controlling infections and skin rashes, thanks mainly to a better sanitation program throughout all parts of its plants. It is also a known fact that cleanup labor and supplies can be materially reduced when plants are constantly maintained in a sanitary manner versus the occasional thorough cleanup, with a hit-and-miss job most of the time. The preventive maintenance principle applies in any field.'

"As for the hazards to the consumer, while it is true that most of the disease organisms are killed by thorough cooking to allow diseased birds to be sold is somewhat like condoning the cooking of garbage for human consumption. Edible from a medical standpoint, but certainly not desirable.

"Let us look at an affidavit taken from an employee working on poultry processing without ante-mortem, post-mortem inspection:

" 'My job was to pull feathers and those who were on the job with me and I were the first ones to handle the chickens after they had passed through the scalding process and roughing machine. When the chickens reached me most of the feathers were off the bodies and I could see the skin of the birds very clearly. It was quite often that thousands of chickens would pass on the line with sores on their bodies. Thousands of them would have large swellings as large as a chicken egg on their bodies. These swellings were filled with a yellowish pus and the odor was very strong.'

"Or as a worker in another plant has said:

" 'I work on many different jobs on the line. During this time I saw lots of chickens with lumps on them and some were full of sores. Sometimes when the lumps were cut off or they would burst, they smelled awful bad. All of these chickens went right through with the other chickens for shipment.'

"Or as another employee states in an affidavit:

" 'When a lot of chickens were returned to our plant because the customer would not take them because they were not the quality he wanted, these chickens were cut up in pieces and frozen and shipped to another customer. Many times these chickens were in not very good condition when they came back to the plant.'

"These affidavits, taken from workers employed by national concerns who sell their products under reputable name brands, certainly bear out the statement 'somewhat like cooking garbage.' There is, however, a very real danger with present methods of cooking poultry—broiling and baking at low temperatures—that it might not be thoroughly cooked. This would make real hazards of many diseases, such as salmonellosis, tuberculosis, streptococcosis, brucellosis, staphylococcosis, and others. Food infections caused by poultry constitute a major public-health problem. This is illustrated by the findings of the United States Public Health Service showing that 1 out of 4 food poisoning cases studied were the result of poultry or poultry products.

"Dr. Joe W. Atkinson, DVM, consultant, Poultry Inspection and Sanitation, Milk, Food, and Shellfish Sanitation Program, Division of Sanitary Engineering Services, Bureau of State Services, Public Health Service, stated at the 38th annual meeting, Central Atlantic States Association of Food and Drug Officials, May 5, 1954, Baltimore, Md.:

" 'In 1948, a study of 8,832 cases of food-borne disease, as reported by the States, indicated that 2,492 (or 28.2 percent) were attributed to poultry or poultry dishes. Relatively many cases so reported each year since 1948 have similarly been attributed to poultry and poultry products. These figures indicate the relative importance of poultry among sources of food-borne disease.

" 'Research indicates that poultry constitutes one of the important reservoirs of disease organisms affecting man. Such diseases may be transmitted to man, either during the preparation of poultry for marketing, or through the consumption of poultry products.'

"A 1954 United States Public Health Report summarizing 'disease outbreaks' for the previous year reveals the following:

" 'In one-third of the (Salmonellosis) outbreaks, chicken or turkey was found to be the vehicle of infection. Considering the frequency with which these fowl are found with Salmonella infections, this cannot be considered an unusual finding.'

"Foreign resistance to United States poultry

"In 1907 when the Federal Meat Inspection Act was passed, the sale of poultry was largely a matter of selling surplus birds from a farm flock. The numbers sold were so insignificant, no records were kept. In most cases the prospective purchaser saw the bird alive, and was thereby assured that it was not visibly sick or emaciated. The processing was largely done at home where, if the fowl did not appear to be healthy or wholesome, it was thrown away.

"Historically, the American people have risen to protest against unclean, unsafe practices by any food industry. In fact, the peoples of the world have sought to protect themselves against the sale of diseased or unclean foodstuffs.

"The occurrences surrounding the passage of the Federal Meat Inspection Act in 1907 are indicative of this statement. When Upton Sinclair wrote The Jungle exposing the filth and diseases which were hazards to both workmen and the consuming public the legislative bodies of this country took appropriate action to correct this situation. Today more than 80 percent of all red meats sold are processed under Federal meat inspection surveillance.

"A contributing fact to the all-out support of the Federal Meat Inspection Act was also the embargo prior to 1907 by foreign lands against the meat products of this country. The Federal Meat Inspection Act covering movement of red meats in interstate and foreign commerce corrected this condition and met the standards demanded by the American public as well as the peoples of foreign lands. Some such appropriate action by the Congress of the United States is now needed to correct similar practices and similar hazards in the poultry processing industry.

"[3] Diseases and Public Health Dangers:

"1. The Public Health Aspects of Poultry Diseases by W. L. Ingalls, DVM, MSc.

"2. Poultry Diseases as Public Health Problems by C. A. Brandly.

"3. Isolation of the Virus of Newcastle Disease from Human Beings by W. L. Ingalls, DVM, and Ann Mahoney."

"In a recent report to the poultry industry, Mr. William D. Termohlen, former Chief of the Production and Marketing Administration, United States Department of Agriculture, stated that the United States had been unable to develop markets for the export of poultry products into Europe because of embargoes.[4] Mr. Termohlen wrote:

" 'The British importers' enthusiasm was in contrast to lack of interest by the National Farmers Union representatives and an attitude of caution on the part of British veterinarians who indicated they felt United States imports would in time cause poultry disease outbreaks among their flocks. * * *

" 'Since the United States is not reported free of Newcastle (disease) by the Paris organization (International Epizootic Organization), no encouragement by United Kingdom officials toward the importation of fresh or frozen poultry meat was forthcoming.'

"Government officials of other countries feel that in the absence of adequate controls by the United States, imports from this country present hazards to their consumers and poultry industry which they are not willing to permit. In the face of a shortage of food in foreign lands, it appears that the poultry industry of the United States presently is confronted by the same dilemma faced by the red-meat industry in 1907.

"Protest by public health and consumer groups

"Many organizations, medical men, health officers, and persons in important positions have expressed interest and alarm over the present situation in the poultry industry. A notable number of them have indicated their willingness to stand up and be counted as soon as a program which would result in correction, if offered to protect the worker and the consumer alike.

"At conference after conference of public health officers and veterinarians the lack of compulsory inspection in the poultry industry has been a subject of serious discussion and suggestions have been made to correct this condition.

"On June 5, 1955, for example, the Central Atlantic States Association of Food and Drug Officials, meeting in Atlanta, Ga., resolved unanimously:

" 'Whereas all meat that enters into interstate commerce may, under Federal regulations, emanate only from federally inspected slaughterhouses; and

" 'Whereas poultry that enters into interstate commerce need not be processed in federally inspected processing plants; and

" 'Whereas uniformity in the inspection of poultry for wholesomeness is most desirable and essential for the welfare of the consumer: Therefore be it

" '*Resolved*, That the Central Atlantic States Association urges that the Federal Government take the necessary measures to require that all poultry entering interstate commerce be inspected for wholesomeness by duly authorized representatives of a Federal agency.'

"The fourth annual conference of Public Health Veterinarians of the American Public Health Association, meeting in St. Louis on October 30, 1950, received from its committee on poultry inspection and sanitation a report which includes the following:

" 'The committee further felt that all poultry entering into interstate commerce, if killed, should be federally inspected. They (sic) felt that if there is a need for the interstate inspections of "red meats," there should be a Federal law requiring the interstate inspection of "poultry meats" and they recommend that this conference go on record as recommending such congressional action as would be needed.'

"The 91st annual meeting of the American Veterinary Medical Association, meeting in Seattle, Wash., August 23 to 26, 1954, resolved that:

" 'The American Veterinary Medical Association recommends that the Poultry Inspection Service be transferred and combined with the Federal Meat Inspection Service where adequate veterinary supervision can be provided to conduct an acceptable inspection program.'

"This transfer would automatically bring about compulsory ante mortem, post mortem inspection for wholesomeness and inspection for sanitation of all poultry processing plants.

"Not only public-health officials and veterinarians have viewed this situation with alarm. The Hoover Commission's Task Force on Federal Medical Service reported in February 1955:

" 'Federal inspection of meat contrasts in form as well as in cost with its inspection of poultry. Whereas about four-fifths of the Nation's meat is slaughtered and packed under compulsory meat inspection, Federal poultry inspection not only is voluntary but also is financed by fees from users of the service and covers less than one-fifth of the Nation's commercial poultry supply.

" 'The poultry industry has doubled in size since 1940 to become the third largest source of gross farm income. Diseases common to poultry and man—especially the salmonella infections—are almost as significant in number and severity as diseases common to animal and man. Poultry or poultry dishes cause about 1 out 4 cases of food-borne disease. Environmental sanitation and handling in poultry packing plants is, in many instances, deplorable.

" 'Both the United States Livestock Sanitary Association and the Conference of State and Territorial Health Officers have recommended that State and local governments strengthein their poultry inspection and sanitation programs. But, as yet, only a few States have compulsory poultry inspection. Especially, in view of the recent growth of the poultry industry, we do not believe we can expect the States alone to provide the needed controls.'

"Legislative suggestions

"The legal propriety of an effective Federal inspection in the poultry processing industry is well established. In fact, under existing Federal enactments, jurisdiction over the industry has long been asserted by the Food and Drug Administration of the United States Department of Health, Education, and Welfare and the Poultry Branch of the Production and Marketing Administration of the United States Department of Agriculture.

"The products of the poultry processing industry prepared for, or while in interstate commerce or at any time thereafter, as subject to the provisions of the Federal Food, Drug, and Cosmetic Act, which is administered by the Food and Drug Administration. In this connection, section 304A of that act provides the authority under which the Food and Drug Administration is empowered to seize adulterated food products. Definitions of adulteration in section 402 are broad indeed and provide an ample frame of legislative authority for the promulgation of codes prescribing standards of wholesomeness of poultry and poultry products. It should likewise be noted that the same Federal statute provides the legislative concepts concerning investigations necessary to conduct an effective inspection program.

"It is here suggested that the establishment of an effective program of inspection for wholesomeness in the poultry processing industry would not necessitate the establishment of a new Federal agency, nor would it establish any new era of Federal jurisdiction.

"Recognizing the inadequacy of current Federal inspection programs, the Public Health Service of the United States Department of Health, Education, and Welfare has prepared and promulgated a poultry ordinance, providing standards of sanitation requirements and is now in the process of preparing and promulgating a proposed poultry ordinance, providing standards of ante mortem and post mortem inspections. Such ordinances, when adopted by States, counties and municipalities, provide a vital uniformity in sanitation and wholesomeness regulations in the poultry processing industry throughout the United States. It should be borne in mind that if the essence of such ordinances and codes were to be enacted as Federal legislation to be enforced by the Food and Drug Administration, there would thus be established, a valuable uniformity in regulations promoting the public health throughout the United States in all parts of the industry operating in interstate or intrastate commerce.

"Significantly, adoption of such Federal legislation could not interfere with the operation of local poultry ordinances in view of the specific Federal jurisdictional definitions contained in section 304 of the Federal Food, Drug and Cosmetic Act.

"In addition to the Food and Drug Administration, jurisdiction over the poultry processing industry has been exercised by the United States Department of Agriculture under the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621 et seq.). That law provides for inspection and grading programs for poultry and poultry products. Programs, however, are permissive and are financed by the payment of fees by the members of the industry. The various regulations are promulgtated by the poultry branch of the Production and Marketing Administration of the United States Department of Agriculture. In general, three separate programs are administered by the USDA under the 1946 act. They provide inspection for wholesomeness, grading for quality and inspection for plant sanitation. Under the programs, different labels are provided which signify that the cooperating industry member has complied with the standards established in the regulations. The programs are generally comparable to those covering red meat except that, as above stated, they are permissive and are performed on a fee basis.

"Those who have been actively concerned with the establishment of an adequate Federal poultry inspection program have considered the advisability of the compulsory application of the voluntary regulations promulgated by the Production and Marketing Administration. It is of interest to note that Herman I. Miller, Acting Director of the Poultry Division of the Agricultural Marketing Service of the USDA, in a letter dated August 9, 1954, stated as follows:

" 'The responsibility for regulating the interstate shipment of adulterated, unwholesome and misbranded product is vested in the Food and Drug Administration of the Department of Health, Education, and Welfare.'

"It has also been suggested that the problems herein considered can be adequately dealt with by the Bureau of Animal Industry in the Agricultural Research Administration of the United States Department of Agriculture if appropriate legislation is enacted. This bureau now administers the regulations governing meat inspection authorized under the Meat Inspection Act, as amended and extended (34 Stat. 1260; 21 U. S. C. 71; 21 U. S. C., sub. III, 71). Of course, the regulations governing meat inspection contained in the code of Federal regulations (Title 9: Animals and Animal Products) are thorough and all embracing. However, in this connection, it should be noted that such unit inspection, governing poultry and poultry products, could be inaugurated only after appropriate legislation amending the Meat Inspection Act (see above) as well as the Imported Meat Act (46 Stat. 689).

[4] Poultry and Eggs Weekly, Saturday, Apr. 16, 1955.

"This analysis of present laws and regulations indicates the existence of legal precedent for three separate methods of dealing with the problem of Federal poultry inspection. Various considerations to be developed during the course of legislative hearings will, of course, dictate which of the alternate methods should be pursued in effectuating an adequate inspection program in the poultry-processing industry, which will most effectively promote adequate public-health standards. In any event, it is significant to note that the promulgation and effectuation of an adequate Federal inspection program in the industry does not require any extension of existing Federal jurisdiction, nor will it necessitate experimentation with unknown or untried operational procedures."

Mr. WATTS. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. PRICE].

Mr. PRICE. Mr. Chairman, I enthusiastically support the legislation before the Members of the House on the subject of poultry inspection, and I commend the subcommittee of the Committee on Agriculture for its work on this legislation.

It seems to me a very simple thing to say that we should have the same kind of governmental protection of the public to safeguard it from the marketing of diseased and unwholesome poultry, that for four decades has safeguarded it from the marketing of diseased or adulterated meat. I imagine that when those provisions were before the Congress in those days there was similar opposition to that legislation. I know how successfully the meat inspection program has worked. We know, also, it did not put any small processors out of business. Some may have fallen by the wayside in those four decades but it certainly was not because of the Federal meat inspection laws.

In both the 83d and the 84th Congresses, I joined other Members in introducing measures to provide for an investigation of the conditions under which poultry was sold to the general public. This year I felt the time was appropriate for introduction of a bill requiring Federal inspection of commercial poultry processors and prohibiting the movement of diseased or unhealthful poultry in commerce. My bill, H. R. 899, was designed solely for the protection of consumers from the unwitting purchase and use of unwholesome poultry and poultry products. The measure under consideration today has the same objective.

Investigation by the Congress, testimony from officials of the executive department and a mass of documentation from those who work in the poultry-processing and meat-processing industries has exposed the weakness of our present inspection services in poultry.

Mr. Chairman, this legislation is sorely needed, it is urgent legislation in the interest of the health of the consuming public of this country and I sincerely hope that the House this afternoon will approve the bill before us.

Consumers are simply not protected from the purchase of diseased chickens and turkeys in the same way that they are protected, by Department of Agriculture inspectors, from being unwittingly tempted to purchase diseased or unwholesome beef or lamb or pork. The so-called Federal inspection program involving poultry is wholly voluntary, rather than compulsory, and a Department of Agriculture stamp has certified merely that a commercial poultry plant is generally sanitary rather than that the particular food offered for sale is fit for human consumption.

Let us understand what is involved: Consumers today seldom see live poultry before they buy the product. In the stores and supermarkets they buy packaged poultry, the products of large-scale processors. And in March of 1955 it was estimated that less than 20 percent of all poultry was under even the weak regulation of the voluntary inspection program.

The Amalgamated Meat Cutters and Butcher Workmen, AFL-CIO, pointed out in 1955 that certain poultry diseases can be transmitted to man. Among these are psittacosis—parrot fever—which has been traced to turkeys, and a virus infection called Newcastle disease. The United States Public Health Service reported that in 1948 nearly 2,500 cases of food-borne disease were traced to poultry or poultry dishes.

Some poultry-processing plants handle hundreds of thousands of pounds of poultry a day. In all of 1952, the Food and Drug Administration seized only about 200,000 pounds of poultry as unfit for human consumption. The small budget the Food and Drug Administration has available for such tasks is no substitute for the same kind of continuous inspection the Department of Agriculture provides to protect the public from diseased or unhealthful meat.

The Amalgamated Meat Cutters and Butcher Workmen have submitted affidavits by their members, working in poultry-processing plants, about revolting conditions, about the processing and sale of diseased fowl, about the danger that diseased birds would contaminate the carcasses of poultry that was healthy when slaughtered through the contamination of assembly-line equipment.

What are we seeking? Simply, Federal Department of Agriculture inspection of poultry plants offering fowl for human consumption in the stream of commerce.

We propose no innovation in principle. Department of Agriculture inspection of meat-processing plants is well established. The people acknowledge it and would never dream of abandoning it.

We seek to extend the principle of inspection to poultry-processing plants, so that food produced commercially and offered for sale in commerce shall be watched and inspected and certified as fit all through the process.

We propose that a poultry inspection section shall be established in the Department of Agriculture and that all poultry or poultry products transported in commerce must be inspected and marked as inspected.

The individual farmer could be exempted by the Secretary of Agriculture. Time would be allowed—2 years—for establishment of the Poultry Inspection Service. But we provide penalties for violation and the process of injunction, granting any person accused of violation a right of trial by jury if requested.

The objective is to protect the people from consumption of unfit food produced commercially, and I believe that the proposals are sound and practical.

Mr. VANIK. Mr. Chairman, will the gentleman yield?

Mr. PRICE. I yield to the gentleman from Ohio.

Mr. VANIK. Mr. Chairman, I want to commend the gentleman from Illinois [Mr. PRICE] for his very forceful statement on this important bill.

This legislation may not be vital in small communities close to the source of poultry supplies, however, the people of large urban areas, the principal consumers of poultry produced in many sections of the country are entitled to assurance that the poultry which they consume meets essential standards of wholesomeness—that it is fit and suitable for human consumption.

I am pleased to support this legislation and urge its enactment without delay.

Mr. GRAY. Mr. Chairman, will the gentleman yield?

Mr. PRICE. I yield to the gentleman from Illinois.

Mr. GRAY. I would like to associate myself with the remarks of the distinguished gentleman in support of this legislation. Although the bill does not do everything desired, it is a step in the right direction to help control disease and insure the public of getting the best meat and poultry possible.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I yield 3 minutes to the gentleman from Nebraska [Mr. HARRISON].

Mr. HARRISON of Nebraska. Mr. Chairman, I rise only at this time to ask a question of the committee to make sure that we understand each other and that it is a matter of record, as to whether or not the provisions of this particular legislation are extended to the possessions and Territories and islands of the United States. Would it be the impression of the committee that this bill includes Hawaii, Puerto Rico, the Samoan Islands, and so forth?

Mr. WATTS. Mr. Chairman, if the gentleman will yield, I will say to the gentleman that I do not think there is any specific reference to Territories and islands.

Mr. HARRISON of Nebraska. I presume that these islands and Territories do produce chickens and turkeys and poultry of the kind that is sought to be protected by this legislation.

Mr. WATTS. I will have to correct that statement. On page 18 under "Definitions" it states:

For the purposes of this act—

(a) The term "commerce" means commerce between any State, Territory, or possession, or the District of Columbia, and any place outside thereof; or between points within the same State or the District of Columbia, but through any place outside thereof; or within the District of Columbia.

So, I assume it does cover them.

Mr. HARRISON of Nebraska. So that it does cover possessions and Territories.

Now, if I may proceed for a moment. I do not want to appear to be opposed to

anything that affects the health and welfare of the people of the United States, and it has been stated here that we have been getting, in some instances, a type of poultry that is not healthful or wholesome at all. In spite of that claim, if it is true, the consumption of poultry has grown from a very meager start to some 6 billion pounds a year. Now, it appears to me at this time, since we have no particular examples of how the health has been impaired in this country of ours by the consumption of poultry, that we might effect a little economy. And, when I talk about economy, I think you will all agree with me that we want to, as far as possible, cut down on the number of Government employees.

Let me give you just a little example of how our Government has grown and grown. When I came to the Congress back in January 1952 there was the same urge to cut down on the number of Government employees; we wanted to cut down the number in the different departments. I know more about the Department of Agriculture than I do any of the other departments, but from 1952 until 1957 we added something over 16,000 employees. Now, this is just another example of adding more and more employees to our Government and thus increasing our taxes. I get letters every day from my constituents back home wanting us to effect economy here, and here, I think, is a good place to effect economy and in no way adversely affect the health of this Nation of ours.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. HARRISON of Nebraska. I yield to the gentleman.

Mr. HALLECK. I stated in the remarks I made a little while ago, quoting Dr. Larrick, to the effect that so far as they can establish scientifically, no disease of poultry could be transmitted to a person eating that poultry. There has been reference here to 26 diseases to which poultry is susceptible and human beings are susceptible. I wish somebody who claims to be an expert on this would tell me first of all, are those diseases communicable, not by handling the poultry but by eating it, and particularly after it has been cooked? Are they such as could be determined in this post mortem inspection?

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. COOLEY. Mr. Chairman, I yield myself 1 minute and yield to the gentleman from Utah [Dr. DIXON], who referred to the communicable diseases, to the end that he might answer the inquiry propounded by the gentleman from Indiana.

Mr. DIXON. Mr. Chairman, we tried to find that information in the 1957 hearings, but it is in the 1956 hearings. I am referring to the data which are quoted.

Mr. HALLECK. The only thing that occurred to me is that there is a remarkably discrepancy in this very important matter, because my information is that these diseases you might find in poultry are not communicable to the people who eat the poultry after it has been cooked; and so far as I know everyone cooks a chicken before he eats it.

Mr. COOLEY. Is the gentleman taking the position that it is just as well to eat bad poultry as to eat good poultry?

Mr. HALLECK. Just a minute, Mr. Chairman. I am not taking the position that it is good for people to eat bad poultry. But if my wife buys a chicken, and it smells bad, or is deformed, she can detect that and does not need to have somebody inspect it to know it.

Mr. COOLEY. Mr. Chairman, I yield to the gentleman from Illinois 1 minute for an observation.

Mr. PRICE. Mr. Chairman, in 1948 the United States Public Health Service reported 2,500 cases of parrot fever due to poultry.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. COOLEY. Mr. Chairman, I yield myself 1 further minute and yield to Dr. DIXON to go further into this matter.

Mr. DIXON. Mr. Chairman, in reply to my colleague from Indiana [Mr. HALLECK] psittacosis is a disease confined largely to handlers of poultry. We have a record of 1,145 of those cases. There was an outbreak of it in the Northwest.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. DIXON. I yield to the gentleman. The handlers had that disease.

Mr. HALLECK. Of course, a postmortem inspection is not going to do any good in connection with ornithosis in turkeys and the psittacosis that results. It is just like tularemia in rabbits; you do not get it from eating the rabbit.

Mr. DIXON. This would protect the handlers and prevent epidemics because the bill gives the Secretary authority to make ante mortem inspections. But, Mr. Chairman, let us go further.

Poultry diseases communicable to humans are a public health hazard.

At least 26 diseases can be communicated to man through poultry.

In a report by Mildred M. Galton, bacteriologist, Communicable Disease Center, Public Health Service, Federal Security Agency, Atlanta, Ga., it was stated:

> The diseases of poultry to which man is also susceptible comprise a rather large group. In his excellent review Ingalls (W. L. Ingalls. The Public Health Aspects of Poultry Diseases. Proceedings American Veterinarians Medical Association; 87th annual meeting, August 1950, p. 282) lists 26 such diseases including these caused by bacteria viruses, fungi, and protozoa. It is apparent that some of these diseases constitute a considerable hazard to public health.

Disease statistics are incomplete, but they tell an important story.

Psittacosis affects poultry plant workers. The number of recorded cases from 1940 to July 16, 1955, was 1,145, including 26 deaths. These figures do not tell the full story of lost man-hours, illnesses and deaths. The National Office of Vital Statistics lists no deaths and only 32 cases of illness due to psittacosis in 1948, but Dr. J. B. Irons, director of laboratories of the Texas State Department of Health, has reported 3 deaths and 22 cases occurring among turkey plant workers in Giddings, Tex., alone during that year.

Limited figures on salmonellosis attributed to poultry or poultry products—F. S. A. National Office of Vital Statistics—show 749 cases between January 13, 1951 and December 20, 1952.

Similar figures on gastroenteritis attributable to poultry products show 1,243 cases between June 16, 1951 and December 20, 1952.

Findings of the United States Public Health Service show that 1 out of 4 food poisoning cases studied were the result of poultry or poultry products. It should be noted, however, that many of these came from the processing, but most from poultry handling after processing.

In addition to the prevention of disease, sanitation would be greatly improved.

While it is true that when poultry is thoroughly cooked most disease organisms are killed, the consumption of such poultry is like eating well-cooked garbage.

To illustrate the fact that eating some poultry is like eating well-cooked garbage, I would like to quote from some affidavits given in testimony before the Poultry and Eggs Subcommittee of which I am a member. These statements were furnished by Representative LEONOR K. SULLIVAN of Missouri.

> (Hearings before Subcommittee on Poultry and Eggs. July 17 and 18, 1956, p. 41.)
>
> "My job was to pull feathers and those who were on the job with me and I were the first ones to handle the chickens after they had passed through the scalding process and roughing machine. When the chickens reached me most of the feathers were off the bodies and I could see the skin of the birds very clearly. It was quite often that thousands of chickens would pass on the line with sores on their bodies. Thousands of them would have large swellings as large as a chicken egg on their bodies. These swellings were filled with a yellowish pus and the odor was very strong."
>
> Or as a worker in another plant has said:
>
> "I work on many different jobs on the line. During this time I saw lots of chickens with lumps on them and some were full of sores. Sometimes when the lumps were cut off or they would burst, they smelled awful bad. All of these chickens went right through with the other chickens for shipment."
>
> Or as another employee states in an affidavit:
>
> "When a lot of chickens were returned to our plant because the customer would not take them because they were not the quality he wanted, these chickens were cut up in pieces and frozen and shipped to another customer. Many times these chickens were in not very good condition when they came back to the plant."

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I yield 4 minutes to the gentleman from North Carolina [Mr. JONAS].

Mr. JONAS. Mr. Chairman, when I asked for this time it was for the purpose of asking a few questions, many of which have since been answered. So I shall not consume all of the 4 minutes.

I should like to ask the chairman of the subcommittee, however, a question or two in order to clarify some points in my mind that have not been resolved in the debate.

As I understand it, we now have a voluntary program which this proposed legislation will nullify; is that correct?

Mr. WATTS. That is right.

Mr. JONAS. This voluntary program is participated in by what proportion of the processing industry?

Mr. WATTS. Between 25 percent and 30 percent of the poultry that is processed. It is used mostly by the large processors, and I would assume on a numerical basis it is a much smaller percentage than 25 percent.

Mr. JONAS. But it is used principally by the large processors?

Mr. WATTS. That is right.

Mr. JONAS. Is it true that the concerns now under the voluntary program pay for the inspection?

Mr. WATTS. That is right.

Mr. JONAS. But they would be relieved of that obligation under this legislation and the taxpayers generally would assume the entire cost of the program?

Mr. WATTS. Yes. It was felt by the committee that it was a matter of national concern, and one which was addressed to the consuming of the poultry rather than the processing.

Mr. JONAS. Under this proposed legislation, how much will the big processors be relieved from paying which they are now paying under the voluntary program?

Mr. WATTS. I do not have the exact figures on that. They told us in the committee that when the program was in full operation it would cost about $10 million a year. If 30 percent of the poultry inspection is being paid for by voluntary processing at this time, I assume you would say that 30 percent of $10 million is what they are paying. I doubt, however, if it runs that high, because there are so many little plants that it is going to cost more per bird to inspect them than it will in the larger plants.

Mr. JONAS. It is true, is it not, that if we go into this program, and it is a new program, a new authorization, for which appropriations will have to be made hereafter from year to year to support it, if we begin the program we should be prepared to expand it as the country grows and additional processing plants are established?

Mr. WATTS. I would assume that, like everything else in this country, as the country grows it probably will grow.

Mr. JONAS. I think the Committee should realize that this is another one of the authorization bills that we frequently have before the Committee, and that the estimate is that it will cost $10 million a year. From the information gained from the questions asked here today, it would appear that, with respect to at least 30 percent of that money, this legislation will relieve the big processors of a considerable obligation they have heretofore assumed and passes that obligation on to the general taxpayers.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I yield to the gentleman from Indiana.

Mr. HALLECK. From the report itself having to do with the cost of the program I quote this statement by the Department:

> It is believed that the enactment of this proposed legislation would result in a need for $7,750,000 on an annual basis during the first year and an annual appropriation of approximately $10 million for each subsequent year. This amount would, of course, have to be increased to the extent that the act was applied to cities and areas as provided in section 4. A study would be made in the interim, before the legislation became fully effective, to serve as a basis for arriving at the cost of the program.

There is no question in my mind that the way this legislation is drafted practically all intrastate processors are going to have to arrange for this inspection if they expect to stay in business. When I estimated that the cost would be from $10 to $20 million a year, $10 million is the low limit and I think $20 million is a low high limit.

Mr. WATTS. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. ROOSEVELT].

Mr. ROOSEVELT. Mr. Chairman, I should like to ask the chairman of the committee one question in relation to this last discussion. Is it not true that at the present time the large processors are the only ones that can afford this inspection and, therefore, they in essence have preempted the field; and that by doing as proposed under this bill, the small processors would get an opportunity to get back into the market and get their fair share of the market?

Mr. WATTS. The gentleman is exactly right. The testimony before our committee and the statements of the Department would bear out what the gentleman has said. At the present time only the large processors are in a position to have the inspection done, and due to the advertising campaign that has been put on in many places the small processors are being hurt.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman from Indiana.

Mr. HALLECK. I do not know whether or not the gentleman was here when I spoke earlier, but I had a letter from a constituent of mine in my home county in Indiana who is in the wholesale processing business on a very small scale. He said in his letter there were 15 other small processors in that 1 county. I know a great many of them personally. Do I understand that they are going to be kept in business and that the Government somehow will arrange to have an inspector at these 15 little processing plants in 1 county in my district? If that is to be arranged, and if they are going to continue in business and have this inspection, all I can say is that it is going to require a lot more inspectors than anybody has been talking about up to this point—and remember we do not have these giant mechanized processors.

Mr. ROOSEVELT. I think that would be a proper question for the chairman to answer.

Mr. WATTS. In answer to the gentleman, I would like to suggest that this bill specifies that we may use State employees and that we may hire people by the hour or that arrangements may be made in your county or community where you do a small amount of processing. Further, where a small amount of processing is done, it probably is not done all in 1 day and probably 1 inspector can serve more than 1 plant. Further, a cooperative agreement may be entered into between the Federal Government and your State or county or other State agencies to perform the inspection service. Furthermore, there is a provision allowing the Secretary to grant an exemption until 1960 where it would be impracticable in the beginning of the program to provide inspection. I am frank to admit to the gentleman that we may run into a good many problems in the administration of this law, and certainly the Congress is going to be in session after this year; and after this thing starts, if we have bit off more than we can chew, I shall be the first to join with the gentleman to straighten the matter out.

Mr. REECE of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I am happy to yield to the gentleman from Tennessee.

Mr. REECE of Tennessee. Has the Director of the Budget approved this bill?

Mr. WATTS. Yes.

Mr. REECE of Tennessee. It does not say so in the report; does it?

Mr. WATTS. The Department of Agriculture will never submit a report to us favorably until the Bureau of the Budget gives them permission to do so, and that has been the procedure in the past.

Mr. REECE of Tennessee. My experience has been that, when it is submitted to the Director of the Budget, the report states that it has been so submitted to the Director and has been approved by him.

Mr. McINTIRE. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I yield.

Mr. McINTIRE. May I say to the gentleman from Tennessee that under date of March 6, 1957, in a communication addressed to the Honorable HAROLD D. COOLEY, chairman of our committee, signed by the Secretary of Agriculture Mr. Benson in the last paragraph, and I quote:

> The Bureau of the Budget advises that there is no objection to the submission of this report.

This is a favorable report in which some amendments are suggested by the Department.

Mr. WATTS. Mr. Chairman, I yield such time as he may require to the gentleman from Wisconsin [Mr. ZABLOCKI].

Mr. ZABLOCKI. Mr. Chairman, I want to join with my distinguished colleagues in urging prompt enactment of H. R. 6814, the bill to provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products.

I have actively supported this proposal, and I am happy that it has reached the floor of this House so that we may debate it and approve it without further delay.

The enactment of this measure is vital to the health of the American people.

Most immediately, an effective, compulsory poultry inspection program is necessary to minimize the health dangers which face thousands of poultry workers in many plants. These dangers, which range from bothersome skin rashes and infections to killing psittacosis, have been recognized a long time ago by poultry workers and their organizations. It is to the credit of these organizations that they have consistently and energetically advocated the enactment of legislation to protect poultry workers against health hazards, and to safeguard public health.

A poultry inspection program along the lines oulined in the bill before us is equally important to the health of poultry consumers throughout the Nation. The scandalous practices by some individuals of the poultry industry which have jeopardized public health, must be ended.

The consumer must be assured of a clean and wholesome product, and this legislation would help to achieve that objective. For this reason, it deserves our prompt and wholehearted approval.

The report submitted by the Agriculture Committee on H. R. 6814 points out that this bill was drafted after the committee held extensive hearings on this proposal. In the course of the hearings, the committee received testimony from more than 70 witnesses, representing parts of the poultry industry, health officers and other representatives of States and cities, general consumer organizations, labor unions, and all of the major farm organizations.

Without exception, all of the witnesses expressed themselves in favor of some type of compulsory poultry inspection.

Their testimony alone shows the urgent need for the enactment of this legislation.

I sincerely hope that H. R. 6814 will receive our prompt approval. The program it proposes is badly needed in the interests of the consumers and of the poultry workers of our Nation. It should be enacted into law without delay.

Mr. WATTS. Mr. Chairman, I yield such time as he may require to the gentleman from California.

Mr. HAGEN. Mr. Chairman, this legislation was considered by our committee with very little controversy and to my knowledge there was no audible dissent when we passed it out. Oddly enough, this is one of the few bills that comes out of our committee which looks principally to the interest of the consumers of this country, the housewives. We rarely pass anything here for the benefit of the housewife. This is one of those items. Actually, in referring to the cost of inspection, you might as well argue that we should abolish the Food and Drug Administration if we are to make the relatively small cost involved here the controlling consideration because this is a program which is for the protection of everyone in their homes. If the private packer pays it, he passes it on to the consumer. So the housewife is going to pay for the bill in the long run anyway. To get a uniform impact in this kind of program, we need this kind of law.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, we have no further requests for time.

Mr. WATTS. Mr. Chairman, we have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That this act may be cited as the "Poultry Products Inspection Act."

LEGISLATIVE FINDING

SEC. 2. Wholesome poultry products are an important source of the Nation's total supply of food. Such products are consumed throughout the Nation and substantial quantities thereof move in interstate and foreign commerce. Unwholesome poultry products in the channels of interstate or foreign commerce are injurious to the public welfare, adversely affect the marketing of wholesome poultry products, result in sundry losses to producers, and destroy markets for wholesome poultry products. The marketing of wholesome poultry products is affected with the public interest and directly affects the welfare of the people. All poultry and poultry products which have or are required to have inspection under this act are either in the current of interstate or foreign commerce or directly affect such commerce. That part that enters directly into the current of interstate or foreign commerce cannot be effectively inspected and regulated without also inspecting and regulating all poultry and poultry products processed or handled in the same establishment.

The great volume of poultry products required as an article of food for the inhabitants of large centers of population directly affects the movement of poultry and poultry products in interstate commerce. To protect interstate commerce in poultry and poultry products inspected for wholesomeness, from being adversely burdened, obstructed, or affected by uninspected poultry or poultry products, the Secretary of Agriculture is authorized, pursuant to the provisions of this act, to designate major consuming areas where poultry or poultry products are handled or consumed in such volume as to affect the movement of inspected poultry or poultry products in interstate commerce.

DECLARATION OF POLICY

SEC. 3. It is hereby declared to be the policy of Congress to provide for the inspection of poultry and poultry products by the inspection service as herein provided to prevent the movement in interstate or foreign commerce or in a designated major consuming area of poultry products which are unwholesome or otherwise unfit for human food.

DESIGNATION

SEC. 4. Upon application by the appropriate governing official or body of a substantial portion of any major consuming area or upon application by an appropriate local poultry industry group in such an area, where the Secretary has reason to believe that poultry or poultry products are handled or consumed in such volume as to affect, burden, or obstruct the movement of inspected poultry products in interstate commerce, the Secretary shall conduct a public hearing to ascertain whether or not it will tend to effectuate the purposes of this act for such area to be subject to the provisions of this act. If after public hearing the Secretary finds that poultry or poultry products are handled or consumed in such volume as to affect, burden, or obstruct the movement of inspected poultry products in commerce and that the designation of such area will tend to effectuate the purposes of this act, he shall by order designate such area and prescribe the provisions of this act which shall be applicable thereto and grant such exemptions therefrom as he determines practicable. Such designation shall not become effective until 6 months after the notice thereof is published in the Federal Register. On and after the effective date of such designation, all poultry and poultry products processed, sold, received, or delivered in any such area shall be subject to the provisions of this act.

ANTE MORTEM AND POST MORTEM INSPECTION, REINSPECTION AND QUARANTINE

SEC. 5. (a) For the purpose of preventing the entry into or flow or movement in commerce or a designated major consuming area of any poultry product which is unwholesome or adulterated, the Secretary shall, where and to the extent considered by him necessary, cause to be made by inspectors ante mortem inspection of poultry in any official establishment processing poultry or poultry products for commerce or in, or for marketing in a designated city or area.

(b) The Secretary, whenever processing operations are being conducted, shall cause to be made by inspectors post mortem inspection of the carcass of each bird processed, and such quarantine, segregation, reinspection as he deems necessary of poultry and poultry products in each official establishment processing such poultry or poultry products for commerce or in, or for marketing in a designated city or area.

(c) All poultry carcasses and parts thereof and poultry products found to be unwholesome or adulterated shall be condemned and shall, if no appeal be taken from such determination of condemnation, be destroyed for human food purposes under the supervision of an inspector: *Provided*, That carcasses, parts, and products, which may by reprocessing be made not unwholesome and not adulterated, need not be so condemned and destroyed if so reprocessed under the supervision of an inspector and thereafter found to be not unwholesome and not adulterated. If an appeal be taken from such determination, the product shall be appropriately marked and segregated pending completion of an appeal inspection, which appeal shall be at the cost of the appellant if the Secretary determines that the appeal is frivolous. If the determination of condemnation is sustained the product shall be destroyed for human food purposes under the supervision of an inspector.

(d) The Secretary shall refuse to render inspection to any establishment whose premises, facilities, or equipment, or the operation thereof, fail to meet the requirements of section 6 of this act.

SANITATION, FACILITIES AND PRACTICES

SEC. 6. Each official establishment slaughtering poultry or processing poultry products for commerce or in or for marketing in a designated major consuming area shall have such premises, facilities, and equipment, and be operated in accordance with such sanitary practices, as are required and approved by the Secretary for the purpose of preventing the entry into or flow or movement in commerce or in a designated city or area, of poultry products which are unwholesome or adulterated.

LABELING

SEC. 7. (a) Each shipping container of any poultry product inspected under the authority of this act and found to be wholesome and not adulterated, shall at the time such product leaves the official establishment bear, in distinctly legible form, the official inspection mark and the approved plant number of the official establishment in which the contents were processed. Each immediate container of any poultry product inspected under the authority of this act and found to be wholesome and not adulterated shall at the time such product leaves the official establishment bear, in

addition to official inspection mark, in distinctly leigble form, the name of the product, a statement of ingredients if fabricated from two or more ingredients including a declaration as to artificial flavors, colors, or preservatives, if any, the net weight or other appropriate measure of the contents, the name and address of the processor and the approved plant number of the official establishment in which the contents were processed. The name and address of the distributor may be used in lieu of the name and address of the processor if the approved plant number is used to identify the official establishment in which the poultry product was prepared and packed.

(b) The use of any written, printed or graphic matter upon or accompanying any poultry product inspected or required to be inspected pursuant to the provisions of this act or the container thereof which is false or misleading is prohibited. No poultry products inspected or required to be inspected pursuant to the provisions of this act shall be sold or offered for sale by any person, firm, or corporation under any false or deceptive name; but established trade name or names which are usual to such products and which are not false and deceptive and which shall be approved by the Secretary are permitted. If the Secretary has reason to believe that any label in use or prepared for use is false, or misleading, he may direct that the use of the label be withheld unless it is modified in such manner as the Secretary may prescribe so that it will not be false or misleading. If the person using or proposing to use the label does not accept the determination of the Secretary, he may request a hearing, but the use of the label shall, if the Secretary so directs, be withheld pending hearing and final determination by the Secretary. Any such determination by the Secretary shall be conclusive unless within 30 days after the receipt of notice of such final determination the person adversely affected thereby appeals to the United States court of appeals for the circuit in which he has his principal place of business or to the United States Court of Appeals for the District of Columbia Circuit. The provisions of section 204 of the Packers and Stockyards Act of 1921, as amended, shall be applicable to appeals taken under this section.

PROHIBITED ACTS

SEC. 8. The following acts or the causing thereof are hereby prohibited:

(a) The processing, sale or offering for sale, transportation, or delivery or receiving for transportation, in commerce or in a designated major consuming area of any poultry product, unless such poultry product has been inspected for wholesomeness and unless the shipping container, if any, and the immediate container are marked in accordance with the provisions of this act.

(b) The sale or other disposition for human food of any poultry or poultry product which has been inspected and declared to be unwholesome or adulterated under this act.

(c) Falsely making or issuing, altering, forging, simulating, or counterfeiting any official inspection certificate, memorandum, mark, or other identification or device for making such mark or identification, used in connection with the inspection of poultry, or poultry products under this act, or causing, procuring, aiding, assisting in, or being a party to, such false making, issuing, altering, forging, simulating, or counterfeiting, or knowingly possessing, without promptly notifying the Secretary of Agriculture or his representative, uttering, publishing, or using as true, or causing to be uttered, published, or used as true, any such falsely made or issued, altered, forged, simulated, or counterfeited official inspection certificate, memorandum, mark, or other identification, or device for making such mark or identification, or representing that any poultry or poultry product has been officially inspected under the authority of this act when such poultry or poultry product has in fact not been so inspected.

(d) Using in commerce, or in a designated city or area, a false or misleading label on any poultry product.

(e) The use of any container bearing an official inspection mark except for the poultry product in the original form in which it was inspected and covered by said mark unless the mark is removed, obliterated, or otherwise destroyed.

(f) The refusal to permit access by any duly authorized representative of the Secretary, at all reasonable times, to the premises of an establishment engaged in processing poultry or poultry products for commerce, or in or for marketing in a designated city or area, upon presentation of appropriate credentials.

(g) The refusal to permit access to and the copying of any record as authorized by section 10 of this act.

(h) The using by any person to his own advantage, or revealing, other than to the authorized representatives of the Government in their official capacity, or to the courts when relevant in any judicial proceeding under this act, any information acquired under the authority of this act, concerning any matter which as a trade secret is entitled to protection.

(i) Delivering, receiving, transporting, selling, or offering for sale or transport for human consumption any slaughtered poultry or any part thereof, separately or in combination with other ingredients (other than poultry products as defined in this act), in commerce or from an official establishment or in a designated major consuming area, except that such poultry may be permitted to be transported between official establishments and to foreign countries pursuant to rules and regulations prescribed by the Secretary.

SEC. 9. No establishment processing poultry or poultry products for commerce or in or for marketing in a designated city or area shall process any poultry or poultry product except in compliance with the requirements of this act.

RECORDS OF INTERSTATE SHIPMENT

SEC. 10. For the purpose of enforcing the provisions of this act, persons engaged in the business of processing, transporting, shipping, or receiving poultry slaughtered for human consumption or poultry products in commerce or in a designated major consuming area, or holding such products so received shall maintain records showing, to the extent that they are concerned therewith, the receipt, delivery, sale, movement, or disposition of poultry and poultry products and shall, upon the request of a duly authorized representative of the Secretary, permit him at reasonable times to have access to and to copy all such records. Nothing in this section shall be construed as requiring the maintenance of a record for a period longer than 2 years after the transaction, which is the subject of such record, has taken place.

INJUNCTION PROCEEDINGS

SEC. 11. The district courts of the United States are vested with jurisdiction specifically to enforce, and to prevent and restrain violations of this act. The remedies provided for in this section shall be in addition to, and not exclusive of, any of the remedies or penalties provided for elsewhere in this act or now or hereafter existing at law or in equity.

PENALTIES

SEC. 12. (a) Any person who violates the provisions of section 8, 9, 10, or 17, shall be guilty of a misdemeanor and shall on conviction thereof be subject to imprisonment for not more than 6 months, or a fine of not more than $3,000, or both such imprisonment and fine; but if such violation is committed after 1 conviction of such person under this section has become final such person shall be subject to imprisonment for not more than 1 year, or a fine of not more than $5,000, or both such imprisonment and fine; but if such violation is committed after 2 or more convictions of such person under this section have become final such person shall be subject to imprisonment for not more than 2 years, or a fine of not more than $10,000, or both such imprisonment and fine. When construing or enforcing the provisions of said sections, the act, omission, or failure of any person acting for or employed by any individual, partnership, corporation, or association within the scope of his employment or office shall in every case be deemed the act, omission, or failure of such individual, partnership, corporation, or association, as well as of such person.

(b) No carrier shall be subject to the penalties of this section for a violation of the provisions of section 8 or 17 by reason of his receipt, carriage, holding or delivery, in the usual course of business as a carrier of slaughtered poultry or poultry products, owned by another person unless the carrier has knowledge, or is in possession of facts which would cause a reasonable person to believe that such slaughtered poultry or poultry products were not inspected or marked in accordance with the provisions of this act or were not eligible for transportation under this act. Any carrier who, with or without knowledge, violated section 10 of this act shall be subject to the penalties of this section.

SEC. 13. Before any violation of this act is reported by the Secretary to any United States attorney for institution of a criminal proceeding the person against whom such proceeding is contemplated shall be given reasonable notice of the alleged violation and opportunity to present his views orally or in writing with regard to such contemplated proceeding. Nothing in this act shall be construed as requiring the Secretary to report for criminal prosecution or for the institution of injunction proceedings violations of this act whenever he believes that the public interest will be adequately served and compliance with the act obtained by a suitable written notice or warning.

REGULATIONS

SEC. 14. The Secretary shall promulgate such rules and regulations as are necessary to carry out the provisions of this act.

EXEMPTIONS

SEC. 15. (a) The Secretary is authorized, by regulation and under such conditions as to sanitary standards, practices, and procedures as he may prescribe, to exempt from specific provisions of this act—

(1) poultry producers with respect to poultry of their own raising on their own farms which they sell directly to household consumers only: *Provided*, That such poultry producers do not engage in buying or selling poultry products other than those produced from poultry raised on their own farms;

(2) retail dealers with respect to poultry products sold directly to consumers in individual retail stores: *Provided*, That the only processing operation performed by such retail dealers is the cutting up of poultry products on the premises in which such sales to consumers are made;

(3) for such period of time as the Secretary determines that it would be impracticable to provide inspection and the exemption will aid in the effective administration of this act, any person engaged in the processing of poultry or poultry products for commerce and the poultry or poultry products processed by such person: *Provided, however*, That no such exemption shall continue in effect on and after July 1, 1960;

(4) persons slaughtering, processing, or otherwise handling poultry or poultry products which have been or are to be processed as required by recognized religious dietary laws, to the extent that the Secretary determines necessary to avoid conflict with such requirements while still effectuating the purposes of this act.

(b) The Secretary may by order suspend or terminate any exemption under this section with respect to any person whenever he finds that such action will aid in effectuating the purposes of this act.

VIOLATIONS BY EXEMPTED PERSONS

SEC. 16. Any person who sells, delivers, transports, or offers for sale or transportation in commerce or in a designated major consuming area any poultry products which are exempt under section 15, knowing that such products are unwholesome and are intended for human consumption, shall be guilty of a misdemeanor and shall on conviction thereof be subject to the penalties set forth in section 12.

IMPORTS

SEC. 17. (a) No slaughtered poultry, or parts or products thereof, of any kind shall be imported into the United States unless they are healthful, wholesome, and fit for human food, not adulterated, and contain no dye, chemical, preservative, or ingredient which renders them unhealthful, unwholesome, adulterated, or unfit for human food and unless they also comply with the rules and regulations made by the Secretary of Agriculture to assure that imported poultry or poultry products comply with the standards provided for in this act. All imported slaughtered poultry, or parts or products thereof, shall after entry into the United States in compliance with such rules and regulations be deemed and treated as domestic slaughtered poultry, or parts or products thereof, within the meaning and subject to the provisions of this act and the Federal Food, Drug, and Cosmetic Act, and acts amendatory of, supplemental to, or in substitution for such acts.

(b) The Secretary of Agriculture is authorized to make rules and regulations to carry out the purposes of this section and in such rules and regulations the Secretary of Agriculture may prescribe the terms and conditions for the destruction of all slaughtered poultry, or parts or products thereof, offered for entry and refused admission into the United States unless such slaughtered poultry, or parts or products thereof, be exported by the consignee within the time fixed therefor in such rules and regulations.

(c) All charges for storage, cartage, and labor with respect to any product which is refused admission pursuant to this section shall be paid by the owner or consignee, and in default of such payment shall constitute a lien against any other products imported thereafter by or for such owner or consignee.

GENERAL PROVISIONS

SEC. 18. (a) For the purpose of preventing and eliminating burdens on commerce in poultry and poultry products, the jurisdiction of the Secretary within the scope of this act shall be exclusive and poultry and poultry products shall be exempt from the provisions of the Federal Food, Drug, and Cosmetic Act, as amended, to the extent of the application or the extension thereto of the provisions of this act.

(b) In carrying out the provisions of this act, the Secretary may cooperate with other branches of government and with State agencies and may conduct such examinations, investigations, and inspections as he determines practicable through any officer or employee of a State commissioned by the Secretary for such purpose.

COST OF INSPECTION

SEC. 19. The cost of inspection rendered under the requirements of this act shall be borne by the United States. The Secretary of Agriculture is authorized in his discretion to pay employees of the Department of Agriculture, employed in establishments subject to the provisions of this act, for overtime or holiday work performed at such establishments at such rates as he may determine and to accept from such establishments wherein such premium pay work is performed reimbursement for any sums paid out by him for such work such reimbursement to be available without fiscal year limitation to carry out the purposes of this section.

APPROPRIATIONS

SEC. 20. There is hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this act.

SEPARABILITY OF PROVISIONS

SEC. 21. If any provision of this act or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the act and of the application of such provision to other persons and circumstances shall not be affected thereby.

DEFINITIONS

SEC. 22. For the purposes of this act—

(a) The term "commerce" means commerce between any State, Territory, or possession, or the District of Columbia, and any place outside thereof; or between points within the same State or the District of Columbia, but through any place outside thereof; or within the District of Columbia.

(b) The term "Secretary" means the Secretary of Agriculture.

(c) The term "person" means any individual, partnership, corporation, association, or any other business unit.

(d) The term "poultry" means any live or slaughtered domesticated bird.

(e) The term "poultry product" means any poultry which has been slaughtered for human food from which the blood, feathers, feet, head, and viscera have been removed in accordance with rules and regulations promulgated by the Secretary, any edible part of poultry, or, unless exempted by the Secretary, any human food product consisting of any edible part of poultry separately or in combination with other ingredients.

(f) The term "wholesome" means sound, healthful, clean, and otherwise fit for human food.

(g) The term "unwholesome" means:

(1) Unsound, injurious to health, or otherwise rendered unfit for human food.

(2) Consisting in whole or in part of any filthy, putrid, or decomposed substance.

(3) Processed, prepared, packed, or held under unsanitary conditions whereby a poultry carcass or parts thereof or any poultry product may have become contaminated with filth or whereby a poultry product may have been rendered injurious to health.

(4) Produce in whole or in part from poultry which has died otherwise than by slaughter.

(5) Packaged in a container composed of any poisonous or deleterious substance which may render the contents injurious to health.

(h) The term "adulterated" shall apply to poultry and poultry products under one or more of the following circumstances:

(1) If they bear or contain any poisonous or deleterious substance which may render them injurious to health; but in case the substance is not an added substance, such poultry and poultry products shall not be considered adulterated under this clause if the quantity of such substance in such poultry and poultry products does not ordinarily render them injurious to health.

(2) If they bear or contain any added poisonous or added deleterious substance, unless such substance is permitted in their production or unavoidable under good manufacturing practices as may be determined by rules and regulations hereunder prescribed by the Secretary or other provisions of Federal law limiting or tolerating the quantity of such added substance on or in such poultry and poultry products: *Provided*, That any quantity of such added substance exceeding the limits so fixed shall also be deemed to constitute adulteration.

(3) If any substance has been substituted, wholly or in part, therefor.

(4) If damage or inferiority has been concealed in any manner.

(5) If any valuable constituent has been in whole or in part omitted or abstracted therefrom.

(6) If any substance has been added thereto or mixed or packed therewith so as to increase its bulk or weight, or reduce its quality or strength, or make it appear better or of greater value than it is.

(i) The term "inspector" means:

(1) an employee or official of the United States Government authorized by the Secretary to inspect poultry and poultry products under the authority of this act, or

(2) any employee or official of any State government authorized by the Secretary to inspect poultry and poultry products under authority of this act, under an agreement entered into between the Secretary and the appropriate State agency.

(j) The term "official inspection mark" means the symbol, formulated pursuant to rules and regulations prescribed by the Secretary, stating that the product was inspected.

(k) The term "inspection service" means the official Government service within the Department of Agriculture, designated by the Secretary as having the responsibility for carrying out the provisions of this act.

(l) The term "container" or "package" include any box, can, tin, cloth, plastic, or any other receptable, wrapper, or cover.

(m) The term "official establishment" means any establishment as determined by the Secretary at which inspection of the slaughter of poultry, or the processing of poultry products, is maintained under the authority of this act.

(n) The term "label" means any written, printed, or graphic material on the shipping container, if any, or upon the immediate container, including but not limited to an individual consumer package, or the poultry product, or accompanying such product.

(o) The term "shipping container" means any container used or intended for use in packaging the product packed in an immediate container.

(p) The term "immediate container" includes any consumer package; or any carton, box, barrel, or other receptacle in which poultry carcasses or poultry products, not consumer packaged, are packed.

EFFECTIVE DATE

SEC. 23. This act shall take effect upon enactment, except that no person shall be subject to the provisions of this act prior to January 1, 1959, unless such person after January 1, 1958, applies for and receives inspection for poultry or poultry products in accordance with the provisions of this act and pursuant to regulations promulgated by the Secretary hereunder, in any establishment processing poultry or poultry products in commerce or in a designated major consuming area. Any person who voluntarily applies for and receives such inspection after January 1, 1958, shall be subject, on and after the date he commences to receive such inspection, to all of the provisions and penalties provided for in this act with respect to all poultry or poultry products handled in the establishment for which said application for inspection is made.

Mr. COOLEY (during the reading of the bill). Mr. Chairman, I ask unanimous consent that the bill may be considered as read, be printed in the RECORD, and be open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WATTS. Mr. Chairman, I offer an amendment which is at the desk.

The Clerk read as follows:

Amendment offered by Mr. WATTS: On page 11 strike out the heading to section 11 on line 16 and strike out all of section 11, renumbering subsequent sections to conform.

Mr. WATTS. Mr. Chairman, this merely deletes from the bill the section that the Department of Agriculture tells me would serve no useful purpose, and it is not needed.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. WATTS. Mr. Chairman, I offer an amendment which is at the desk.

The Clerk read as follows:

Amendment offered by Mr. WATTS: In section 15, page 13, line 23, strike out the words "is authorized" and insert in lieu thereof the word "shall"; and on page 14, line 1, strike out the word "to."

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. WATTS. Mr. Chairman, I offer an amendment which is at the desk.

The Clerk read as follows:

Amendment offered by Mr. WATTS: In section 15, page 14, line 5, following the word "consumers" insert the following: "or restaurants, hotels and boarding houses for use in their own dining rooms in the preparation of meals for sales direct to consumers."

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. MATTHEWS. Mr. Chairman, I offer an amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. MATTHEWS: On page 3, line 9, after the word "application" insert the following: "by the appropriate State agency which has been given the responsibility for administering and enforcing poultry inspection laws, or in the absence of such an agency."

Mr. MATTHEWS. Mr. Chairman, first I want to congratulate the distinguished chairman of this subcommittee on the excellent work he has done. I have talked this matter over with him and he understands that this amendment is not intended at all as an insult to the work that he and his subcommittee have done for so many weeks on this particular bill.

When this bill was reported by our committee I had an abdominal distress and I had to be at Bethesda that morning, and when I returned the bill had been reported. I give that explanation so that again the gentleman from Kentucky [Mr. WATTS] will understand why I have to take this particular opportunity to present the amendment.

The poultry producers of Florida were particularly anxious for this amendment, and if you had a chance to read the hearings, you will read their sentiments about it.

In the State of Florida since 1933 we have had a State agency which has administered our poultry inspection laws. They have done a very commendable job. Those poultry producers in Florida feel that the State agency of Florida should be the appropriate agency to request the Department of Agriculture to have a public hearing to decide whether or not this law should take effect in a particular consuming area.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield.

Mr. COOLEY. Is it the purpose of the gentleman's amendment to prevent inspection in major consuming areas unless the Federal Government or an agency thereof is requested by the State agency to make the inspection?

Mr. MATTHEWS. What my amendment would do would be to insist that where there is an appropriate State agency administering the poultry inspection laws, that that agency would be the agency to request the Secretary of Agriculture to hold this hearing.

Mr. COOLEY. Now, assuming that there is an agency in a consuming area that the gentleman has in mind, unless that State agency requests the Secretary of Agriculture to provide inspection service in that area, no inspection service would be provided?

Mr. MATTHEWS. That is absolutely true, and I think it is a good idea.

We all have some concern about Congress, when it passes legislation preempting State laws. If my amendment were passed it would be a safeguard. If there is no appropriate State agency, the appropriate governing body or official of that area, or the local poultry industry in that area could then call upon the Secretary of Agriculture to hold this hearing and determine whether or not that particular area would come under the provisions of this bill.

Mr. Chairman, that is all there is to it. I am not going to take any more time, but I hope the amendment is carried.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield.

Mr. AUGUST H. ANDRESEN. I would like to understand the gentleman's amendment correctly. Does he mean by it that if it is approved the State of Florida would be exempt from the provisions of this act?

Mr. MATTHEWS. No; no, I do not mean that at all; I mean that the State agency of your great State, or of New York, or of California, if they have an appropriate State agency that is at the present time administering these poultry inspection laws, that that State agency would be the agency to call upon the Secretary of Agriculture to hold this public hearing. If they did not have such an agency then these other agencies would make the application.

Mr. AUGUST H. ANDRESEN. Then you want to keep the Federal Government in it, but you want to use the State agencies to make the application to the Secretary to send in Federal inspectors to handle the situation in Florida and in other States?

Mr. MATTHEWS. Of course, the State agency may decide that they do not want to do it; but I think they would be taking a good deal of responsibility if they did. I do feel, however, that it should be left with the local State agency.

Mr. AUGUST H. ANDRESEN. If they want to do it then they could call in the Federal Government; is that correct?

Mr. MATTHEWS. That is right. I think they will do it, In Florida we have a very fine inspection system.

Mr. AUGUST H. ANDRESEN. No doubt you have, as there are in other States, but I am rather interested in the gentleman's argument that he wants to take Florida out of the Federal Union.

Mr. MATTHEWS. No, sir; I just want the Florida poultry agency to be the adjudicating agency, which I think is not asking too much.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. HALLECK. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield to the gentleman from Indiana.

Mr. HALLECK. I, too, would like to understand a little bit, if I can, just what is involved.

If I understand the gentleman's amendment correctly it would deal with that section of the bill which makes it possible for shipments which would otherwise be intrastate commerce to become in effect interstate commerce so as to make it controllable by the Federal Government; in other words, in creating these consuming areas or designating them, the Federal Government steps in and says that the Federal regulations shall apply even though otherwise it would be intrastate commerce. In other words, if beyond the city limits of Miami there are Florida producers who ship into Miami, which commerce ordinarily would be considered intrastate, yet under this bill it could be designated as a major consuming area and then the Federal Government could step in and control it as though it were interstate commerce.

As I understand the gentleman's amendment it would keep the Federal Government from coming in and controlling what otherwise would be completely intrastate commerce unless the State of Florida through its proper agency invited them to do it.

Mr. MATTHEWS. I think my amendment would cover that feature; yes.

Mr. HIESTAND. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield.

Mr. HIESTAND. Do I understand that if the gentleman's amendment is adopted the States will have authority to refuse to allow this Federal inspection in interstate commerce?

Mr. MATTHEWS. No, sir; no, it would not. If the gentleman has the bill before him he will see it applies to this section 4 which provides that upon application by the appropriate governing official or body of a substantial portion of any major consuming area or

upon application by the local poultry industry group in such area the Secretary may conduct public hearings to ascertain whether or not this act shall be in effect in that area.

My amendment would say that when you have an appropriate State agency administering poultry laws it shall be the one to make the application.

Mr. HIESTAND. In other words, it does not affect interstate commerce by itself?

Mr. MATTHEWS. No, sir.

Mr. WATTS. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, we discussed this amendment in our subcommittee at length and came to the conclusion that it would be ill advised to put the amendment in the bill for the following reason: We tried to make this bill as broad as we could in order that every little processor of poultry might have the opportunity, if he was shipping into a major consuming area, to come under the terms of the bill. We could very readily visualize a situation where the State government, the State health official or a State inspection official might fail to act, although favoring a program of this kind. But they might not be functioning as they should, and I am not saying that the agency mentioned by my good friend from Florida is not functioning very good. However, I guess he will agree with me that it lacks a lot of being perfect. If the State official said "No," then the entire State and every large city in that State or every consuming area in that State of any size, as well as every little processor that wanted to ship into one of those areas, would be completely deprived of the opportunity of getting Federal inspection. So we thought we would make it a little more democratic and instead of saying that the State shall have full authority, we would leave it up to each consuming area and the processors of that consuming area who wanted Federal inspection to ask the Secretary to call a hearing and determine whether or not it would be the feasible, possible and proper thing to do.

I am not going to stand up here and tell you it will not work in the way the gentleman has stated, but I am very much afraid if you agree to the gentleman's amendment, you will find that possibly through some arbitrary act—you would have a situation where somebody who wanted to come in under this act would be prohibited from doing so. Take up in New York or New Jersey, you do not know when you go out of one town into another. If the governor or the chief inspection official of any one of those States that is involved in that concentration of population had the authority to stop this for the whole of the area, you might find a situation that would work to the disadvantage of the whole area. The way we have drawn the bill provides that a majority of the governing authorities of a consuming area shall prevail, and we had that in mind when we drew the bill. There are places like New York City where they have 5 or 6 boroughs. We did not want to fix it so that one borough could deny the whole of the area the right of inspection. So we said that the majority of the authorities, or in the event the governing authorities did not do so, the processors of the poultry who ship into that area, could petition for a hearing.

I am fearful of the effect of my good friend's amendment and I request that the committee vote the amendment down.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I yield to the gentleman from Indiana.

Mr. HALLECK. Is there any merit in the suggestion that has been made by some people that the reason for having this designated area arrangement in respect to what might otherwise be intrastate commerce, and what would continue to be intrastate, is that the local processors would be able to sell the poultry to the consuming public at a reduced price?

Mr. WATTS. No.

Mr. HALLECK. What is the burden on interstate commerce to which the gentleman refers in the act in several places, including the declaration?

Mr. WATTS. In cities like Louisville, Ky., and Indianapolis, Ind., there will be lots of poultry moved into both places—some of it will be shipped in interstate commerce and quite a bit will be shipped in from the surrounding territory around the two towns. Certainly, both types of poultry are going to be commingled and one is going to become a burden on the other. As I understand the law with reference to interstate commerce, any commodity that is declared to be a burden on interstate commerce can be regulated as though it were moving in interstate commerce. In all probability the Department of Agriculture could exercise its right under this bill to inspect such poultry even though we did not provide for it in the act. The language in the act dealing with designated consumer areas can be considered a limitation in that before the Department can exercise authority in such an area they must be petitioned by a majority of the governing officials of the area or by the poultry processors in the area.

Mr. Chairman, I ask that the pending amendment be defeated.

Mr. McINTIRE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I just have one or two observations to make. I would point out that in some of the bills introduced and considered by the committee, that the full jurisdiction in relation to the designation of these areas rested with the Secretary. It was felt that it should be broadened to include other factors which were involved within the area.

It seems to me that the bill as presented by the committee has broadened it sufficiently to bring in those local interests, and I believe a very substantial problem would be created in the amendment offered by the gentleman from Florida if we were to broaden it further. We have attempted to bring in the local interests, both the municipal and the city authorities and those concerned directly with the poultry industry. It is my opinion that this broadens it sufficiently to bring in those interests adequately, and we have provided for public hearings before the Secretary can proceed. I think it is broadened sufficiently to protect the local people and that the State does not necessarily need to be brought into this field.

Mr. Chairman, I urge the defeat of the amendment.

Mr. JACKSON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, perhaps I obtained the floor under somewhat false pretenses, but I did want to ask several questions of the chairman of the committee and of the subcommittee.

I am not quite clear in my own mind as to what the situation would be in, let us say, the State of California, where an adequate State system of inspection exists. Would the gentleman elaborate briefly as to what the effect of this act would be upon the State agency which is properly constituted and, so far as we know, is doing a good job?

Mr. WATTS. Mr. Chairman, if the gentleman will yield, under the present setup we have voluntary poultry inspection. Of course, you have a right good system in California of inspection, but the biggest objection that we see to it—and it is not critical—is that the employees of the plant do the inspecting, whereas we felt that some employee of the Federal Government should do the inspecting. But, that is beside the point. We have in this bill a provision that the various States and the Federal Government should cooperate one with the other, and it is our information that the State of California is now cooperating thoroughly with the voluntary system and that wherever the poultry people have put in a voluntary Federal system that the State has recognized that as ample and sufficient. The Federal Government has always cooperated with the State. We have provided in here that the Federal Government, when this law becomes effective, may use State employees as inspectors, and we feel like we have erected sufficient safeguards to guarantee or assure that there will be a cooperative exchange of interests between the State and the Federal Government.

Mr. JACKSON. I thank the gentleman for the explanation.

There is, of course, grave and widespread concern over the constant expansion of the power of the Federal Government, and I am speaking now relating what I say to some of the decisions of the Court, the preemption theories in certain areas of the Federal domain in which they have extended those powers in the respective States overriding the agencies which are constituted to do certain things, preempting powers which were never delegated to them in the first instance by the Congress. This is a matter of grave concern to a great many of us, and we are concerned with any legislative devices which might further tend to give to the agencies of Government powers which are not intended to be exercised.

Mr. HAGEN. Mr. Chairman, will the gentleman yield?

Mr. JACKSON. I yield to the gentleman from California.

Mr. HAGEN. Mr. Chairman, in answer to the gentleman's question, this legislation has the endorsement of the State Director of Agriculture in California. Actually their service is not really quite under way. That is, it is fairly recent. It is one of the few compulsory setups in the country. But they are heartily in accord with this proposed legislation, because this protects our own producers. A lot of this uninspected poultry has been coming into California and placing our own poultry producers at a disadvantage.

Mr. JACKSON. My request was merely for an explanation.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. JACKSON. I yield to the gentleman.

Mr. HALLECK. I do not know whether the gentleman was here on the floor when the gentleman from Virginia [Mr. SMITH] spoke on the matter of preemption. If I understood him correctly, he pointed out that there could very well develop out of the passage of this bill an extension of the doctrine of preemption which would mean that the State operations in the field covered by this bill would be precluded after the passage of the bill or after the enactment of it.

Mr. JACKSON. That is what I sense to be a very dangerous part of the legislation presently under discussion.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. JACKSON. I yield to the gentleman.

Mr. HOFFMAN. I have an amendment at the Clerk's desk which will correct the situation to which the gentleman has made reference.

Mr. JACKSON. I thank the gentleman. I shall probably support it.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. JACKSON. I yield to the gentleman.

Mr. MASON. The gentleman from Virginia [Mr. SMITH] said that we should put into this bill as a precaution a provision which would say that "Nothing in this act shall preempt the field or shall diminish the authority of the State courts to act under the jurisdiction of their own laws." But we put that in the Smith Act. That very provision was in the Smith Act, and our Supreme Court ignored the intention of Congress. So if we put it into this bill it will be ignored again by the same Supreme Court. And that would be no protection at all.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. MATTHEWS].

The question was taken; and on a division (demanded by Mr. MATTHEWS) there were—ayes 27, noes 56.

So the amendment was rejected.

Mr. HOFFMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN: On page 23, after line 11, insert a new section to read as follows:

"SEC. 24. This act shall not be construed as invalidating any provision of State law which could be valid in the absence of this act, unless there is a direct and positive conflict between an express provision of this act and such provision of State laws so that the two cannot be reconciled or consistently stand together."

Mr. HOFFMAN. Mr. Chairman, will the committee not accept this amendment? It carries out the intent of H. R. 3 introduced by the gentleman from Virginia [Mr. SMITH] and on which he has been unable to get action.

Mr. WATTS. Mr. Chairman, I should like to ask the gentleman a question or two about the amendment. The committee has not had very much opportunity to give it consideration.

Mr. HOFFMAN. Only for the last 10 or 15 minutes.

Mr. WATTS. If I understand the gentleman's amendment, it proposes that where the bill under consideration does not positively repeal some State law or does not run contrary to it, it would not repeal any State law.

Mr. HOFFMAN. If I understand the gentleman correctly, that is the purpose—that is, the adoption of this amendment is notice to the Supreme Court that by the enactment of this bill we do not repeal present State law nor prohibit consistent future State law.

Mr. WATTS. In other words, if there is a State law that can be reconciled with this bill, that State law shall remain in full force and effect. The only time this bill we are considering now would repeal a State law would be when there was a direct conflict between the two that is unreconcilable.

Mr. HOFFMAN. And the two could not be reconciled and be made to work together, that is correct. The purpose is, again, to call the attention of the Supreme Court to what Congress apparently failed to make clear to the Court in other legislation—that the Congress does not intend by the enactment of a bill to preempt the field so that the States are deprived of authority and opportunity to legislate in the same field.

Mr. WATTS. Under those circumstances, while I have not consulted the whole committee, I would have no objection to agreeing to the amendment.

Mr. AUGUST H. ANDRESEN. I have no objection to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan.

The amendment was agreed to.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, those of us who have been in this body for some years are acquainted with the history of this legislation and the effort in past years to have legislation along this line enacted into law.

The subcommittee is to be congratulated on the careful and exhaustive manner in which it conducted hearings and the very careful manner in which it considered the bill in executive session. It is to be congratulated on reporting this bill.

I have heard the argument made that this bill originated in the minds of certain meatcutters. I remember well the gentlewoman from Missouri [Mrs. SULLIVAN] fighting for legislation of this type as far back as 1954. I remember well an important statement she made at that time, that she was urging the passage of such legislation because it protected the consumers of our country.

The relationship between the person who toils on the soil and the one who toils in the factory is very close. I come from a city, and there is not a farm located in my district, but I have year in and year out talked about the importance of the relationship between the toiler on the soil and the toiler in the factory and their interdependence. It seems to me this bill is an illustration of that interdependence. I believe those who produce the poultry of America, and they are toilers on the soil, should be interested in seeing legislation of this kind enacted into law. This legislation protects the farmer. In protecting the consumer it also protects those who are engaged in this activity on the soil.

The committee has been very careful in seeing that the bill does not regulate in any manner the handling and shipment or sale of live poultry. As is stated in the report, it does not apply to poultry processors not engaged in interstate commerce unless the processor markets within an area designated by the Secretary under section 4. The bill does not apply in any manner to the processing or sale of eggs or egg products or game birds.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Indiana.

Mr. HALLECK. I certainly would not want to take anything away from the comment the gentleman has made about the gentlewoman from Missouri, whose interest in this legislation, we understand, is longstanding. I think the gentleman referred to 1954. I do not recall that I made any particular reference to the meatcutters.

Mr. McCORMACK. Did I mention the gentleman's name?

Mr. HALLECK. No, the gentleman did not. However, if he will refer to the hearings on page 182, containing the testimony of Mr. Barker, director of the Poultry Department, Amalgamated Meat Cutters and Butcher Workmen, he will find that Mr. Barker stated:

Our union began its campaign for compulsory poultry inspection in 1946.

Mr. McCORMACK. I do not challenge that statement and that statement does not challenge anything that I have said. Of course, the meatcutters have an interest, but that certainly is not the primary purpose of this legislation. The primary purpose of this legislation is for the protection of the consumers. As I said, the gentlewoman from Missouri [Mrs. SULLIVAN], in a speech as far back as 1954, which she made on the floor of the House in urging the passage of such legislation as this, based it primarily upon the premise that it is for the protection of the consumers. I do not think anyone can contradict that fact. This bill is an important bill. It is designed for the protection of the American people. It is a bill which should have been enacted into law before now. It was not done in the past, but the bill is before us now and I sincerely hope that the bill, as reported by the committee, will pass.

Mr. HOFFMAN. Mr. Chairman, I move to strike out the last word.

Mr. HOFFMAN. Mr. Chairman, well if the bill is designed to protect the health of the people, of course, there must be an inspection before the poultry is killed. There is no way of telling whether a chicken has had the roup by inspecting the carcass after the head has been cut off. If the bill is to protect the consumers of food, there should be a provision requiring inspectors in the retail stores. The bill does not propose that. We all know that stores get poultry all through the week and they hold some of it over from Saturday until Monday of the next week. Some of us, and even I can when I get a chicken that has been cooked—I can tell whether it has been a little bit too long on the shelf even though it has been in the refrigerator, unless it has been frozen solid because it gets a certain taste along the upper part of the leg. You know that a chicken has been dead too long when you find a chicken that is cooked and it has a little bit too much dark meat where there should not be so much—you know it has not been bled properly. Another thing, the bill seems to show a lack of confidence in the Food and Drug Administration because it expressly takes away the jurisdiction of that Department and puts enforcement as well as administration under the jurisdiction of the Secretary of Agriculture.

I certainly like one thing in this bill. We all know there has been a lot of talk here on the floor from members of the Agriculture Committee, especially from some folks from the South and around in Texas, about the Secretary of Agriculture, Mr. Benson. He has been called most everything, cussed up hill and down. Well, here is a declaration of confidence in Secretary Benson, better late than never. Read the bill through page by page, paragraph by paragraph, and sentence by sentence. Then confess and repent. I know the gentleman from Texas [Mr. POAGE] will be interested and take notice as well as will the gentleman from North Carolina [Mr. COOLEY] in those provisions of this bill which they support and which so clearly expresses complete faith in the ability, the courage, the determination, the good faith of our Secretary of Agriculture—qualities which have been sometimes questioned but are now acknowledged to be his. Permit me to congratulate you two gentlemen and others upon having at last realized the greatness, the patriotism, the sincerity, and the ability of our Secretary of Agriculture and have by this bill conferred upon him. More he cannot ask and I hope he will call it to your attention when hereafter you venture to make complaints which I doubt you logically can do after the grant of authority carried in this bill.

Mr. ELLIOTT. Mr. Chairman, I rise in support of H. R. 6814, which provides for the compulsory inspection by the United States Department of Agriculture of poultry and certain poultry products.

I have recognized for some time that the consuming public is entitled to have an inspected chicken or broiler; and to that end, early in this session, I introduced H. R. 5463. Naturally, I feel that my bill is, in some respects, superior to the bill presently before us; but, realizing that all legislation of this type is the result of compromise, I am willing to accept this bill, together with such beneficial amendments as it carries, with the hope that any last-minute improvements indicated as being absolutely necessary can be effected by the conference between the House and Senate on the legislation. The Senate has already passed a bill providing for compulsory inspection.

If you accept the proposition that the American housewife is entitled to have the assurances of her Government that the poultry she buys has been inspected by her Government, and found to be clean and wholesome, then this bill or some reasonable approximation to it should be enacted. If inspection is to be compulsory, then it naturally follows in my mind that the cost of the inspection should be borne by the United States Government.

This bill provides that inspectors will be appointed by the United States Secretary of Agriculture, and I feel that he is given rather broad powers in this regard. However, I recognize the fact, especially in the early years when we are getting started with this inspection, that there should be great flexibility insofar as qualifications of the inspectors are concerned.

I have been assured by the hearings on this legislation, and by the debate this afternoon, that there is absolutely no intent on the part of this bill, or of any of its sponsors, to work an undue hardship upon any portion of the poultry industry. I am particularly interested to see that the small processors, those fellows who dress and process relatively a small number of birds, are not so burdened by redtape and regulation and undue requirements that they cannot continue to operate. I have been assured in this debate that there will be enough inspectors furnished by the United States Department of Agriculture, so that every poultry processing plant, however small or however irregular it operates, as long as it dresses or processes poultry for interstate commerce, will have the benefits of the poultry inspection service. This is as it should be. As a matter of fact, the bill provides a way whereby those processing plants that process for the intrastate trade, but are located in such a manner that their products constitute some burden to the interstate movement of poultry products, will have an opportunity, upon petition and hearing, to come within the purview of this law and be entitled to its inspection benefits, even though they process and dress poultry only for the intrastate demands.

There has been some suggestion in the debate here today that the passage of this bill will so slow down the operation of the processing plants as to cause the amount charged for dressed chicken to be unduly raised. However, I am informed by others, who have studied the matter, that perhaps most plants can be rearranged in such a manner that the slowdown caused by post mortem bird-by-bird inspection will not be too great. However that all may be, I feel, Mr. Chairman, the fact that the purchaser of chicken can be assured that his particular chicken was personally inspected, will be sufficient to increase the demand for poultry and poultry products sufficiently to overcome any deficiency occasioned by slowing down the lines in the processing plants. I am confident that eventually the matter can be worked out where there will be no real harmful effects.

Mr. Chairman, this bill should be passed. It is in the best interest of the consumer. It is, in the long run, in the best interest of the processor. It is in the best interest of the producer or grower of broilers.

Undoubtedly, inequities may appear as the operation of the bill gets underway, but I, for one, will be anxious to cooperate to iron out any inequities that may become apparent. I have the privilege of representing one of the largest poultry-producing areas of the country. The broiler and poultry industry is one of our large industries. There is being produced in the neighborhood of $4 billion worth of poultry a year in the United States. Under such forward-looking legislation as this, I believe the industry will grow in capacity, in strength, and in quality.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose, and the Speaker having resumed the chair, Mr. O'BRIEN of New York, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 6814) to provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products, pursuant to House Resolution 304, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

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

The SPEAKER. The question is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. REECE of Tennessee), there were—ayes 93, noes 23.

So the bill was passed.

A motion to reconsider was laid on the table.

Mr. WATTS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 1747) an act to provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products, strike out all after the enacting clause of the Senate bill, and insert the language of the bill H. R. 6814.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. WATTS]?

Mr. REECE of Tennessee. Mr. Speaker, I object.

GENERAL LEAVE TO EXTEND REMARKS

Mr. WATTS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER. Is there objection?

There was no objection.

Mr. PORTER. Mr. Speaker, this House has before it today legislation which I consider vital to the health of this country. H. R. 6814 would provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products. The poultry industry in the State of Oregon is important to Oregon economy. The industry is important in many other areas.

On June 27, I received a letter from Dr. Harold M. Erickson, health officer for my State. Dr. Erickson reminded me of Oregon's recent experience with the hazards to human health in the processing of diseased poultry. For this very reason, the State health authorities had significant cause the examine carefully the various bills introduced in the House of Representatives relative to poultry inspection. He said that the health authorities, after carefully reviewing them, recommend H. R. 6814. The health authorities of Oregon believe this bill offers the most protection to human health without sacrifice of practicability.

Dr. Erickson and his staff share my concern and belief that there is a real need for compulsory poultry inspection. Therefore, at this time, I want to strongly urge the passage of this proposed legislation. I want also to commend the members of the Committee on Agriculture for their investigation into this matter and for the subsequent legislation now under consideration. It is my understanding that without exception witnesses at the hearing held by the committee expressed themselves in favor of some type of compulsory poultry inspection. I think this is indicative of its need.

I have received a considerable amount of correspondence concerning this bill, and, unlike many issues, there has not been a single letter opposing its passage. I believe H. R. 6814 is legislation which will provide safeguards which long have been needed in the poultry industry.

Mr. ANFUSO. Mr. Chairman, in passing the bill H. R. 6814, which provides for compulsory inspection by the Department of Agriculture of poultry and poultry products, it is of utmost importance that certain religious practices should not be overlooked.

It is my understanding, developed from the testimony at the hearings of the Committee on Agriculture, that recognized religious practices of the Jewish faith are accepted in the bill. For example, the laws of Kashruth require that kosher poultry be slaughtered by a shochet—religious slaughterer—that it cannot be defeathered with the use of steam or hot water, and that it must be offered to the consumer uneviscerated.

In order that these religious requirements should not be disturbed, poultry processed in accordance with religious dietary laws is to be exempt from the act.

I, therefore, call again these practices to the attention of the Secretary of Agriculture so that, in issuing the necessary rules and regulations pursuant to the act, he will make certain that they in no way interfere with these traditional processing requirements of the Jewish people.

EXTENSION OF AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

Mr. COOLEY. Mr. Speaker, I call up the conference report on the bill (S. 1314) to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes, and I ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina [Mr. COOLEY]?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 683)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1314) to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "That the Agricultural Trade Development and Assistance Act of 1954, as amended, is amended as follows:

"(1) Sections 109 and 204 of such Act are amended by striking out '1957' and substituting in lieu thereof '1958.'

"(2) Section 103 (b) of such Act is amended by striking out '$3,000,000,000' and inserting in lieu thereof '$4,000,000,000.'

"(3) Section 203 of such Act is amended by striking out '$500,000,000' and inserting in lieu thereof '$800,000,000.'

"(4) Section 104 (e) of such Act is amended by striking out the semicolon at the end thereof and adding a comma and the following: 'for which purposes not more than 25 per centum of the currencies received pursuant to each such agreement shall be available through and under the procedures established by the Export-Import Bank for loans mutually agreeable to said bank and the country with which the agreement is made to United States business firms and branches, subsidiaries, or affiliates of such firms for business development and trade expansion in such countries and for loans to domestic or foreign firms for the establishment of facilities for aiding in the utilization, distribution, or otherwise increasing the consumption of, and markets for, United States agricultural products: *Provided, however*, That no such loans shall be made for the manufacture of any products to be exported to the United States in competition with products produced in the United States or for the manufacture or production of any commodity to be marketed in competition with United States agricultural commodities or the products thereof. Foreign currencies may be accepted in repayment of such loans.'

"(5) Within sixty days after any agreement is entered into for the use of any foreign currencies, a full report thereon shall be made to the Senate and the House of Representatives of the United States and to the Committees on Agriculture and Appropriations thereof.

"(6) Section 304 of such Act is amended to read as follows:

"'SEC. 304. (a) The President shall exercise the authority contained in title I of this Act (1) to assist friendly nations to be independent of trade with the Union of Soviet Socialist Republics and with nations dominated or controlled by the Union of Soviet Socialist Republics and (2) to assure that agricultural commodities sold or transferred thereunder do not result in increased availability of those or like commodities to unfriendly nations.

"'(b) Nothing in this Act shall be construed as authorizing transactions under title I or title III with the Union of Soviet Socialist Republics or any of the areas dominated or controlled by the Communist regime in China.'"

And the House agree to the same.

HAROLD D. COOLEY,
W. R. POAGE,
E. C. GATHINGS,
AUGUST H. ANDRESEN,
WILLIAM S. HILL,
Managers on the Part of the House.

ALLEN J. ELLENDER,
OLIN D. JOHNSTON,
SPESSARD L. HOLLAND,
JAMES O. EASTLAND,
HUBERT H. HUMPHREY,
GEORGE D. AIKEN,
MILTON R. YOUNG,
EDWARD J. THYE,
BOURKE D. HICKENLOOPER,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing positions of the two Houses on S. 1314, to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The action of the House was on the bill H. R. 6974 and after adoption of this bill in the House the Senate bill was amended by striking out all after the enacting clause and substituting the provisions of the House bill.

As passed by the Senate, S. 1314 contained four provisions, three of which were identical with similar provisions in the House amendment.

MATTERS IN AGREEMENT

The three provisions with respect to which the Senate bill and the House amendment were identical are: (1) Extension of the termination date of titles I and II of the act from June 30, 1957, to June 30, 1958; (2) an increase of one billion dollars in authority to dispose of surplus commodities under title I of the act; and (3) an increase of three hundred million dollars in the allowable disposals for famine relief and other assistance under title II of the act. With respect to these three provisions, the compromise substitute agreed upon by the conferees and reported herewith is identical with the provisions of both the Senate bill and the House amendment.

BARTER WITH SATELLITE COUNTRIES

The fourth provision in the Senate bill was the repeal of section 304 of the act which

had been construed to prohibit barter transactions with the so-called satellite countries. The House bill contained no such provision.

With respect to this matter, the conference has agreed upon a compromise position which will permit barter transactions (but not sales for local currency) with the European satellite nations but which specifically prohibits barter transactions with the U. S. S. R. itself, with Communist China, or with any of the areas dominated or controlled by the Communist regime in China. It is to be noted that the existing provisions of title I of the act, in which no change is made, prohibit sales for foreign currency under title I to the U. S. S. R. or "any nation or area dominated or controlled by the foreign government or foreign organization controlling the world Communist movement."

ADDITIONAL APPROPRIATING AUTHORITY

The conference bill omits the provision of the House amendment which would have extended the appropriating authority of Congress to the financing of international educational exchange activities and the translation, publication, and distribution of books and periodicals with foreign currencies available pursuant to the provisions of the act. The committee of conference considered this point at length and the House conferees receded from the House amendment in this matter only after it was pointed out that the foreign currencies proposed to be used for these programs are budgeted several years in advance pursuant to agreements entered into with the respective foreign countries, that these budget estimates are submitted by the Bureau of the Budget to the Appropriations Committees, that the amount of foreign currency to be used for these programs is taken into consideration by the Appropriations Committees in making their dollar appropriations, and that, therefore, enactment of the House provision would add nothing to the real authority of the Appropriations Committees while it would seriously curtail the authority of the President to make agreements with other governments with respect to the sale of surplus commodities and with respect to these particular programs.

FOREIGN CURRENCY LOANS TO PRIVATE BUSINESS

The conference bill contains with some modification the provisions of the House amendment with respect to this matter. The modifications: (1) make is clear that loans for the establishment of facilities for aiding in the utilization, distribution, or otherwise increasing the consumption of, and markets for, United States agricultural products may be made to either foreign or domestic firms and (2) provide that loans may not be made for the manufacture or production of any commodity to be marketed in competition with United States agricultural commodities or the products thereof.

As agreed to by the committee of conference, this provision expresses a firm but general policy of the Congress that a substantial portion (25 percent unless there are compelling reasons for using a less amount) of the foreign currencies accruing under agreements hereafter entered into should be used for loans to assist the development and expansion of private business in the countries with which agreements are made under Public Law 480. These loans are to be of two types: (1) loans to United States business firms and their branches, subsidiaries, or affiliates for general business development and trade expansion, and (2) loans to either United States or foreign business firms for expanding markets for and consumption of American agricultural products abroad. The bill provides that such loans are to be made through and under the procedures of the Export-Import Bank and that they may be repaid in the foreign currency in which the loan is made. The detailed provisions as to the terms of the loans, the manner in which specific loans are to be made, and the method and time of repayment, are left to the determination of the President and will doubtless also be embodied to a mutually satisfactory extent in the agreements with foreign governments under this act. In this connection, the committee of conference points out that the approval and concurrence of the foreign government in this loan program is fully assured by the requirement that the loans negotiated by the Export-Import Bank must be "mutually agreeable" to the bank and to the nation involved.

REPORTS ON AGREEMENTS

The conference bill retains the House provision requiring that a full report on any agreement for the use of any foreign currencies be made to the Senate and House and to the Committees on Agriculture and Appropriations thereof within sixty days after any such agreement is entered into.

SURPLUS FOODS FOR STATE PENAL INSTITUTIONS

The conference bill does not contain the provision in the House amendment that would have made surplus food commodities available for contribution to State and local penal and correctional institutions. In this connection it was pointed out that there has been a substantial reduction in the past year in the stocks of surplus foods in the hands of the Commodity Credit Corporation and it appears at the present time that the existing list of eligible recipients of this food is entirely adequate to absorb the remaining stocks on hand and those which may reasonably be anticipated for the immediate future. While maintaining the soundness of its position in this matter, the House conferees felt that they should not insist on their position at this time.

BASIC OBJECTIVES OF THE ACT

The conferees take this occasion to specifically reaffirm the statements with respect to the basic objectives of Public Law 480 and the operations thereunder which were contained in the committee reports of the two Houses on this legislation. Specifically, the conference committee believes that the provisions of Public Law 480 should be utilized to the fullest to develop new and expanded markets abroad for the products of American agriculture. In this connection, the committee of conference expects that extra long staple cotton will be sold under the authority of this act, as is upland cotton, to any friendly nation without regard to the fact that this commodity may compete with a similar commodity produced outside the United States, and that all surplus agricultural commodities regardless of the kind, will be made available for sale under the act without the imposition of conditions which would prevent or tend to interfere with their sale. Rather than in any way seeking to discourage or impede the sales of such surplus commodities, their sales should be emphasized if it appears that by such sale under this act a future market for dollars, in the regular course of international trade, may be established for such commodities.

HAROLD D. COOLEY,
W. R. POAGE,
E. C. GATHINGS,
AUGUST H. ANDRESEN,
WILLIAM S. HILL,
Managers on the Part of the House.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

POLICIES WITH REGARD TO THE WATCH INDUSTRY

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

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

There was no objection.

Mr. MACHROWICZ. Mr. Speaker, within the past 10 days, I have returned from Geneva, Switzerland, where I served as an adviser to the United States delegation at the conference on the General Agreement on Tariffs and Trade. I returned home reassured that significant accomplishments are being made in efforts by the free nations of the world to eliminate quotas and to minimize other barriers to international commerce.

I want to say to my colleagues that I was very impressed by the manner in which the United States representatives discharged their responsibilities under situations which required the greatest delicacy and skill.

At the same time, I feel compelled to call the attention of the House to an incident which took place in Switzerland a short time before the GATT conference opened and which could have undermined the positon of our representatives. The incident involves an official of the United States Department of Commerce who was visiting Switzerland and who requested a meeting with representatives of the Swiss watch industry.

At this meeting, I was reliably informed, the Commerce Department employee stated that he was an official representative of the United States Government. He then proceeded to disclose to the Swiss what he claimed will be the findings of the executive branch with regard to petitions which have been filed by the domestic watch manufacturing industry for relief from import competition under section 7 of the Trade Agreements Act.

Specifically, this Commerce Department employee informed the Swiss that the United States Government would soon reaffirm the defense essentiality of the domestic watch manufacturers and would impose quotas on watch imports unless the Swiss "voluntarily" agree to introduce quotas on exports to the United States.

Mr. Speaker, I can think of no more improper way for an employee of the executive branch to perform on an overseas trip. First, this man posed as an official spokesman for the American Government. Then, he predicted actions by the administration long before any official decisions have been made. So far as I am aware, action on the watch petitions is still in a preliminary stage, and neither the ODM nor the White House has reached any conclusions. And finally, at the very time that our GATT representatives were preparing to leave for Geneva to work on a program aimed at reducing trade barriers, he was pleading for the imposition of a quota system on Swiss watch exports.

As many of my colleagues are aware, I have long maintained that the 50 percent increase in tariffs on imported watch

movements, and other protectionist actions taken by the administration on behalf of the domestic watch manufacturers, were a serious mistake. It has been my belief that the so-called defense essentiality of the domestic watch manufacturers, which has been used to justify these trade barriers, is a myth—and it seems that the Defense Department shared this view at the time it filed a report with ODM recommending against Government assistance. This is the report, you will recall, which was prepared by the Defense Department in 1954, but was suppressed for many months in order to avoid embarrassment to the administration which had decided to yield to pressure—spearheaded by the Commerce Department—for a watch tariff increase.

Now it appears that the Commerce Department, or at least certain of its officials, is once again trying to take the lead in shaping policies at the Office of Defense Mobilization and the White House. Amazingly, these Commerce officials feel so confident that their protectionist views will prevail that they are informing the rest of the world in advance.

Mr. Speaker, I sincerely hope that these efforts by the Commerce Department to dictate the policies of the executive branch with regard to the watch industry will not succeed, and that ODM and the White House will, at long last, give this matter the objective study which it deserves. I am convinced that the President, who continually appeals to the Congress for enactment of liberal foreign-trade legislation, will recognize that actions speak louder than words, and that he cannot continue to allow the administrative departments and agencies to undermine the policies which he so ardently espouses. I believe the President will want to put an immediate end to this kind of mischievous behavior by Commerce Department officials and will line up the executive branch solidly behind his program of a gradual reduction in trade restrictions, including those in the watch industry.

For this reason, I have written the President a letter outlining the serious impropriety which I have described and emphasizing the fundamental problem that an unwarranted action of this kind raises for our Nation. I am, indeed, looking forward to the days ahead, to see whether the administration again bows to protectionist influences within the Commerce Department or whether the President will make his views prevail within his own official family.

Mr. Speaker, I submit here the text of the letter I have written to President Eisenhower to be included as part of this statement. I sincerely hope that my colleagues in the Congress will find the opportunity to give it their careful consideration.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., July 3, 1957.

Hon. DWIGHT D. EISENHOWER,
President of the United States,
The White House, Washington, D. C.

DEAR MR. PRESIDENT: I have just returned from GATT conferences at Geneva to which I was assigned by designation of Mr. SAM RAYBURN, Speaker of the House, and at the suggestion of our State Department to serve as an adviser to the United States delegation.

I found there that the United States representatives were faced with many tasks requiring the greatest delicacy and skill in negotiation, and I came to believe that they were discharging their responsibilities efficiently and intelligently.

One of the greatest problems confronting them is that of continuing to persuade the countries with whom we trade to abstain from the abuse of quotas, import restrictions, and other negative devices. I believe that unless our negotiators can be continuously successful in this respect, the entire structure of GATT can be rapidly undermined and the consequences will be seriously injurious to the trading and export position of the United States.

Under these circumstances, I am sure that you are fully in agreement with my feeling that American negotiators at GATT must obtain the fullest cooperation of all departments of our Government; and furthermore that great care must be exercised so that no department of our Government will be guilty of acts—either deliberate or inadvertent—which can have the effect of undermining the authority of our GATT delegation, or of creating confusion and doubt regarding the basic trade policies of the United States among our many trading partners.

I therefore feel that it is my obligation and duty to report to you what I believe was a flagrant misuse of authority by an official of the Department of Commerce, who, I learned during my visit, had come to Switzerland immediately before the GATT conference and conferred with officials of the Swiss watch industry.

On the basis of the most reliable available reports of this official's meeting with Swiss industry members, I learned that he represented himself as speaking directly for the Government of the United States. He advised the Swiss industry officials that our Government would soon again reaffirm the defense essentiality of the domestic, United States watch industry.

The principal points made by this Department of Commerce official, as reliably reported to me, are the following:

1. The United States Government will decide that the domestic watch industry should receive the full support of the Government because watch companies in the United States are vital to national defense and are seriously threatened by some imported Swiss watches.

2. The Swiss should take advantage of the pending time and should offer their own solution for this problem in order to avoid further unpleasant measures against them.

3. The Swiss industry should adopt a self-imposed quota on its watch exports to the United States; if they do not act in this fashion, the probable alternative will be quotas imposed by the United States Government.

You can understand that reports of this meeting created a considerable sensation within Switzerland. Here was an official of the United States Commerce Department purporting to offer advance information concerning the final decision which will be reached by the Office of Defense Mobilization on the petition filed by the United States watch manufacturing industry under section 7 of the Trade Agreements Extension Act; predicting the actions which the President will take to implement the ODM finding, and recommending a quota system on the part of the Swiss. Timed as it was immediately prior to the GATT conference, such a statement naturally led to expression of considerable doubt regarding American trade policy, American actions within GATT and the responsibility and trustworthiness of our negotiations.

I take a very serious view of this incident and I trust that you will also regard this as a matter of extreme importance. I therefore feel that it is within my province to call to your attention certain considerations and fundamental questions with respect to the action of this Department of Commerce official.

First, is it true, as this official maintained, that the executive branch of our Government has already reached final decisions with respect to the ODM investigation on watch imports, although the investigation has not yet been completed?

Second, how is it possible for the Government to reach such a decision when the Defense Mobilizer has not yet rendered his findings nor has the President undertaken an independent investigation as required by the statute?

Third, is the action taken by the Department of Commerce official a result of personal impropriety? Or does it represent a calculated effort by certain people within the executive branch to shape the conclusions of the Office of Defense Mobilization and the White House?

Fourth, is it proper for an official of the Commerce Department to pose as a spokesman for the United States Government and to urge the imposition of quotas on Swiss watch exports to the United States?

Fifth, and finally, if the Department of Commerce representative has acted wholly without authority and contrary to your personal wishes, will the executive department take steps so that (a) there can be no existing confusion or misapprehension regarding the United States trade policy in respect to quotas, and (b) there can be no further repetitions of such unfortunate and mischievous incidents?

I shall look forward to receiving your reply at your early convenience.

Yours sincerely,

THADDEUS M. MACHROWICZ,
Member of Congress.

U. N. IFICATION OF IRELAND

Mr. LANE. 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 Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, we have been waiting for a progress report from the United States delegation to the United Nations concerning its efforts to promote the unification of Ireland.

Have our representatives to the U. N. accomplished anything in this direction?

Are they consulting with the members of the British delegation, and with other delegates, as to ways and means for ending the unnatural division of this island into the agricultural south and the industrial north?

Millions of Americans who proudly trace their ancestry to Ireland have been patiently waiting for news of progress toward unification.

In this they are joined by every person in the free world who believes in right, and justice.

But there is no news.

Why?

We realize that the United Nations has to contend with many problems involving the defiance of its moral authority; the betrayal of the armistice agreement by the Chinese Reds and the North Koreans; the intransigence of Egypt under Colonel Nasser, and the

brutal conquest of Hungary by Soviet tanks. These and others.

The Republic of Eire rejects the use of force to unite Eire with the six northeastern counties of Ulster which, since the beginning of time, have been an integral part of Ireland. Where would the United States be today if it were divided into two nations by civil war; or had partition imposed on it by alien conquerors who, knowing that the people were winning their fight for independence, negotiated a peace treaty on the basis of temporary partition? How would we feel if the promise to adjust the problem of partition was delayed by Britain for over 36 years?

The Republic of Eire bases its claim for unification on reason and morality, because, in the court of world opinion, it is clearly in the right.

The Government of the United States knows this to be true.

But what is our Government doing, through its representatives in the United Nations to achieve the unification of Ireland?

There is so little news of our progress.

The silence is disturbing.

The inertia is perplexing.

There is no valid reason whatever to obstruct the unification of Ireland. Only the illusion of intolerance, a myth to which the British Government clings, stands in the way of a united Ireland. For Ireland was one, in language, in culture, and in geographical fact, long before it was occupied but never conquered by British imperialism. It is a sad reflection on the freedom-loving British people of today, who are anxious to rid their Government of the last vestiges of imperialism, that they acquiesce in the continued partition of their neighbor whose hills they can observe across the Irish Sea.

From Protestant Douglas Hyde, the first President of the Irish Republic, to Jewish Robert Briscoe, former lord mayor of Dublin; the people of Eire are a fine example to the world of democracy in action, where a man is respected or honored on his own merits and nothing else.

Millions of Americans admire the Republic of Eire and its warm-hearted people, who, incidentally, look for no handouts.

These Americans are bothered by the artificial division of Ireland against the will of the Irish people.

They insist that the moral obligation of the United States to use its good offices for the unification of Ireland, be taken out of the inactive file.

They ask for a progress report and for definite assurances that our representatives in the General Assembly of the United Nations will press for positive action to unite all of Ireland under one independent government of its own choice.

SENATOR WAYNE MORSE: FIGHTER FOR TVA

Mrs. Green of Oregon. 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 gentlewoman from Oregon?

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, as a Representative from the State of Oregon, I am proud of the senior Senator from my State—of his integrity of purpose, of his zeal in fighting on behalf of all of the people, and of his lion-hearted courage abiding by his deep convictions that what benefits the people most will ultimately benefit America most.

It is therefore very gratifying to note that Senator MORSE's deeds do not go unnoticed beyond the borders of his own State but that the people of the Nation are also aware of the fact that he is exercising dynamic leadership in the United States Senate in attempting to secure the reversal of the power policies of the present administration and the substitution for them of a policy of utilizing fully our great natural resources for the greatest good of all the American people.

I was pleased, therefore, to note a letter sent to the editor of the Decatur Daily, published by Barrett Shelton, in Decatur, Ala., in which the writer, Mr. Bill Stewart, Jr., of Hartselle, Ala., points out the qualities which make the senior Senator from Oregon—WAYNE MORSE—a great Senator.

I include Mr. Stewart's letter to be printed in full in the CONGRESSIONAL RECORD:

Who has replaced the late, beloved Senator George W. Norris of Nebraska as the principal nonsouthern fighter for the Tennessee Valley Authority? In this writer's opinion the western author of the TVA Act and other far-reaching public service measures has been replaced by Oregon's vigilant Senator WAYNE MORSE. Although not popular in the South because of his civil-rights beliefs, it must be admitted that without a doubt our section would be in an even worse state without his support in the fight to keep TVA out of the hands of private business.

I had the pleasure of sitting in on a Senate debate when the principles of TVA were being debated on May 23. During a brief interlude in the educational tour taken by Hartselle's seniors, I learned that the TVA debate was going on so I caught a taxi to the Capitol Building. Despite the lack of Senators present, the temperature could not have been much hotter as Senator MORSE and Senator FRANK A. BARRETT, of Wyoming, a Republican, discussed very heatedly the issue of public versus private power.

Senator MORSE, always a severe critic of the administration's power policies, scored a direct hit every time the bewildered Senator BARRETT tried to defend President Eisenhower's views on TVA and other public-power units. As a part of the debate, the Senator from Oregon presented an editorial from the Denver Post which was entitled "So This Is Why Private Power Is Preferable to Public Power." This editorial, stated Senator MORSE, revealed very plainly the many advantages given the private power companies through Government subsidies, "fast tax writeoffs," and long-term low-interest loans.

Senator BARRETT tried but in vain to prove that the favors given the enemies of TVA were not favors at all but merely a use of the tax-amortization law. In a quick-fire debate, Senator MORSE shot back with more examples of malpractice by the present administration.

With a brief but fact-filled statement, MORSE informed the beguiled BARRETT that "Slowly but surely, there is unfolding the eye-opening story of a $23-billion concession" to the United States private power industry. He stated that private power companies like those attempting to take over the TVA system are saved millions in interest. But on the other hand he pointed out, "Then the taxpayers are soaked because the Treasury must borrow money which it otherwise would have in its possession; and then it has to pay interest on the money."

With neither Senator SPARKMAN nor HILL in the Senate Chamber at the time of the unpublicized but highly significant debate, Senator WAYNE MORSE clearly drew the line between the proponents and the opponents of TVA.

The wrangle also showed that on the whole, the Democrats are the backers of TVA and the Republicans are against it in the United States Senate. Because of the poor attendance at the time of the debate Senator MORSE had only Senator PAUL DOUGLAS to back him up in his attacks. DOUGLAS joined in the drive against Senators BARRETT, HENRY DWORSHAK of Idaho, and EVERETT M. DIRKSEN of Illinois who defended President Eisenhower's policies.

Has a successor to Senator Norris been found? We believe he has in the person of Senator WAYNE MORSE, Democrat, of Oregon.

BILL STEWART, Jr.

HARTSELLE.

FBI FILES BILL

Mr. TEAGUE of California. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. CRAMER] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. CRAMER. Mr. Speaker, on Friday, I addressed the House relative to the reckless remarks of Drew Pearson in Friday's newspaper column in which he discussed the FBI files bill voted out the preceding Tuesday by the Judiciary Committee of the House, of which I am a member. In commenting on the bill, Pearson made derogatory remarks about the committee as well as Members of the House. For instance, he implied that the only reason the bill was voted out was because of fear by Members of the FBI, due to certain records kept by that agency on all Members, and stated that thus the FBI always gets priority treatment by Congress. I refer my colleagues to my remarks starting on page 10922 of the RECORD which, I believe, illustrate how asinine Pearson's statements on this matter are.

Again, today, Pearson carries a column on the same FBI bill which has now cleared the Senate Judiciary Committee and is the same as H. R. 7915 as reported by the House. It is my opinion that his statements today are as reckless and unsubstantiated as were those of Friday. Apparently he is carrying on a campaign of smear against this bill in an effort to falsely arouse opposition to this much needed emergency legislation in the hope some of the Members of Congress will bite. Recognizing this and being a cointroducer of the bill, I feel it is my duty again to show how ill advised he is on this matter, how he fractures the

facts and relies on wholly uncorroborated statements to build his distorted case.

Pearson states in an effort to arouse southern Congressmen, of which I am proudly one, against the bill that it might limit the defendants' right to search FBI records in civil-rights cases which the FBI might investigate in the future if the civil-rights bill is passed.

His words were:

Defense lawyers now have the right under Supreme Court rulings to examine earlier statements made to the FBI in order to impeach the testimony of witnesses. The FBI bill would curtail that right.

This is just not true. The mere reading of H. R. 7951, which is corroborated in the report on the bill, disproves this. I set out the wording of the added section to title 18, United States Code, chapter 233, in order that all members can avail themselves of the text of this bill and for the purposes of clarifying this discussion:

§ 3500. Demands for production of statements and reports of witnesses.

(a) In any criminal prosecution brought by the United States, any rule of court or procedure to the contrary notwithstanding, no statement or report of any prospective witness or person other than a defendant which is in the possession of the United States shall be the subject of subpena, discovery, or inspection, except as provided in paragraph (b) of this section.

(b) After a witness called by the United States has testified on direct examination, the court shall, on motion of the defendant, order the United States to produce for the inspection of the court in camera such reports or statements of the witness in the possession of the United States as are signed by the witness, or otherwise adopted or approved by him as correct relating to the subject matter as to which he has testified. Upon such production the court shall then determine what portions, if any, of said reports or statements relate to the subject matter as to which the witness has testified and shall direct delivery to the defendant, for use in cross-examination, such portions, if any, of said reports or statements as the court has determined relate to the subject matter as to which the witness has testified. The court shall excise from such reports and statements to be delivered to the defendant any portions thereof which the court has determined do not relate to the subject matter as to which the witness has testified. If, pursuant to such determination, any portion of such reports or statements is withheld from the defendant, and the trial is continued to an adjudication of the guilt of the defendant, the entire reports or statements shall be preserved by the United States and, in the event the defendant shall appeal, shall be made available to the appellate court at its request for the purpose of determining the correctness of the ruling of the trial judge.

(c) In the event that the United States elects not to comply with an order of the court under paragraph (b) hereof to deliver to the defendant any report or statement or such portion thereof as the court may direct, the court shall strike from the record the testimony of the witness and the trial shall proceed unless the court in its discretion shall determine that the interests of justice require that a mistrial be declared.

The committee report, in discussing the bill clearly shows that all the defendant's present rights are protected and quotes Justice Burton in the Jencks case who states what the defendant's rights have historically been in criminal cases and I quote from page 4 of the report:

It should be emphasized that this legislation in no way seeks to restrict or limit the decision of the Supreme Court insofar as constitutional due process of a defendant's rights is concerned. While defendant will be entitled to pertinent portions of the reports and statements of Government witnesses which the Government has in its files, he will not be entitled to rummage through confidential information containing matters of public interest, safety, welfare, and national security. He will be entitled to so much of the reports and statements as is relevant to a witness' testimony for the purpose of attacking the witness' credibility. The instant legislation, in securing this entitlement to defendant, authorizes the trial court to inspect the reports and statements and determine what portions thereof relate to the subject matter as to which the witness has testified and to direct delivery of those portions to defendant for his use in the cross-examination of the witness.

There is nothing novel or unfair about such procedure, as Mr. Justice Burton notes in his concurring opinion in the Jencks case. According to Wigmore, and as quoted by Justice Burton, such a procedure is customary:

"It is obviously not for the witness to withhold the documents upon his mere assertion that they are not relevant or that they are privileged. The question of relevancy is never one for the witness to concern himself with; nor is the applicability of a privilege to be left to his decision. It is his duty to bring what the court requires; and the court can then to its own satisfaction determine by inspection whether the documents produced are irrelevant or privileged. This does not deprive the witness of any rights of privacy, since the court's determination is made by his own inspection, without submitting the documents to the opponent's view." (VIII Wigmore, Evidence (3d ed. 1940), 117-118.)

Such provisions as this legislation contemplates effect a twofold beneficial purpose. It protects the legitimate public interest in safeguarding confidential governmental documents and at the same time it respects the interests of justice by permitting defendants to receive all information necessary to their defense.

As a matter of fact, upon recommendation of the Attorney General, the committee broadened the rules of evidence to the advantage of the defendant by accepting that portion of the Jencks case that held that a foundation of inconsistency between the testimony of the witness and the statement need not be established by the defendant before such a statement would be made available to the defendant, and thus statements which relate to the testimony of the witness must be made available to the defense without requiring that the defense first establish some inconsistency. Thus, the rights of the defendant are broadened over what they used to be by the omission from the FBI bill of language to upset this new rule of evidence, set out in the Jencks case, and, as the report states, the bill merely attempts to prevent the defendant from inspecting heresay, irrelevant, and unverified material in the files which under no previous rules of evidence were ever made available to the defendant, and in order to make sure that the Jencks case is not in the future, as in the past, too broadly construed. This disproves Mr. Pearson's first assertion. Pearson further states that:

Legal experts—

Without indicating who the so-called experts are—

now find the FBI bill would override not merely the Supreme Court but years of judicial procedure worked out by the courts and the American Bar Association to protect an individual from an oppressive Government.

And then he lists examples to support this opinion. The examples which I shall examine will clearly show how unexpert his expert advisors are—and they arouse my suspicions that he is his own expert—and that he doesn't mind fracturing a few more facts to reach certain preconceived ends so far as opposition to this bill is concerned. In each example a group of people he would like to stir up or scare into opposition to the bill are included, and I quote these examples he cites and refute them one by one.

First:

The National Association of Manufacturers: The FBI bill would permit a field day to the Government in antitrust prosecutions. General Motors, Du Pont, and any other corporation could be prosecuted without giving them the right to see the files of a competing firm on which the prosecution is based.

This is utterly false. Many such proceedings are civil in nature and the bill only applies to criminal cases. But, the report itself clearly states, and a reading of the bill substantiates this, that it has no effect whatsoever on books, records and evidence even in criminal cases other than statements of the witness. This is clearly pointed out in the report in the discussion of Rule 17 of the Federal Rules of Criminal Procedure in which it is correctly stated:

Rule 17 of the Federal Rules of Criminal Procedure relates to subpenas and subsection (c) provides among other things that "the court may direct that books, papers, documents, or objects designated in the subpena be produced before the court at a time prior to the trial or prior to the time when they are to be offered in evidence and may upon their production permit the books, papers, documents, or objects or portions thereof to be inspected by the parties and their attorneys." The Jencks decision did not involve this rule or any subpena issued thereunder. Rule 17 (c) relates to the production of documentary evidence and objects. The Jencks decision involves only prior statements made by witnesses which could only be used as evidence in the event the prior statement is in some way inconsistent with the testimony of the witness at the trial and in such case, as the court carefully pointed out, its only use would be for purposes of impeachment. H. R. 7915 does not in any way restrict the application of rule 17 (c) unless it be contended that it authorizes the issuance of the subpena in advance of trial for the production of statements of Government witnesses prior to their being called as witnesses. Such an application extends far beyond the purpose and language of rule 17 (c) and any such application of the rule to the statements of witnesses ought to be eliminated.

Thus, Mr. Pearson is proven wrong on his first example, not that he has ever

been the champion of the NAM. The second example he uses I quote:

Of interest to taxpayers—in tax cases against you, the Government could seize your files and financial statements and you would have no access to them.

This is utterly and ridiculously false. In the first place, this has never been the rule of evidence, because the defendant is always entitled to any records which he provides for the investigating officers and, secondly, for the same reason as stated in the first example, the bill only applies to statements of the witness, not to records and other documents. And of course, any statements of the defendant are always available to him, so, this entire "scare the taxpayer" example is fallacious. And certainly no "legal expert" would support this second example as a legal principle. The third example he uses and I quote:

Of interest to lawyers—

And now Mr. Pearson becomes a lawyer's lawyer—

the FBI bill wipes out rule 16 of the Federal Rules of Criminal Judicial Procedure, namely the right of discovery.

This is the poorest lawyer's lawyer advice I have gratuitously received in some time and of course just is not so. The bill retains all the present discovery procedures as the report states and I quote:

Suggestion has been made that H. R. 7915 would eliminate pretrial discovery and inspection as it presently exists in criminal cases. There is no merit to such suggestion. Rule 16 of the Federal Rules of Criminal Procedure cover the subject of discovery and inspection and provide that prior to trial and upon motions of the defendant the court may order the attorney for the Government to permit the defendant to inspect and copy "designated books, papers, documents, or tangible objects, obtained from or belonging to the defendant or obtained from others by seizure or by process, upon a showing that the items sought may be material to the preparation of his defense and that the request is reasonable." Rule 16 does not apply to written or other statements made by Government witnesses. Rule 16 was not involved in the Jencks decision and is not affected by H. R. 7915.

Thus, all three examples are unquestionably made up out of whole cloth in an effort to scare certain segments of our citizenry in an effort to stymie this much needed legislation.

Then to obscure the situation further and to make it appear that innocent people will suffer from trumped-up charges by the FBI if files are not opened to the defendant he gives as an example one case of obvious injustice to a Tom Mooney which preceded the establishment of rule 16. To imply that the FBI or any Government agency will fabricate charges is in itself—and particularly on the record of the FBI—untenable. But the example cited took place before the enactment of rule 16 and would be protected by that rule now, in that the bill does not in any way affect the right of discovery. Thus, this example is the use of most brazen scare techniques.

I would recommend to Mr. Pearson that in the future he might read the bill and the report thereon before he starts a scare campaign against it—especially when it involves such a vitally needed bill designed to prevent the breakdown of law enforcement and criminal procedures which would result in numerous criminal escapees from receiving their just punishment as a protection of the general welfare. Congress must act in the public interest when criminals are permitted to go scott free as the result of the Jencks case ruling, which has already been the proven effect in some cases as the report indicates.

As a southerner and as a cointroducer of the FBI bill I refuse to be scared by Mr. Pearson's smear tactics and I am sure the Members of Congress recognize them for what they are.

THE IMPACT OF IMPORTED FOREIGN OIL ON THE DOMESTIC OIL INDUSTRY

The SPEAKER. Under the previous order of the House the gentleman from Oklahoma [Mr. STEED] is recognized for 15 minutes.

Mr. STEED. Mr. Speaker, I have asked for this time today to again call attention of the Congress to a dangerous and appalling situation still confronting the Nation's domestic oil industry because of the continued growth of an undue quantity of imported foreign oil.

During the last several years I have served on a subcommittee which has studied the retailing of gasoline in America, and its many problems. Price wars continue to rage throughout the Nation and to anyone who will study the mass of testimony available, it ought to be apparent that the basic and fundamental reason for these price wars is the oversupply of gasoline that these foreign imports have imposed upon the country.

Tens of thousands of small independent gasoline retailers already have gone bankrupt, many of them direct victims of this import situation. Unless some relief is obtained, thousands more are condemned to the same misfortune in the months ahead.

In addition to this sideline of victims of big corporate greed, we know that the domestic oil industry represents a segment of our economy that is sick and that soon will include most of the small independent oil producers as further victims of this greed.

On this very day that I make this plea more than 1½ million barrels of foreign oil are being brought into the United States in competition with that domestic industry. These imports of oil no longer supplement domestic production as Congress intended when it passed the defense amendment to the Trade Agreements Extension Act in 1955. These 1½ million barrels of oil now supplant an equivalent amount of production from oilfields in Illinois, Arkansas, Louisiana, Texas, Oklahoma, and all other States where there is oil production.

There are many who would have you believe that this foreign oil is desperately needed—that the domestic industry is not capable of meeting our needs. However, that is not the case. The domestic oil-producing industry today has shut-in productive capacity of over 2 million barrels daily which could be produced if there was a market for the oil.

Crude oil production reached a peak of 7,717,000 barrels daily in March of this year. It has been reduced each month since then and, based on announced production allowables, will probably average no more than 6,900,000 barrels daily in July. While domestic production is being cut back month after month, imports continue to increase.

When Congress passed the defense amendment there were assurances that in regard to oil, any importation in excess of the ratio between imports and domestic crude production in 1954 would be considered a threat to the national security and actions taken to reduce imports to that level.

Yet, since the passage of the defense amendment, oil imports have continued at increasing rates to exceed that ratio—the maximum deemed safe for national security.

While the Nation's demand for crude oil has increased more than 7 percent since 1955, total well completions in the United States have dropped more than 10 percent. The number of rotary rigs active in fields across the Nation has dropped more than 11 percent and the primary phase of oil exploration, that of geophysical and core drilling crews, has dropped more than 15 percent since 1955.

These decreases come at a time when the domestic oil industry should be expanding its activities all across the country in its search for new reserves to provide the energy demands of our hungry economy.

The flood of foreign oil and its effect on every State of the Union is becoming more damaging every day.

Last week the Governor of Texas stated that when the Texas Railroad Commission cut oil-well production in that State to 13 days last month, it meant a loss of State revenue of nearly $50 million. This is revenue that would go to build more schools and would eventually have found its way into the tax coffers of other States through the construction purchases of Texas.

In my own State of Oklahoma, which was the first State to enact conservation legislation in order to protect the Nation in assuring a future supply of oil, the drilling activity has continued to go down as imports of foreign crude oil continue to rise. The number of rotary rigs active, for example, during the first half of 1957 averaged only 230, compared with 317 for the same period last year, a decline of 27 percent. Almost 1,200 fewer wells have been drilled than during the same period last year.

These are the effects of excessive imports on only two States of the Nation, but these effects will ultimately be felt by every other State. If Oklahoma and Texas oil revenues drop, then other industries must bear the brunt of an increased tax load to make up for the loss in oil revenues or if this is not done, vital programs planned for the welfare of the State must be postponed or abandoned.

While oil imports have been increasing, what has been done by the administration which promised you and me in 1955 that crude oil imports would be held within their 1954 ratio?

There have been studies, investigations, conferences with importers and testimony taken from the domestic industry as to the effects of these imports.

Yet not until our western allies faced an economic crisis due to the closure of the Suez Canal and the loss of Middle East oil, did these imports decrease one barrel.

Even then the importing companies, in order to maintain their import base in the United States, increased crude oil imports from Venezuela while Europe was crying for oil to fuel its factories and heat its homes.

This did not bother the importing companies, however, for they had to make sure that American industry never found out it could get along without imported oil.

During the Suez crisis the man responsible for keeping a checkrein on these importers told a Congressional committee that he was disappointed in the importing companies' attitude in regard to these Venezuelan imports.

In all this time while oil imports continue to soar and create havoc in the domestic industry and violate all national security standards, the administration has issued plea after plea for voluntary controls by the importing companies.

It is ridiculous to expect major American companies who are responsible to stockholders and boards of directors to carry out the national security policy of the United States Government. If the Government itself cannot carry out that policy, how can it expect a handful of international companies to do so?

On April 23 of this year the Director of the Office of Defense Mobilization certified to the President that crude oil imports threaten the national security.

Under the law the President is required to initiate his own study to determine if the ODM certification is correct.

Before making the certification to the President, ODM obtained from the importing companies their import schedules for the last half of 1957. These schedules indicated that the companies planned to import an average 1,260,000 barrels daily of crude oil alone—not considering products—during this period compared with an average of 656,000 barrels daily during the base year of 1954 considered to be the defense standard.

Despite this large scheduled increase in crude oil imports over the base year, the President waited 2 long months before appointing a committee to carry out this study. During this period crude oil imports increased from 906,000 barrels daily in April, to 1,025,000 in May and to 1,150,000 in June.

During this period the Director of ODM again appealed to the companies involved to voluntarily reduce their schedules for the last half of this year. He used a new tactic—personal conferences with each company—but the result was the same. Schedules filed just last week with the Texas Railroad Commission indicate that the importing companies still plan to bring in an unprecedented million and a quarter barrels daily of crude oil during the third quarter of this year.

In his statement announcing the formation of the new Committee the President urged the Committee to look at national security in "its broadest aspects."

This indicates a complete new study Cabinet Committee appointed last week mittee. If this is true, does it mean we will have 3 more years of delaying action by the administration with Mr. Gray pleading on the one hand with the importing companies to voluntarily reduce their imports and the importing companies blithely expanding their foreign production and importation into the United States on the other hand?

If this happens, the domestic oil industry, as we know it today, will no longer exist. The thousands of independent domestic producers, who incidentally drill almost 90 percent of all the wildcat wells drilled in the United States, will have to abandon their operations for lack of adequate funds from a proper share of the domestic market.

Thus, what is needed now from this Cabinet Committee appointed last week by the President is not more study of the oil imports problem but definite action to curtail imports within the 1954 ratio, a ratio which the administration itself has said is necessary to maintain a strong and dynamic oil industry to meet the energy needs of the United States in peace or in times of national emergency.

THE LATE MRS. GRACE COOLIDGE

The SPEAKER. Under the previous order of the House the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 5 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, yesterday I was deeply shocked and grieved by the passing of Grace Coolidge in her house at Northampton, the lovely and gracious widow of Calvin Coolidge, the 30th President of the United States. We in the Commonwealth of Massachusetts are inordinately proud. She will, I am sure, rank in history as one of the most wonderful wives who ever graced the White House: Lovely of character, gracious, gentle, handsome, a tower of strength, a great mother, a great wife, a great woman, a great lady. She had a tremendously big heart and in her work for the deaf which she was doing when she met Calvin Coolidge, a young struggling lawyer of Northampton, she was performing a wonderful service. She was greatly beloved by the students of the college for the deaf where she worked. Her associates said there had never been anyone like her and they doubted if there would be another like her because of the way she worked with the students.

I saw her in hospitals for our service men and women and I saw wan faces light up when she stopped and spoke. They knew her genuine interest and real sympathy—there never was any pretense about her.

I asked her once if she did not find it hard and depressing. She said, "Oh, no, the children are so wonderful and I feel I am helping them. They deserve everything that anyone can give them. They are entitled to a fuller and a happier life."

The last time I saw Grace Coolidge was in the lobby at the Ritz Carlton Hotel in Boston. She put her arms around my neck. She had just come from a baseball game. She was a tremendous fan and devoted to the great national sport of our country, as are thousands and thousands of others in the United States. She did much for baseball, she did much for everything she went into.

Grace Coolidge was a great worker in her church. She worked in every line of endeavor in the church. She was a very economical housewife and I wish, Mr. Speaker, that this country had men and women more like Calvin Coolidge and his wife, people who believe in paying their bills and who believe in living within their budget and who believe in a great and solid economy for our country. They had the simple, unpretentiousness of splendid character.

We cannot adequately measure what the Coolidge family did for the United States and for the world. Every diplomat who visited the White House spoke of Grace Coolidge's charm and friendliness. She was a most valuable ambassador of good will.

Calvin Coolidge was devoted to his wife, and he wrote the following about her:

> I have seen so much fiction written on this subject that I may be pardoned for relating the plain facts. We thought we were made for each other. For almost a quarter of a century she has borne with my infirmities and I have rejoiced in her graces.

He was a tremendous admirer of her beautiful traits of mind and heart. She was a devoted wife to him and a gay and understanding mother of their two sons. She had a lovely spirit, a zest for life and happiness. She was somewhat restrained when in the White House because she felt that Mr. Coolidge and the country might not approve. But those fortunate to attend their State dinners will never forget her gracious charm or his kindly courtesy.

Grace Coolidge kept the faith in every way. My deepest sympathy goes to her fine son and grandchildren and to all who knew and truly loved her.

I enclose an editorial and a brief biographical sketch from the New York Times of July 9:

> MRS. COOLIDGE DIES; WIDOW OF PRESIDENT
>
> NORTHAMPTON, MASS., July 8.—Mrs. Grace Goodhue Coolidge, widow of Calvin Coolidge, former President of the United States, died today at her home. Her age was 78.
>
> Mrs. Coolidge had been in failing health in recent years. She was suffering from a heart ailment, complicated by a kidney disorder. Several times she had left her home, Road Forks on the outskirts of town to enter the Cooley Dickinson Hospital for treatment. Her last stay was from February 25 to March 7.
>
> Her son, John Coolidge, of Farmington, Conn., was at his mother's bedside when death came at 12:50 a. m.
>
> Mrs. Coolidge's death reduces to three the number of living former First Ladies: Mrs. Woodrow Wilson, Mrs. Franklin D. Roosevelt, and Mrs. Harry S Truman.
>
> In Washington, President and Mrs. Eisenhower expressed their regret over Mrs. Coolidge's death.
>
> "Mrs. Eisenhower and I join with her many friends and admirers in expressing

our deep regrets and our sympathies to her family," the President said.

He named Senator LEVERETT SALTONSTALL, Republican, of Massachusetts, to represent him at the funeral.

Mrs. Coolidge will be buried Friday in Plymouth, Vt., beside her husband and their other son, Calvin, Jr., who died during his father's administration.

A POPULAR FAVORITE

Few chatelaines of the White House ever achieved popularity as universal as that accorded to Mrs. Coolidge. Her friends and admirers were legion, her enemies and critics, it seemed, nonexistent. Her utter simplicity, her femininity and dignity, and her radiant warmth of manner endeared her to the multitude and to individuals alike, and were balanced repeatedly in the public prints against her husband's habitual stiffness and terse conversation.

Americans generally found themselves approving and a little touched at the sincere tone of Mrs. Coolidge's reiteration of her reverence for the White House and for the role she filled temporarily as its mistress. Her pride in its past and her interest in her predecessors was a form of patriotic expression that lent her an unwonted solemnity in the performance of her official duties.

It was illustrative of her versatility that she could and did negotiate the elaborate receptions for such celebrities as Queen Marie of Rumania (first reigning sovereign ever to be received officially in the United States); the Prince of Wales (now the Duke of Windsor), and Charles A. Lindbergh, with cordiality and correctness, but that she initiated at the club meetings of Senators' wives an informality of routine that greatly popularized the sessions.

A daughter of a Vermont deacon, she was born on January 3, 1879, at Burlington, where she grew to young womanhood and was educated in the public schools. Her father, Capt. Andrew I. Goodhue, a steamboat inspector on Lake Champlain, holding office through appointment by Grover Cleveland, had a comfortable income, so that it was by choice and not by necessity that she sought a career after being graduated with the class of 1902 from the University of Vermont.

In college she was popular without being outstanding. She was active in dramatics and participated in several Shakespearean productions.

TAUGHT IN SCHOOL FOR DEAF

Until she left home to become a teacher in the Clarke School for the Deaf at Northampton, where she was to meet a rising young attorney named Calvin Coolidge, she had assisted her mother with the housework, since there was no maid in the Goodhue household. Her culinary achievements were only mediocre, as she admitted with amusement when asked to contribute to volumes of recipes by famous people.

On October 4, 1905, after 3 years on the faculty of the institution in which she retained an interest throughout her lifetime, she was married to Mr. Coolidge and began housekeeping in a home at Northampton. Throughout her husband's rise from mayor of the city to State senator and then to lieutenant governor, they maintained a home in one-half of a two-family frame house in that community.

When he was elected governor of Massachusetts and they went to Boston to occupy the executive mansion, their scale of living was expanded for the first time to include such luxuries as a family automobile.

Two sons were born—John, who like his father graduated from Amherst College, and Calvin, Jr.

Mr. Coolidge was inaugurated as Vice President of the United States in 1921, at which time they first took up residence in the National Capital. In an account of her experiences in Washington, written after her husband's retirement, Mrs. Coolidge named Mrs. Thomas Marshall as mentor and friend who inducted her into the ceremonial rites of social affairs at the Capital, preparing her for the position of White House mistress to which she succeeded after the death of President Warren G. Harding.

Extensive renovation of the upper floor of the Executive Mansion during their occupancy forced the Coolidges to move for a time to the Patterson House in Dupont Circle, Mrs. Coolidge, true to her domestic instincts, was greatly interested in the plans for enlarging the third floor, and, with the housekeeper, offered many suggestions that were incorporated into the plans.

Her only hobby during these years was knitting, at which she was so proficient that some of her handiwork was entered in national competitions and in at least one drew an honorable mention. She pursued quietly a special service to the hospitalized veterans of World War I in Walter Reed Hospital at Washington. Her visits there were frequent.

One of her recreations was walking—perhaps her favorite. Almost any morning she could be seen emerging from the White House grounds, a Secret Service agent accompanying her, for a brisk turn through the adjacent streets.

When Mr. Coolidge issued his famous pronouncement, "I do not choose to run," and Herbert Hoover followed him into office, the Coolidges returned to their home in Northampton and to private life. Not long afterward they purchased a wooded estate, the Beeches, where they lived while Mr. Coolidge resumed his law practice in Northampton. There, on January 5, 1933, she found her husband dead on the floor when she returned from a shopping tour.

An old friend, Mrs. Florence B. Adams, came to live with her at the Beeches. In the summer of 1936 the two women made an extensive tour of Europe, and during their absence most of the furnishings were disposed of and an auction held of the remaining articles. The estate was then put up for sale and Mrs. Coolidge went to share her friend's establishment in Northampton.

In 1940 she accepted the honorary chairmanship of the Northampton committee formed to collect money for the Queen Wilhelmina fund for the Dutch victims of the German invasion.

NOTED AS INTERVENTIONIST

Mrs. Coolidge, before the entry of the United States into World War II, showed that she was an interventionist. She became, in 1941, honorary chairman of the Hampshire County Fight for Freedom Committee. At a meeting of that body in Northampton she revealed that she had received "some protests for taking this position." One letter, she said, had likened her to an "old-age destroyer." She became, in the same year, a member of the new national women's organization of the National Fight for Freedom Committee.

Throughout her White House days and later Mrs. Coolidge showed great interest in early American furniture. In the White House she discovered several pieces of historic value, among them a chair that had been owned by Andrew Jackson, and had them renovated and displayed in the White House.

In the years after the death of her husband, many rumors arose concerning the former First Lady: It was said she might remarry, that she might accept one of many positions offered to her. None of the predictions came true, and Mrs. Coolidge remained as retiring as she had been in the White House.

In January 1943, she declined the position of head of the Massachusetts Women's Defense Corps, but she took a keen interest in the Waves who trained at Smith College in Northampton and lent her house to them rent-free for 2 years and moved into a neighbor's home. It was in that summer that the late Senator Carter Glass, of Virginia, introduced a resolution granting her an annual pension of $5,000. The measure passed readily.

One of the most surprising things about the mild-mannered Grace Coolidge was her interest in baseball; she was a fan during her White House days, even though President Coolidge was uninterested in the sport. For years afterward she was known as the No. 1 fan of the former Boston Braves.

Mrs. Coolidge's son, John Coolidge, is president of the Connecticut Manifold Forms Company of Hartford, and resides with his wife and 2 daughters, aged 18 and 13, in Farmington, a suburb.

THE MURPHY GENERAL HOSPITAL (MASSACHUSETTS)

Mrs. ROGERS of Massachusetts. Mr. Speaker, I was in New England over the weekend and I found a great and tremendous resentment, bitterness and unhappiness because of the possibility of the Murphy General Hospital up there being closed. They resent the fact that patients are being sent far out of State at present in order for Murphy to make a poor patient load. The Senate left out last Friday a certain provision that might have been helpful in keeping the hospital running, but the money is still in the bill. I understand that petitions with thousands and thousands of names are being sent to the Senators and to the Members of the House to keep that hospital open. We need it desperately and I am absolutely certain that if this hospital is closed we will all regret it. The Chelsea Naval Hospital would have a very great additional expense if they had to open a new building and staff it as contemplated if Murphy closes. No economy would be made there. The Fort Devens Hospital would have to have an additional staff. Many of its buildings are unsuitable.

Mr. Speaker, I urge Members of the House to help us in Massachusetts and in New England to keep that hospital open. I believe that if the conferees of the House and Senate Defense Appropriations Committee unite that it is the sense of the conferees that the Murphy General should be kept open. Then the hospital would continue to operate. It would be a tremendous tragedy to close it.

I do not understand why we are pretending to economize at the expense of our sick service men and women and our disabled veterans. The House has passed some legislation, but the other body has not passed any legislation that amounts to anything, affecting our disabled veterans during the past 2 years. Nothing has been done in the other body. We passed some beneficial legislation in the House but it failed in the Senate.

Mr. Speaker, we are giving billions and billions of dollars abroad; we are giving billions and billions of dollars for other activities in this country. Why Mr. Speaker, are our soldiers and veterans neglected? We must take care of four ex-service men and women. They should be our just responsibility. Without them we would have no freedom in America today.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. ALLEN of California for July 9 and 10 on account of personal business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mrs. ROGERS of Massachusetts, twice, for 5 minutes each, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mrs. SULLIVAN to include extraneous matter in her remarks on H. R. 6814.

Mr. JARMAN and to include extraneous matter.

Mr. ALGER.

Mr. BYRD.

Mr. HANDY.

Mr. ANFUSO (at the request of Mr. ALBERT) and to include extraneous matter.

Mr. WATTS.

Mr. SAYLOR and to include extraneous matter.

Mr. VANIK and include an article on civil-rights laws, notwithstanding it exceeds the limit and is estimated by the Public Printer to cost $192.50.

Mr. CANFIELD (at the request of Mr. TEAGUE of California).

Mr. WILLIAMS of Mississippi (at the request of Mr. MCCORMACK) and to include related matter.

SENATE BILLS AND JOINT RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 294. An act for the relief of Mrs. Marion Huggins; to the Committee on the Judiciary.

S. 556. An act to provide for the conveyance of certain real property of the United States situated in Clark County, Nev., to the State of Nevada for the use of the Nevada State Board of Fish and Game Commissioners; to the Committee on Interior and Insular Affairs.

S. 562. An act for the relief of Hideko Takiguchi Pulaski; to the Committee on the Judiciary.

S. 591. An act for the relief of Seol Bong Ryu; to the Committee on the Judiciary.

S. 1071. An act for the relief of David Mark Sterling; to the Committee on the Judiciary.

S. 1268. An act for the relief of Don Q. Gee; to the Committee on the Judiciary.

S. 1276. An act for the relief of Emilio Valle Duarte, to the Committee on the Judiciary.

S. 1321. An act for the relief of Junko Matsuoka Ekrich; to the Committee on the Judiciary.

S. 1335. An act for the relief of Sandra Ann Scott; to the Committee on the Judiciary.

S. 1353. An act for the relief of Ayako Yoshida; to the Committee on the Judiciary.

S. 1452. An act for the relief of Francesca Maria Arria; to the Committee on the Judiciary.

S. 1472. An act for the relief of Triantafilia Antul; to the Committee on the Judiciary.

S. 1478. An act for the relief of Klara Fritzsche; to the Committee on the Judiciary.

S. 1496. An act for the relief of Nicoleta P. Pantelakis; to the Committee on the Judiciary.

S. 1502. An act for the relief of Erika Otto; to the Committee on the Judiciary.

S. 1509. An act for the relief of Fumiko Bigelow; to the Committee on the Judiciary.

S. 1570. An act for the relief of Julia Fodor; to the Committee on the Judiciary.

S. 1641. An act for the relief of Yong Ja Lee (Mina Kuhrt); to the Committee on the Judiciary.

S. 1645. An act to authorize the Secretary of the Interior to grant easements in certain lands to the city of Las Vegas, Nev., for road widening purposes; to the Committee on Merchant Marine and Fisheries.

S. 1773. An act to validate a certain conveyance heretofore made by Central Pacific Railway Co., a corporation and its lessee, Southern Pacific Co., a corporation, to the State of Nevada, involving certain portions of right-of-way in the city of Reno, county of Washoe, State of Nevada, acquired by the Central Pacific Railway Co. under the act of Congress approved July 1, 1862 (12 Stat. L. 489), as amended by the act of Congress approved July 2, 1864 (13 Stat. L. 356); to the Committee on Interior and Insular Affairs.

S. 1783. An act for the relief of Randolph Stephan Walker; to the Committee on the Judiciary.

S. 2069. An act to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of coal on the public domain; to the Committee on Interior and Insular Affairs.

S. 2080. An act relating to the computation of annual income for the purpose of payment of pension for non-service-connected disability or death in certain cases; to the Committee on Veterans' Affairs.

S. 2413. An act to clarify the authority of the President to fill the judgeship for the district of South Dakota authorized by the act of February 10, 1954, and to repeal the prohibition contained in such act against filling the next vacancy occurring in the office of district judge for such district; to the Committee on the Judiciary.

S. 2449. An act to extend the effectiveness of the Missing Persons Act, as extended, until April 1, 1958; to the Committee on Armed Services.

S. J. Res. 103. Joint resolution to provide for the permanent preservation and proper display of the "Flag of Liberation"; to the Committee on House Administration.

ENROLLED BILLS AND A JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 1359. An act for the relief of Mrs. Theodore (Nicole Xantho) Rousseau;

H. R. 1754. An act for the relief of Eleanor French Caldwell;

H. R. 4342. An act for the relief of Mrs. Thomas L. Davidson; and

H. J. Res. 316. Joint resolution for the relief of certain aliens.

BILLS AND A JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills and a joint resolution of the House of the following titles:

H. R. 1754. An act for the relief of Eleanor French Caldwell;

H. R. 4342. An act for the relief of Mrs. Thomas L. Davidson; and

H. J. Res. 316. Joint resolution for the relief of certain aliens.

ADJOURNMENT

Mr. LOSER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 35 minutes p. m.) the House adjourned until tomorrow, Wednesday, July 10, 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:

1025. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation entitled "A bill to amend the Alaska Public Works Act (63 Stat. 627, 48 U. S. C., sec. 486, et seq.) to clarify the authority of the Secretary of the Interior to convey federally owned land utilized in the furnishing of public works"; to the Committee on Interior and Insular Affairs.

1026. A letter from the Chairman, Public Utilities Commission of the District of Columbia, transmitting a report of its official proceedings for the year ended December 31, 1956, pursuant to paragraph 20 of section 8 of an act approved March 4, 1913, also balance sheets and other financial and statistical data, pursuant to paragraph 14 of section 8 of the above-mentioned act; to the Committee on the District of Columbia.

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. COOLEY: Committee on Agriculture. H. R. 8308. A bill to establish the use of humane methods of slaughter of livestock as a policy of the United States, and for other purposes; with amendment (Rept. No. 706). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 6562. A bill relating to the north half of section 33, township 28 south, range 56 east, Copper River meridian, Alaska; with amendment (Rept. No. 773). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 8054. A bill to provide for the leasing of oil and gas deposits in lands beneath inland navigable waters in the Territory of Alaska; with amendment (Rept. No. 774). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOPER: Committee on Ways and Means. H. R. 8381. A bill to amend the Internal Revenue Code of 1954 to correct unintended benefits and hardships and to make technical amendments, and for other purposes; without amendment (Rept. No. 775). Referred to the Committee of the Whole House on the State of the Union.

Mr. GORDON: Committee on Foreign Affairs. S. 2130. An act to amend further the Mutual Security Act of 1954, as amended, and for other purposes; with amendment (Rept. No. 776). Referred to the

Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 1244. A bill to provide for the development by the Secretary of the Interior of Independence National Historical Park, and for other purposes; with amendment (Rept. No. 777). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H. R. 6709. A bill to implement a treaty and agreement with the Republic of Panama, and for other purposes; with amendment (Rept. No. 778). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE 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. WALTER: Committee on the Judiciary. S. 18. An act for the relief of Alessandro Renda; without amendment (Rept. No. 707). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 80. An act for the relief of Maria Adelaide Alessandroni; without amendment (Rept. No. 708). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 164. An act for the relief of John G. Michael; without amendment (Rept. No. 709). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 239. An act for the relief of Maria Parisi; without amendment (Rept. No. 710). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 249. An act for the relief of Theodora Hegeman; without amendment (Rept. No. 711). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 250. An act for the relief of Kyu Yawp Lee and his wife, Hyung Sook Lee; without amendment (Rept. No. 712). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 251. An act for the relief of Edith Elisabeth Wagner; without amendment (Rept. No. 713). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 255. An act for the relief of Fumiko Shikanuki; without amendment (Rept. No. 714). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 255. An act for the relief of Aristea Vitogianes; without amendment (Rept. No. 715). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 284. An act for the relief of Miyako Ueda Osgood; without amendment (Rept. No. 716). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 303. An act for the relief of Gaetano Mattioli Cicchini; without amendment (Rept. No. 717). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 307. An act for the relief of Noemi Maria Vida Williams and Maria Loretta Vida; without amendment (Rept. No. 718). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 308. An act for the relief of Maria Caccomo; without amendment (Rept. No. 719). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 368. An act for the relief of Jose Medina-Chavez (Joe Medina); without amendment (Rept. No. 720). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 525. An act for the relief of Rhoda Elizabeth Graubart; with amendment (Rept. No. 721). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 526. An act for the relief of Tikva Polsky; without amendment (Rept. No. 722). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 530. An act for the relief of Shun Wen Lung (also known as Van Long and Van S. Lung); without amendment (Rept. No. 723). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 560. An act for the relief of Alec Ernest Sales; without amendment (Rept. No. 724). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 583. An act for the relief of Stanislav Maglica; without amendment (Rept. No. 725). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 592. An act for the relief of Anton Revak; without amendment (Rept. No. 726). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 622. An act for the relief of Georgina Mercedes Llera; without amendment (Rept. No. 727). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 629. An act for the relief of John Eicherl; without amendment (Rept. No. 728). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 650. An act for the relief of Isabella Abrahams; with amendment (Rept. No. 729). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 653. An act for the relief of Mrs. Elsbe Hermine van Dam Hurst; without amendment (Rept. No. 730). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 701. An act for the relief of Karl Eigil Engedal Hansen and his wife, Else Viola Agnethe Hansen, and their minor child, Jessie Engedal Hansen; with amendment (Rept. No. 731). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 767. An act for the relief of Christo Pan Lycouras Mauroyenis (Maurogenis); without amendment (Rept. No. 732). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 785. An act for the relief of Helga Binder; without amendment (Rept. No. 733). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 788. An act for the relief of Thelma Margaret Hwang; without amendment (Rept. No. 734). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 804. An act for the relief of Georgios D. Christopoulos; without amendment (Rept. No. 735). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 827. An act for the relief of Guillermo B. Rigonan; with amendment (Rept. No. 736). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 833. An act for the relief of Vida Letitia Baker; with amendment (Rept. No. 737). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 874. An act for the relief of Cornelis Vander Hoek; with amendment (Rept. No. 738). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 904. An act for the relief of Chrisoula Antonios Chegaras; without amendment (Rept. No. 739). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 908. An act for the relief of Kuo York Chynn; without amendment (Rept. No. 740). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 973. An act for the relief of Yun Wha Yoon Holsman; without amendment (Rept. No. 741). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 987. An act for the relief of Leonardo Finelli; without amendment (Rept. No. 742). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 988. An act for the relief of Satoe Yamakage Langley; with amendments (Rept. No. 743). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1083. An act for the relief of Maria Maniates; without amendment (Rept. No. 744). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1112. An act for the relief of Matsue Harada; with amendment (Rept. No. 745). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1171. An act for the relief of Harry Siegbert Schmidt; with amendments (Rept. No. 746). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1192. An act for the relief of Irma B. Poellmann; without amendment (Rept. No. 747). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1251. An act for the relief of Florinda Mellone Garcia; with amendments (Rept. No. 748). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1360. An act for the relief of Mrs. Geraldine Elaine Sim; without amendment (Rept. No. 749). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1376. An act for the relief of Chong You How (also known as Edward Charles Yee), his wife, Eng Lai Fong, and his child, Chong Yim Keung; without amendment (Rept. No. 750). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1566. An act for the relief of Arthur Sew Sang, Kee Yin Sew Wong, Sew Ing Lin, Sew Ing Quay, and Sew Ing You; without amendment (Rept. No. 751). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1581. An act for the relief of Sheu Shei Lan and Chow Shong Yep; without amendment (Rept. No. 752). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1833. An act for the relief of Janos Schreiner; without amendment (Rept. No. 753). Referred to the Committee of the Whole House.

Mr. HYDE: Committee on the Judiciary. House Joint Resolution 387. Joint resolution for the relief of certain spouses and minor children of citizens of the United States; with amendment (Rept. No. 754). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. House Joint Resolution 393. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain persons; with

amendment (Rept. No. 755). Referred to the Committee of the Whole House.

Mr. HILLINGS: Committee on the Judiciary. House Joint Resolution 374. Joint resolution for the relief of certain aliens; with amendment (Rept. No. 756). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. H. R. 1741. A bill for the relief of Ikuko Morooka Mahoney; without amendment (Rept. No. 757). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H. R. 1797. A bill for the relief of Maria Sausa; with amendment (Rept. No. 758). Referred to the Committee of the Whole House.

Mr. HILLINGS: Committee on the Judiciary. H. R. 1868. A bill for the relief of Daniel Adamson; with amendment (Rept. No. 759). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. S. 615. An act for the relief of Josephine Ray; without amendment (Rept. No. 760). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. H. R. 1595. A bill for the relief of Vanja Stipcic; with amendment (Rept. No. 761). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 1663. A bill for the relief of Dean E. Fosmoe; with amendment (Rept. No. 762). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 3583. A bill for the relief of Chandler R. Scott; with amendment (Rept. No. 763). Referred to the Committee of the Whole House.

Mr. BURDICK: Committee on the Judiciary. H. R. 4544. A bill for the relief of Louis S. Levenson; without amendment (Rept. No. 764). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 6527. A bill for the relief of Horace Collier; without amendment (Rept. No. 765). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 8280. A bill for the relief of Mrs. Alberta S. Rozanski; without amendment (Rept. No. 766). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 8281. A bill for the relief of Paul Nelson; without amendment (Rept. No. 767). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 8282. A bill for the relief of James E. Driscoll; without amendment (Rept. No. 768). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H. R. 1652. A bill for the relief of Rajka Markovic and Krunoslav Markovic; without amendment (Rept. No. 769). Referred to the Committee of the Whole House.

Mr. HYDE: Committee on the Judiciary. H. R. 5721. A bill for the relief of Marian Diane Delphine Sachs; without amendment (Rept. No. 770). Referred to the Committee of the Whole House.

Mr. HYDE: Committee on the Judiciary. House Joint Resolution 392. Joint resolution for the relief of certain aliens; with amendments (Rept. No. 771). Referred to the Committee of the Whole House.

Mr. HILLINGS: Committee on the Judiciary. H. R. 1851. A bill for the relief of Dezrin Boswell Johnson; with amendments (Rept. No. 772). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary. H. R. 3920. A bill for the relief of Joseph E. Miller; without amendment (Rept. No. 779). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BURNS of Hawaii:

H. R. 8595. A bill to provide a reduced rate for air parcel-post service between the United States and its Territories and possessions, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CRAMER:

H. R. 8596. A bill to amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence so as to safeguard individual rights without hampering effective and intelligent law enforcement; to the Committee on the Judiciary.

By Mr. DORN of South Carolina:

H. R. 8597. A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; to the Committee on the Judiciary.

By Mr. JONES of Alabama:

H. R. 8598. A bill to amend title II of the Social Security Act so as to permit the State of Alabama 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. 8599. A bill to amend title II of the Social Security Act so as to provide that the exception from "wages" made by section 209 (i) of such act is not applicable to payments to employees of a State or a political subdivision thereof for employment covered under voluntary agreements pursuant to section 218 of such act; to the Committee on Ways and Means.

By Mr. KEATING:

H. R. 8600. A bill to amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence so as to safeguard individual rights without hampering effective and intelligent law enforcement; to the Committee on the Judiciary.

By Mr. KEOGH:

H. R. 8601. A bill to amend title II of the Social Security Act to permit employees of certain nonprofit organizations who are members of public retirement systems to be included under State agreements as State or local employees for purposes of social-security coverage; to the Committee on Ways and Means.

By Mr. LAIRD:

H. R. 8602. A bill to amend the provisions of the Social Security Act to consolidate the reporting of wages by employers for income-tax withholding and old-age, survivors, and disability-insurance purposes, and for other purposes; to the Committee on Ways and Means.

H. R. 8603. A bill to amend chapter 223 of title 18 relating to demands for production of statements and reports of witnesses; to the Committee on the Judiciary.

By Mr. McGOVERN:

H. R. 8604. A bill to create a Supply and Service Administration as a department in the Department of Defense, to provide that at least 25 percent of the procurement contracts by the Administration shall be let to small business, to protect the Government's interest in certain patent rights, and for other purposes; to the Committee on Armed Services.

By Mr. MASON:

H. R. 8605. A bill to amend the Internal Revenue Code of 1954 to repeal the taxes imposed on the transportation of persons and property; to the Committee on Ways and Means.

By Mr. MICHEL:

H. R. 8606. A bill to amend the Civil Service Retirement Act with respect to annuities of survivors of employees who are elected as Members of Congress; to the Committee on Post Office and Civil Service.

By Mr. SPRINGER:

H. R. 8607. 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. UDALL:

H. R. 8608. A bill to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes; to the Committee on House Administration.

By Mr. BARING:

H. R. 8609. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Wisconsin, memorializing the President and the Congress of the United States relating to the payment of pensions to veterans who are domiciled in a State veterans' home; to the Committee on Veterans' Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. McCORMACK:

H. R 8594. A bill to authorize Hon. ALBERT P. MORANO, Member of Congress, to accept and wear the award of the Cross of Commander of the Royal Order of the Phoenix conferred upon him by His Majesty the King of the Hellenes; considered and passed.

By Mr. BENTLEY:

H. R. 8610. A bill for the relief of Pasquale Furlo; to the Committee on the Judiciary.

By Mrs. BOLTON:

H. R. 8611. A bill for the relief of Li-Chen Hsu; to the Committee on the Judiciary.

By Mr. DENNISON:

H. R. 8612. A bill for the relief of Janos (John) Kapka, wife, Edith, and children, Edith Rosemary, Georgette, Janos, Jr., Alice, Steven, and Mary Valery and mother-in-law, Antonia Majer; to the Committee on the Judiciary.

By Mr. DORN of South Carolina:

H. R. 8613. A bill for the relief of Mrs. Hedwig Thomason; to the Committee on the Judiciary.

By Mr. FASCELL:

H. R. 8614. A bill for the relief of George W. Davis, Mary Alma Knowles, and A. A. Whiticar & Sons; to the Committee on the Judiciary.

By Mr. HOLIFIELD:

H. R. 8615. A bill for the relief of Carlos Ochoa-Sanchez (also known as Carlos Lopez Sanchez); to the Committee on the Judiciary.

By Mr. LESINSKI:

H. R. 8616. A bill for the relief of Angja Nikolovska Stoyanovska; to the Committee on the Judiciary.

By Mr. NATCHER:

H. R. 8617. A bill for the relief of Nobuyuki Tamai; to the Committee on the Judiciary.

By Mr. POAGE:

H. R. 8618. A bill for the relief of Henry M. Lednicky; to the Committee on the Judiciary.

By Mr. SMITH of Wisconsin:

H. R. 8619. A bill for the relief of Mrs. Clare M. Ash; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H. R. 8620. A bill for the relief of Kinji House; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

303. By Mr. HALLECK: Petition of citizens of Lafayette, Ind., favoring legislation to prohibit the transportation of alcoholic beverage advertising in interstate commerce and its broadcasting over the air; to the Committee on Interstate and Foreign Commerce.

304. By the SPEAKER: Petition of president, Oil Heat Institute of Long Island, Inc., Long Island, N. Y., petitioning consideration of their resolution with reference to favoring decontrol of natural gas at the wellhead to permit a full and free competition among the various home-heating fuels, thus protecting the rights of the consumer, without unduly favoring any one fuel over the others; to the Committee on Interstate and Foreign Commerce.

EXTENSIONS OF REMARKS

Idaho Power Co. Fast Tax Writeoff—Chronology of Actions Taken

EXTENSION OF REMARKS

OF

HON. ESTES KEFAUVER

OF TENNESSEE

IN THE SENATE OF THE UNITED STATES

Tuesday, July 9, 1957

Mr. KEFAUVER. Mr. President, at the time the bill to authorize a high dam at Hells Canyon was under consideration, I suggested that it would be in the public interest, and certainly would be useful in the consideration of the matter, if the President directed the departments and the various agencies of the Government which had to do with the rapid tax writeoff benefit to the Idaho Power Co. to prepare a chronology of the events in connection with that action, along the same line as the chronology prepared in connection with the Dixon-Yates matter.

When he was asked about the suggestion at a press conference, the President stated that no request had been made directly to him for such a chronology.

On July 3, 1957, I wrote a letter to the President, suggesting that such a chronology would be helpful. I ask unanimous consent that the letter be printed in the CONGRESSIONAL RECORD.

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

MY DEAR MR. PRESIDENT: I note from a transcript of your press conference of today that in answer to a question from Mr. Robert Spivack, of the New York Post, as to whether you would ask all departments and agencies to get up a chronology of actions taken in regard to the Idaho Power Co. fast tax writeoff, you had this to say:

"I don't know. Senator KEFAUVER hasn't asked me. If he has said any such thing, he has said it for public consumption, and not to get any action, because he has not made any such request of me."

I made the statement on the floor of the United States Senate and it appears on page 9947 of the CONGRESSIONAL RECORD of June 21, 1957.

Frankly, Mr. President, I had thought that an official statement on the floor of the Senate, carried in the CONGRESSIONAL RECORD, was an official suggestion, and required no further direct communication with you. The only other time that I have had direct communication with you about such a topic was following your press conference on June 29, 1955, when in answer to a question about the role of Adolph Wenzell in the Dixon-Yates deal you said he was never called in or asked a single thing about the Dixon-Yates contract and that as quickly as the Dixon-Yates matter came up Mr. Wenzell resigned. I did feel constrained at that time to write you and inform you personally of the role played by Mr. Wenzell throughout the negotiations, a position similar to that which the Justice Department is now taking in defending the Government against the suit filed by Dixon-Yates.

In order that there may be no misunderstanding in this case, I do indeed think it would be a public service for you to order an official chronology, from all bureaus, agencies, and departments, in the Idaho Power tax writeoff, giving all conferences, all personnel attending the conferences, and making public all papers having to do with this deal.

As in the Dixon-Yates case, we have been met with the plea of privilege concerning the participation of White House staff members who were named in one of the documents we saw. Governor Pyle refused our invitation to appear before the committee. We have been met with the plea of privilege concerning memorandums. We learned about the position of Interior Secretary Seaton in opposing the writeoff only after we had originally been led by the testimony of Mr. Gordon Gray to believe that the Interior Department approved it.

As in the Dixon-Yates deal, we feel that we are not getting the full facts, and that perhaps you, too, have not been given the full facts. It was for these reasons that I made the statement that I did on the floor.

Looking forward to your cooperation, I am,

Yours sincerely,

ESTES KEFAUVER,
United States Senator.

House Postmaster Honored

EXTENSION OF REMARKS

OF

HON. JOHN C. WATTS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1957

Mr. WATTS. Mr. Speaker, it gives me a great deal of pleasure to bring to the attention of the Members that the Postmaster of the House of Representatives, Mr. H. H. Morris, was recently honored with the presentation by his fellow employees of a silver plaque commemorating his 25 years of service as an employee of the House of Representatives.

Although "H," as he is known by his many friends here on the Hill, hails from Henry County, New Castle, Ky., and is therefore technically a constituent of mine, I would not be presenting a true picture of the situation if I did not add that "H" is a real "constituent" of every Member. I say this because in his 25 years on the Hill "H" has won many friends on both sides of the aisle and has rendered faithful and competent service in the best tradition of an employee of the House of Representatives.

"H" came to the House in 1932 as an employee of the late Virgil Chapman—then a Representative from the Sixth District of Kentucky. In 1952, it was to my benefit and pleasure to have him serve as my secretary until he was elected to his present position as House Postmaster.

I consider it a real privilege to commend him at this time for his achievement and excellent service.

Eighty-fifth Anniversary of Popular Science Monthly

EXTENSION OF REMARKS

OF

HON. RICHARD L. NEUBERGER

OF OREGON

IN THE SENATE OF THE UNITED STATES

Tuesday, July 9, 1957

Mr. NEUBERGER. Mr. President, a magazine dedicated to informing the American public on scientific advancement is this year celebrating its 85th anniversary. I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement which I have issued in connection with the work of the magazine, Popular Science monthly.

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

America is recognized and admired throughout the world for its technological leadership. This enviable situation has been brought about not only because of our outstanding scientists, teachers and technical schools, but also because of the hunger for knowledge of the American people.

This interest in technological matters, which is a main source of our industrial strength, is nurtured and encouraged by many springs of knowledge including the government, our fine schools and some outstanding American publications.

One of these publications, Popular Science monthly, celebrated its 85th anniversary in May of this year, and as a long-time reader and occasional contributor to Popular Science, I should like to call attention briefly to its role in reporting and interpreting science and mechanical advances for these many years. As an example of its treatment of important problems, the magazine has started an educational guidance series of articles on how gifted children should be prepared for college, how average students may be aided, how to help children who will not go to college and many other subjects which will be of great aid both to parents and educators. This series is aimed at building a better relationship between parents and educators.

But in addition to analyzing such current problems, Popular Science has also been alert to the advances of science, and the

magazine first reported such developments as telegraphic printing in 1872, the telephone in 1876, and the automobile in 1893.

This record of keeping the American people apprised of the progress of science reached a new level when Popular Science editors built a model of an artificial earth satellite.

The first model was placed on permanent exhibition in the halls of the Hayden Planetarium in New York City, a second model was presented to the United States Committee for the International Geophysical Year, and other models were loaned to the Chicago Museum of Science and Industry, the Buhl Planetarium in Pittsburgh and other similar institutions.

One model became a part of the American Dream Pageant, an exhibition of Americana that toured leading department stores throughout the country, where it was seen and studied by thousands.

This spirit of journalistic pioneering, scientific leadership and public service responsibility has helped to advance an understanding of the Nation's progress.

Military Construction Bill

EXTENSION OF REMARKS

OF

HON. PORTER HARDY, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1957

Mr. HARDY. Mr. Speaker, the vote on final passage of the military construction bill is scheduled for Wednesday, July 10. Prior to that vote, action will have to be taken on the Arends amendment which proposes to strike out section 411. I want to reemphasize my conviction that the Arends amendment should be defeated and that section 411 should be retained.

This section is essential for retaining the congressional authority which is ours. If the Arends amendment is adopted, the effect will be not only to delegate congressional authority to the administration, but it will make administrative action final and will constitute blanket approval of administrative judgment before the decisions are made.

Some of the discussions of this matter have been confusing and have erroneously contended that section 411 affects the fundamental philosophy concerning the participation of Government in business-type activities. I subscribe wholeheartedly to the general objective of eliminating governmental business activities which compete with private enterprise. Section 411 is in complete consonance with that general objective because it is not concerned with philosophy, it is merely concerned with the exercise of judgment.

I believe section 411 is highly desirable and that it will preserve for the Congress the right to check on the judgment of administrative officials. This section in no way reflects upon any official. The Congress has heretofore authorized, in most cases on an individual line-item basis, all of the business-type activities conducted by the military departments. We have appropriated the funds to finance the construction of buildings occupied by these activities, to purchase the equipment and to pay the employees. Defense Department officials have justified these authorizations and these appropriations year after year with arguments supporting their continuance. It has always been our responsibility to approve the establishment and financing of these functions, and to be consistent we must retain the right to require that those which should be conducted in the public interest are continued. We have in the past, and we should in the future, refused to give the military departments blanket authority to establish business-type activities without approval by the Congress. Neither should we give them blanket authority to discontinue such activities and to dissipate the assets involved without at least retaining an opportunity for Congressional review.

I hope the Members of the House will join me in resounding defeat of the Arends amendment.

Government Bookkeeping

EXTENSION OF REMARKS

OF

HON. JOHN F. KENNEDY

OF MASSACHUSETTS

IN THE SENATE OF THE UNITED STATES

Tuesday, July 9, 1957

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an editorial and two letters which appeared in the Washington Post and Times Herald on July 5, 1957, in connection with S. 434, which I introduced, with 48 other Senators as cosponsors, and which recently passed the Senate unanimously, and is now under consideration in the House.

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

STILL IN THE BLACK

The fiscal year for the Federal Government has ended, as expected, with the Treasury about $1 billion in the black. This is less than the President had forecast but about what the Joint Economic Committee of Congress predicted on the basis of more recent figures. The surplus, considering the size of the annual budget and of the debt, is hardly anything to write home about. But it does mark the first time in a quarter of a century that there have been two black-ink years in a row, and for this there will be general applause.

The outlook for fiscal 1958 is not at all clear. Prices continue to rise, and there are enough carryover appropriations on the books to allow deficit spending in this new fiscal year despite the cuts in new appropriations made by this Congress. It is anxiety over this prospect, of course, that lies at the root of the well-intentioned efforts of Senator KENNEDY and a number of his colleagues to put all appropriations on a year-by-year basis.

The Senator explains the proposal in a letter published elsewhere on this page today. We agree and have said that Congress ought to consider more carefully the long-range effects of appropriations that extend over more than 1 year. We certainly believe deficit spending is unjustified in the present circumstances. But we continue to have serious fears that important defense and other programs might be unduly hobbled by the kind of checkrein which Senator KENNEDY proposes. It would, in any case, be no guaranty of balanced budgeting. The pressure for tax cuts is so great that any sizable anticipated surplus will be quickly eliminated by a tax reduction, and a small budget surplus can become a deficit very readily if revenue estimates prove wrong.

CHANGING THE GOVERNMENT'S BOOKKEEPING

Your opposition in an editorial, A Dubious Reform, of June 26, to my bill for putting Government spending on an annual accrued expenditure basis is very surprising. The measure has received the almost unanimous support of the Senate, the House Committee on Government Operations, and top financial officials in the administration.

The measure was conceived by the Hoover Commission as its key proposal for restoring to Congress some of the control over the purse strings which has slipped away from its hands over the years.

The task force of the Hoover Commission, headed by J. Harold Stewart, of Boston, was composed of first-rank authorities on Government financial operations. They asserted that millions of dollars could be saved every year by requiring Congress to make appropriations each year on long-term projects, instead of appropriating the money all at once.

The fact is that under the present system these long-term projects are not adequately reviewed each year, and we currently have a carryover of $70 billion of unexpended appropriations—a sum almost as large as the entire budget for the coming year.

Fifty Senators, including the very economy-minded Senator BYRD, cosponsored the bill with me. It passed the Senate unanimously and has now been reported out unanimously by the House Government Operations Committee.

The only opposition in the Senate committee hearings came from representatives of the Department of Defense who raised technical objections about its administrative implementation by the Bureau of the Budget.

Your editorial stated that, under the annual accrued-expenditure method of stating appropriations requests, the departments would be obligated to pad their requests as a hedge against uncertainties. Since the contemplated projects would be contracted for at a fixed cost, the only uncertainty would be if deliveries on such items as defense equipment were made ahead of schedule so that a year's purchasing were completed in, say, 10 months.

In fact, the difficulty is almost always the other way—that deliveries are delayed. Moreover, padding the request would be futile since unexpended funds will automatically lapse at the end of the fiscal year.

Concomitantly, you state that funds might be recklessly spent to avoid the loss. This fails to take into consideration that, in the granting of an appropriation on the new basis, the agency must justify its request by revealing past costs and accomplishments.

Any reckless spending of an agency would be reflected in increased costs—a fact that would systematically and clearly come to the attention of Congress under this new system. And this is perhaps the central point—the agency would be required each year to justify what it has already spent and what it intends to spend on a long-term project.

The Congress' concern is not only to the long-range spending plans of the Government, but also with the year-by-year rate of spending. It is the latter which determines whether our budget is balanced or whether we have a surplus or deficit.

Everyone is looking for a way to streamline the Government functions to get rid of what Dostoevsky called "administrative

ecstasy." This is a measure which the financial experts agree will do this.

JOHN F. KENNEDY,
Senator from Massachusetts.

WASHINGTON.

The proposal embodied in S. 434, which Senator Kennedy and I introduced with 48 other Senators as cosponsors, is a logical follow-up of the vastly improved Federal budget and accounting procedures authorized by P. L. 863.

The basic theme of the editorial opposing S. 434 seems to be that if Congress were to only appropriate funds to be expended in a given year, it would result in needless red tape and confusion by requiring an annual review of long-lead-time programs which under the present system are for the most part considered only once.

As a matter of fact, appropriations for the civil functions of the Army Corps of Engineers, many of which are long-lead time projects, have been on a basis very similar to annual accrued expenditures for several years and the system of appropriating only those funds to be expended in the succeeding fiscal year has worked satisfactorily to all concerned.

Strict control should be maintained at all times over the expenditure of public funds. This was recognized by the Founding Fathers who wrote a provision into the Constitution that no money shall be drawn from the Treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

Yet the practice of appropriating funds in 1 year for expenditure as much as 10 years in the future has deprived both the executive and the Congress of any really effective control over the level of expenditure in a given fiscal year.

This year the accrued expenditure method of stating budget requests and appropriations has met with a more favorable reception in the House of Representatives and was recently favorably reported by the House Committee on Government Operations.

That committee added a provision to limit the authority contained in the bill to a 4-year period. In short, a trial period is proposed. If the proposal is as good as all of the experts firmly believe, it will amply demonstrate its value during this period.

FREDERICK G. PAYNE,
Senator from Maine.

WASHINGTON.

Decisions Emanating From the Board of Veterans' Appeals Make It Necessary That Legislation Be Enacted Clearly Defining Presumptive Periods

EXTENSION OF REMARKS

OF

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1957

Mr. SAYLOR. Mr. Speaker, there are pending before the Committee on Veterans' Affairs two bills in which I am very much interested. I refer to H. R. 420 which provides for a presumptive period of 2 years for malignant tumors, and H. R. 924 which provides for a 3-year period.

Presumptive periods are well established in Veterans' Administration law. For example, World War I veterans had until January 1, 1925, to show that a tuberculosis or neuropsychiatric condition was service connected. The medical officials frown upon presumptive periods and I, as a general rule, do not favor them either. However, some of the decisions which are emanating from the Board of Veterans' Appeals make it necessary that some legislation along this line be enacted.

To deny that rigorous basic training in the Army, Navy, Marine Corps, or the Air Force could aggravate a cancerous tumor is to adopt a position which is ridiculous in the extreme. If decisions of this sort prevail, they will only result in the rankest sort of injustice to all veterans who have the misfortune to suffer from such condition.

I, for one, am willing to go ahead on such legislation and hope that the chairman of the full committee will shortly see fit to schedule action on these bills.

Independence Day Address by Hon. Frank Church, of Idaho

EXTENSION OF REMARKS

OF

HON. JOSEPH S. CLARK

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Tuesday, July 9, 1957

Mr. CLARK. Mr. President, on the 4th of July, at Independence Hall, Philadelphia, the people of eastern Pennsylvania had the opportunity to hear a most stimulating, eloquent, and thought-provoking address by the distinguished junior Senator from Idaho [Mr. CHURCH]. I ask unanimous consent that the address may be printed in the CONGRESSIONAL RECORD.

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

ADDRESS OF SENATOR FRANK CHURCH DELIVERED AT INDEPENDENCE HALL, PHILADELPHIA, PA., ON JULY 4, 1957

Mr. Chairman, distinguished guests, and fellow citizens, I am highly honored to be your speaker today. My home is in the distant West—the youngest part of our country. What a singular satisfaction it is for me to come to Independence Hall in Philadelphia, the birthplace of our country, and here take part in this observance of Independence Day.

Those of us fortunate enough to be here are privileged to commemorate this 4th of July at the shrine of American liberty. Yet, even as we gather here, a thousand bands are playing and veterans are marching, and countless flags are waving in every part of the land. Flashing fireworks will fill our skies tonight, and Americans will congregate in parks and public squares to give evidence of their loyalty to our great Republic. And many will speak of patriotism.

Patriotism is love of country. How should one love his country? One should love his country as he loves his own child—with a will to serve its inmost needs; to see it reach fulfillment; to dream its best dreams, to labor to make them come true.

As a child grows from infancy to maturity, so does a country. As a child's needs change with the passing years, so do those of a country, with the changing times. The true patriot, like the best parent, seeks to know his country's real needs and to learn how to serve them wisely and well.

In 1776 our utmost need was to secure liberty. George III of England had persistently refused to grant to the English colonists in the new world the rights of Englishmen in the old, hard-won from the days of the Magna Carta. Steadily the rule of the royal governors had grown more insufferable. Again and again the colonists had petitioned their king, but their grievances were ignored, and their entreaties rebuked.

So the day came when no recourse remained but to renounce the Crown. Men of high station, with their lives and fortunes to lose, assembled in this historic hall, to pen their names to a ringing Declaration of Independence, proclaiming to the world that the Colonies had severed the political bands that connected them with England, and had assumed the powers of the earth, the separate and equal station to which the laws of nature and of nature's God entitle them.

Every man who placed his signature upon our Declaration of Independence, on that Fourth of July in 1776, from Thomas Jefferson to John Hancock, writing largely so that the King himself might plainly see, knew full well the peril that now confronted them. It is said that Benjamin Franklin remarked, before signing his name, "We must, indeed, all hang together, or, most assuredly, we shall all hang separately."

The Revolutionary War was hardly a contest between equals. The Colonies were rural, lying out on the fringes of the world, and ill-equipped to wage war against a rich and powerful monarch. But the rebels fought for liberty, a cause that fired the hearts of men who would be free, and American patriots, with gallant determination, battled the Redcoats, from the woods of Lexington and Concord to the breastworks at Bunker Hill—through the wintry agonies at Valley Forge to the final victory at Yorktown.

Yes; in 1776, our utmost need was to secure liberty. By the Declaration of Independence we solemnly announced our purpose; by the waging of a Revolutionary War we painfully achieved our goal.

Today, nearly two centuries later, our utmost need is to preserve liberty. Again we should solemnly declare our purpose to the world. But the method we must now pursue to achieve our goal can no longer be the waging of war. It must be the waging of peace.

Let us see why this is so.

The age we live in is as different from the age of colonial America as a powder horn is different from a hydrogen bomb. War is no longer an instrument by which men can win a worthy goal. A thermonuclear war could utterly destroy its participants, leaving nothing but chaos, ruin, and anarchy in its wake. Liberty depends on life and order. Both can be consumed by the witchfire of atomic war, and liberty lost even to those who yearn to preserve it.

I pray that we shall continue to deter the coming of another global war. But if we must do so by living indefinitely in a state of expectant war; by remaining forever teetering on the brink; by carrying an ever-heavier shield above us, then we must awaken to the fact that our liberty itself is in danger of being stifled in the very cause of defending it.

The debt of past war, and the current costs of military defense, now account for two-thirds of the total expenditures of the Federal Government. Today's bomber costs us 20 times as much as yesterday's Flying Fortress. Tomorrow's weapons will dwarf the cost of those we buy today. If we must continue our present course indefinitely, it will matter not what party controls the national administra-

tion. Government will get bigger and taxes will grow larger. From this there is no escape.

As the threat of war becomes ever more important in the formulation of national policy and national budget, the Central Government must continue to expand its powers. The prerogatives of States and communities will further wither. Most importantly, the rights of free men will give way to the interests of a national security that will always elude the mounting frenzy with which we shall pursue it. Thus the foundations of liberty will be eroded, for if we must endlessly prepare for total war, we must be prepared, ultimately, for total government.

So I submit that our country's foremost need today, if liberty is to be preserved for the future, is the need to conquer war in the world at large. That can be accomplished only by waging peace with the same zeal and determination with which we have waged war.

The peace of which I speak is not the cold war in which we now live. Peace is something different than absence from war. An armed truce is not peace, although 20 years continued. A cold war, unless abated, can only end in a hot war.

The time has come to plan a grand strategy for peace; to commit ourselves to its battles, its Lexingtons and Concords; to be prepared to suffer its Valley Forge; and to pursue our goal with strong and abiding faith that we shall at last achieve a Yorktown victory over war itself.

Our forefathers, here at Independence Hall, appealed to the Supreme Judge of the world for the rectitude of their intentions, and solemnly published and declared their purposes, and in support of them pledged to each other their lives, their fortunes, and their sacred honor.

We could do no better.

In a new declaration of independence from war itself, we might list, as did Thomas Jefferson and his colleagues, the failures of the old order, but we must, as they did also, proclaim new objectives that will capture the minds and hearts of men.

Let us declare it to be our high purpose to recognize and promote the cause of colonial peoples who aspire, as we once aspired, to independence and self-government. Their force is crumpling empires. It is the inexorable force of our times. How greatly would be strengthen our moral leadership among free nations if we would honor and befriend the cause of colonial people. It is in our finest tradition that we do this. And such a course offers us our best hope for wresting them from imminent fall to the false and covetous lure of communism, and enlisting them to the cause of liberty and peace.

Let us declare our fixed and unremitting resolve to free the world from the threat of the silent dust of thermonuclear explosion, which could come to fill the air and settle impersonally upon the just and the unjust, and generations yet unborn. Let us lift the monstrous burden of armaments from the backs of men. We must find a way, lead the way, to enforceable disarmament so that tensions may be eased, unreasoning fears dissipated, and the energies of nations turned to the ending of want, hunger, and poverty.

Not least, let us move to the fore to improve and strengthen the United Nations, to make it more effective in its role as keeper of the peace, so that law may replace brute force in the solution of disputes among nations.

In 1776, the governmental principles stated here at Independence Hall were regarded as radical, mischievous, and foredoomed. Instead, they thrived and our Republic became an inspiration for all men who aspired to be free. In the years since, the clean structure of our liberty, like the form and shape of the liberty bell, has always been treasured in the spirit of the free.

If, in the days of our infancy, we could ignite a flame of freedom so bright as to shine like a beacon around the world, then now, in the days of our greatness, we must do no less.

Now is the time for us to recapture the spirit of our Revolution. Now is the time for us to be willing to venture and to dare, to espouse new methods—for the old have failed. Now is the time for bold and imaginative action—for proposals big enough to match and master the looming challenges of the atomic age.

Then let us hew the track for all men of high purpose and good will to follow—to the end that one day they might live in a world where freedom presides and peace endures.

Natural-Gas Legislation

EXTENSION OF REMARKS

OF

HON. JOHN JARMAN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1957

Mr. JARMAN. Mr. Speaker, today the House Interstate and Foreign Commerce Committee favorably reported H. R. 6790. This is a compromise bill designed to eliminate some of the confusion and uncertainty now facing the natural-gas-producing industry, which is not only one of Oklahoma's greatest industries but one of vital importance to the whole Nation. Those of us who in the past have advocated natural-gas legislation and now support this bill have been forced to compromise in an effort to obtain some legislative relief for the independent producer now faced with regulation which threatens to stifle the incentive to explore and develop this resource. Congressional attempts to enact a more desirable law by completely removing the producer from these onerous and unneeded controls have been thwarted twice by Presidential veto and once by Supreme Court interpretation in the Phillips decision of 1954. H. R. 6790 is legislation actually providing for Federal control of certain producers' contracts.

It should be made clear in the beginning that it is still our belief that Federal control and price-fixing at the producing level of this or any other industry is contrary to the fundamental principles of our Constitution, contrary to the intent of past legislation, and contrary to the interests of our people and country as a whole. It is our belief that Federal control of this industry can only result in fewer natural-gas reserves, less gas for nonproducing States, and an eventual increase in cost to the consumer. Further, it is still our belief that natural gas is a commodity and its production has none of the characteristics of a utility service. Natural-gas producers are now under regulation by the Federal Power Commission. The Natural Gas Act of 1938 was designed to apply to the utility service aspects of the interstate movement of natural gas and not to the commodity itself, and, we believe that its present application is in error.

H. R. 6790 falls far short of this position, but as shown by testimony by industry spokesmen, administration officials, and Federal Power Commission representatives, the public utility formula of control is absolutely unworkable for this industry, which bears no resemblance to a utility. Something must be done to ameliorate the present confused situation. This bill tends to clarify the producers' status and to delimit the areas subject to regulation by the Federal Power Commission and eliminates many of the undesirable features of the present formula of control.

While not all we would ask for in natural-gas legislation, it is a bill which, if enacted into law, would tend to encourage the independent producer to explore, drill, and develop sufficient gas reserves to supply fuel to all States of the Union at reasonable prices. It is our belief that this Congress with the interests of the industry and consumers in mind must provide this encouragement.

Washington Report by Congressman Bruce Alger

EXTENSION OF REMARKS

OF

HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1957

Mr. ALGER. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following July 6 newsletter to my constituents:

WASHINGTON REPORT, BY CONGRESSMAN BRUCE ALGER, FIFTH DISTRICT, TEXAS

A roundup of odds and ends seems appropriate for a light legislative week accompanying July 4. First, should Congress be televised? Yes, though its debatable. The pitiless eye of the kinescope and John and Jane Doe at home could straighten out some of our problems. True, grandstanding would be possible—and important unpublicized work by committees might be overlooked. But our government is based on informed public opinion. I'm for citizens knowing what's going on. That's why my extra effort in newsletters, questionnaires, radio, and television. (The 1957 questionnaires are pouring in. It is my hope that every recipient will express himself. The difficulty of "yes" and "no" answers is the same faced by a Congressman in his voting.)

Taxpayers should know how Congress appropriates (spends) their money. It's quite a system. For example, we have passed the conference report of the Departments of Labor, Health, Education, and Welfare appropriations bills for 1958 after the conferees of the House and Senate adjusted the differences between their respective bills. Let's examine the system, taking a specific item; for example, the salaries and expenses for the Bureau of Employment Security, one of the Labor Departments' many bureaus. Here's how it started:

Item: salaries, expenses, appropriated 1957, $5,558,000; budget estimate 1958, $6,358,000; recommended 1958, $6 million.

Bill compared with: Appropriated 1957, +$442,000; estimated 1958, −$358,000.

Let's review the steps. The House committee studied and held hearings on the budget estimate for $6,358,000, $800,000 more than 1957's appropriation. Responsibly, with "cut the budget" cries from constituents, the committee recommended to the House a total of $6 million, $358,000 below

the budget request, but still $442,000 above last year. The House then voted to cut this further to $5,558,000, the same amount as last year. Then the House bill went to the Senate. The Senate committee, too, started with the budget request of $6,358,000 and cut this to $6 million, which the Senate approved. Then the conference of several Senate and House representatives, the conferees, debated and compromised the $5,558,000 House figure and $6 million Senate figure at $5,958,000, which both House and Senate approved.

Now, note the results: 1. More money was appropriated than last year ($400,000) but everyone is on record for economy (both Senators and Representatives cut the figure with which they started). 2. Every Member when necessary can proclaim support for the Government program, but can equally proclaim he's for economy and cutting the budget. 3. The Senate usually adds money and shows less fiscal responsibility than the House. 4. Politicians can demagog and straddle the fence. 5. Politicians are this way because they can't or won't say "No" to constituents' demands for more and more Federal aid. 6. The situation won't change unless people change, both constituents and Congressmen. Such is the appropriation story.

Typical inconsistencies from constituents: 1. Economize, cut the budget, but not my project, pension, or special interest. 2. Get me a tax cut, but give me all (and more) the Government service that I've had in the past.

Floorwork inconsistencies include: 1. Government with a "heart" means a Federal solution with taxpayers' money for every problem—housing, food, employment, wages, financial security, floods, droughts, polio and sickness, charity, relief, countless business operations, etc.—Government has the money and the power, besides it's smart politics, it means votes. 2. A do-something versus do-nothing Congress is measured by the number of new laws passed (every law subtracts a measure of individual freedom)—we can correct anything with another resolution. 3. Everyone's for States rights in principle but not in practice. 4. A nameless vacuum exists into which either Federal or State Government must move—if the State won't, the Federal must (X amendment?). 5. To some in voting it's, "What's politically the right move?" or "My party, right or wrong, but my party." 6. This is just a temporary or emergency measure (this always just precedes its permanent adoption). 7. It may be a bad program, but we must spend this much more to protect what we've already spent. 8. You can't buy friendship, but let's keep trying (foreign aid). 9. Elimination of waste and duplication in government is good (Hoover Commission bills) but * * *? (No political sex appeal; bills are shelved.) One thing I know, the people of Dallas County will be told what's going on in their Government so far as I have the ability and strength. Can we expose and eliminate some of the inconsistencies? It's worth while, isn't it?

Reducing the Nation's Staggering Crime Toll

EXTENSION OF REMARKS

OF

HON. ALEXANDER WILEY

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Tuesday, July 9, 1957

Mr. WILEY. Mr. President, the morning newspapers report continuing leads developed by police authorities in investigating the underworld connections between gambling czar Frank Costello and various criminal sources, as well as "legitimate" enterprises.

We are reminded, as well, by the current investigation of racketeering being so ably conducted by the McClellan committee that there is a vast amount of illegal activity going on in this country which tarnishes our good name in the eyes of the world, and in the eyes of self-respecting people here at home.

Obviously, infinitely more must be done to clean up the conditions of crime in this country.

Last month, at a meeting of the Washington Criminal Justice Association, it was estimated that serious crime in our land is diverting no less than $28 billion a year from the national economy, and is infiltrating a wide degree of activities of civic and community life.

This was the estimate made by Mr. Aaron Kohn, president of the National Association of Citizens Crime Commissions.

As a former member of the Senate Crime Investigating Committee, I have, on many occasions, pointed out the invaluable role played by civic watchdogs like the Citizens Crime Commissions, the Washington Criminal Justice Association, and similiar groups across the Nation.

I ask my colleagues to think what an enormous amuont of tax revenue the Federal Government must be losing because of underworld evasion of its fair share of taxes.

I ask my colleagues to think how this country could use more profitably the $28 billion which is being diverted into the costs of crime in our midst.

I ask my colleagues to think of the implications of underworld infiltration of legitimate business.

Right now, for example, several of the States are reportedly investigating the extent to which one or more State-chartered insurance companies may have granted loans of a very dubious quality to gambling establishments, perhaps at the request of underworld figures.

I hope, therefore, that the States and the localities will recognize their responsibility to proceed full-speed ahead on investigations to clean up their own areas.

The Federal Government can and must fulfill its responsibilities, but it cannot and it must not usurp the basic responsibilities of the States and cities.

Here in Congress, however, I earnestly hope that the Senate Committee on Interstate Commerce will find it possible to review the anticrime bills which we, of the Senate Crime Committee, recommended to it way back in 1950 and 1951.

In the meanwhile, I wish continued success to the McClellan committee in its own vigorous pursuit of those who use violence in labor or industry to coerce American citizens.

I ask unanimous consent that an article which was published in the Washington Post and Times Herald of June 14, 1957, describing the $28 billion crime cost to our country, be printed in the RECORD.

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

NATION'S CRIME TAB SET AT $28 BILLION

Serious crime is diverting $28 billion a year from the national economy and is infiltrating civic and community life, Aaron Kohn, president of the National Associations of Citizens Crime Commission, told the Washington Criminal Justice Association yesterday.

Kohn spoke as the WCJA honored its outgoing president, Ralph D. Pittman, in its 21st annual luncheon meeting at the Ambassador Hotel.

Director of the New Oreleans Crime Commission and a former FBI agent, Kohn said there is an intense need for arousing public interest in citizens' crime commissions as a means of forming a united front for a war on the Nation's spiraling crime rate.

H. Holmes Vogel, vice president of the Chesapeake & Potomac Telephone Co., and new president of the Criminal Justice Association, called on John Remon, a WCJA past president, to present a plaque to Pittman at the luncheon.

The plaque expressed "deep appreciation" for Pittman's "splendid and unselfish performance of duty" during his 3 years as WCJA president.

"Your participation and accomplishments for the Washington Criminal Justice Association have resulted in an improved administration of criminal justice and better law enforcement for the District," the inscription said in part.

The Boy Scout Jamboree

EXTENSION OF REMARKS

OF

HON. GORDON CANFIELD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1957

Mr. CANFIELD. Mr. Speaker, a youthful army in forest green shorts and multicolored neckerchiefs took over the Capitol yesterday and I for one was thrilled by its occupation.

The uniformed "invaders" were some of the 60,000 Boy Scouts from every State in the Union, the Territories of Alaska and Hawaii, Puerto Rico, and many foreign lands, who for the next 10 days will be camping in a city of 25,000 tents on the rolling hills of historic Valley Forge for the 1957 Boy Scout Jamboree. Many of these jamboree Scouts stopped off at this Capital City for a brief glimpse of their Government in action en route to the Valley Forge campsite while still others will be visiting us on their homeward journey.

I am told that the Scouts will be consuming some 509,000 eggs and more than 599,000 quarts of milk during the jamboree, and the 3,000 acre tent city that will house them, for the time of its occupation will be the 16th largest city in the Keystone State. I know that one of the major jamboree activities will be the swapping that goes on wherever Boy Scouts get together. There will be swapping of neckerchief slides, camporee badges, ceremonial gear and industrial samples from their respective areas, but even more important than this exchange of tangibles will be the swapping of ideas

and friendships, the swapping of folkways and colloquialisms of speech. And out of all this the development of deep and lasting understanding and acceptance of the many differences that blend and merge into the harmonious pattern of our American way of life.

I recall so well my visit to the 1950 jamboree at Valley Forge when my own son was one of that great army of American boyhood encamped on the sun-warmed hillsides. I heard the rollicking Scout songs echo from rise to rise and thought how those old hills must have rocked to the strains of Yankee Doodle and Let Tyrants Shake Their Iron Rod, as the ragged Revolutionary soldiers sang to forget the misery, the hunger, and the cold.

I remember that thrilling pageant in the huge amphitheater, where the Scouts heard an address by the President of the United States and another by the top military leader of the day, the man who now sits behind the President's desk in the White House. There was a never-to-be-forgotten climax to that 1950 jamboree program when every light on the vast field was extinguished and a blanket of soft darkness fell over the buzzing, wriggling body of boys, bringing down a hush that seemed somehow sacred. Then in a far corner of the field one Scout lighted a tiny candle, its yellow flame leaping up and cutting through the enveloping blackness. One after another the boys lighted their candles until the whole amphitheater was shining with light, a moving demonstration of the power of a single candle to pierce the dark.

I like to think of those boys out there, swapping experiences and inspirations on the green hills of Valley Forge, as the shining candles of hope in this dark and weary world. May the ideals of Scouting burn brightly through all their lives and may these days at Valley Forge help them to appreciate and cherish the precious heritage that has been placed in their young and eager hands.

United States Policy on H-Bomb Testing

EXTENSION OF REMARKS

OF

HON. VICTOR L. ANFUSO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1957

Mr. ANFUSO. Mr. Speaker, on June 13, 1957, I addressed a letter to Secretary of State John Foster Dulles concerning H-bomb tests and the dangers of nuclear fallout. I have now received an official reply from the State Department which I believe is most interesting since it outlines American policy and thinking on this matter at the present time.

Briefly, I had proposed in my letter that the United States should issue a declaration to the world stating that this country will make no H-bomb tests for a period of 6 months regardless of what other countries do. In this declaration the United States is to state clearly that we are taking this action in the interests of safeguarding humanity and civilization against the mortal perils of nuclear fallout.

Furthermore, I proposed that the declaration is to call on Soviet Russia and Great Britain to follow our example in accepting "this brief moratorium or trial period for the suspension of nuclear tests," and that if this 6-month trial period proves a success on the part of all concerned then it can be extended for a longer period of time.

On July 8, 1957, the State Department addressed a reply to my letter, signed by John S. Hoghland II, Acting Assistant Secretary for Congressional Relations.

It is worth recalling at this point that at the disarmament conference, now going on in London, the United States recently proposed the suspension of H-bomb tests for a period of 10 months. I prefer to believe that my letter to Secretary Dulles had something to do with the formulation of the proposal made by our delegation at the London conference.

Mr. Speaker, for this reason I believe it will be worth while to insert into the RECORD the text of the State Department's reply and my original letter.

The letters follow:

JUNE 13, 1957.

Hon. JOHN FOSTER DULLES,
Secretary of State, Department of State, Washington, D. C.

DEAR MR. SECRETARY: I am writing to you not only in my capacity as a Member of Congress and as spokesman for the people of my district, but also as the father of five children. During these past few weeks I have given considerable thought, as millions of others have done, to the mortal perils of nuclear fallout—the perils for our own generation, but even more so for our children and grandchildren.

Scientists seem to be generally agreed that radioactive elements which were unleashed by A-bombs and H-bombs since 1945 are already damaging human health all over the world. There may be some debate as to the degree of such damage, but no one questions the danger involved. As more of these bombs are exploded the physical danger increases since the atmosphere becomes more polluted with radioactive material.

It has been suggested that the three major nations experimenting with nuclear weapons, the United States, Soviet Russia, and Great Britain, should agree to stop these experiments for the safety of the entire human race. Others have maintained that if we stop testing nuclear weapons, then we might face the danger of losing our position of leadership in this field and in due time the United States would assume an inferior position to Russia who would utilize it for its own selfish purposes.

If there is no imminent danger to the security of our Nation, I should like to propound this question: Could we continue our nuclear research without tests for a period of 6 months and yet not suffer to any material extent the loss of our present leadership position? Would we be in a vulnerable spot if we abstained from such tests for 6 months? If the answer to these questions is that we could continue our research without tests and yet not endanger our position, then I would like to suggest the following proposal:

Let the United States come forward with a flat declaration to the world that we have decided to make no further H-bomb tests for the next 6 months, regardless of what other countries do, because we earnestly believe it to be in the best interests of humanity and civilization. At the same time we will call on Russia and Britain to do likewise during the same trial period. In other words, declare a brief moratorium or trial period for the suspension of nuclear tests. I believe that public opinion throughout the world would force Russia and Great Britain to follow our example.

By our action, we would demonstrate to the world that the American people are taking the initiative to end the destruction of the human race. It would also show that the American people and their Government are sincerely and genuinely dedicated to world peace.

Naturally, if this 6-month trial period proves to be a successful experiment on the part of all nations concerned, it can then be extended for a longer period of time. In this way, perhaps, we can avert the threat to our own and to future generations. In this way, too, we can provide our children and grandchildren with an equal opportunity of coming into this world as normal human beings and with the hope of living a normal life free from the perils of radioactive fallout which are threatening them.

I believe, Mr. Secretary, that millions of people in this country and abroad would be most interested in your views regarding this proposal.

Sincerely yours,

VICTOR L. ANFUSO,
Member of Congress.

JULY 8, 1957.

Hon. VICTOR L. ANFUSO,
House of Representatives.

DEAR MR. ANFUSO: I refer to your letter of June 13, 1957, concerning fallout and a proposal that the United States halt nuclear tests for 6 months.

It is believed that a review of the testimony given at the recent fallout hearings of the Joint Committee on Atomic Energy would not bear out the statement, "scientists seem to be generally agreed that radioactive elements which were unleashed by A-bombs and H-bombs since 1945 are already damaging human health over all the world." The record will show that there is general agreement among scientists on the amount of fallout received and the amount of strontium 90 in the body. It is recognized that the extra radiation from the test fallout is a small fraction of the natural dosage individuals receive from their own bodies and surroundings and cosmic rays. Radiation from test fallout is very small when compared with the radiation produced by medical and dental X-rays to which many individuals are exposed. Dr. Libby, of the Atomic Energy Commission, you may recall, has pointed out that an individual may receive doses which far exceed those from fallout by living in a brick house or in the mountains.

The Committee on Genetic Effects of the NAS-NRC noted in its report released in June 1956 that "the fallout dose to date (and its continuing value if it is assumed that the weapons-testing program will not be substantially increased) is a small one as compared with the background radiation, or as compared with the average exposure in the United States to medical X-rays." The following excerpt is taken from its conclusions: "The fallout from weapons testing has, so far, led to considerably less irradiation of the population than have the medical uses—and has therefore been less detrimental. So long as the present level is not increased this will continue to be true; but there remains a proper concern to see to it that the fallout does not increase to more serious levels." At the recent fallout hearings Dr. H. Bentley Glass, who is a member of the committee, commented that no data have become available in the past year to warrant changing the earlier conclusion.

From the foregoing, one should not conclude that there is no risk to be taken in

connection with nuclear testing. There is a small risk; however, it is small in comparison with the ordinary risks that we take all the time. At the fallout hearings, Dr. Libby asked the following question, to which only an affirmative answer can be given: "Are we willing to take this very small and rigidly controlled risk, or would we prefer to run the risk of annihilation which might result if we surrendered the weapons which are so essential to our freedom and our actual survival?"

Regarding the advisability of a 6 months' unilateral suspension of nuclear testing, a detailed review of the entire disarmament problem (as it relates to nuclear weapons) has led to the conclusion that the heart of the nuclear threat is ever-increasing stockpiles of nuclear weapons. Accordingly, the United States has proposed that, under effective inspection, at a given date, all future production of fissionable materials for weapons purposes should cease and that transfers from past production to peaceful uses should begin. Within the framework of such an agreement it would be possible to undertake either a suspension or a complete elimination of all nuclear weapons testing. For these reasons, a unilateral move merely to suspend testing for a short period would appear not to attack the most important and potentially dangerous aspect of the nuclear threat. It might tend instead to give a misleading impression of progress toward a safeguarded disarmament agreement. It is the view of the Department of State that any agreement on testing should be a part of a first step in a general disarmament agreement that would include provisions for the cessation of production of fissionable materials for weapons purposes.

Sincerely yours,

JOHN S. HOGHLAND II,
Acting Assistant Secretary for Congressional Relations
(For the Secretary of State).

Statement of Hon. Robert C. Byrd to the Subcommittee on Civil Service Retirement, House Committee on Post Office and Civil Service

EXTENSION OF REMARKS
OF
HON. ROBERT C. BYRD
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 9, 1957

Mr. BYRD. Mr. Speaker, permit me to call to the attention of our colleagues the statement which I presented to the Subcommittee on Civil Service Retirement, House Committee on Post Office and Civil Service, in connection with the hearings on the proposed legislation to increase the annuities of civil-service employees who retired prior to October 1, 1956. The statement follows:

STATEMENT OF HON. ROBERT C. BYRD PRESENTED TO THE SUBCOMMITTEE ON CIVIL SERVICE RETIREMENT OF THE HOUSE COMMITTEE ON POST OFFICE AND CIVIL SERVICE, JULY 3, 1957

Mr. Chairman and honorable members of the Subcommittee on Civil Service Retirement, I am grateful for this opportunity to present my views in support of H. R. 4 and related bills, which would increase the annuities of civil-service employees who retired prior to October 1, 1956. The bill which I introduced on January 10, 1957, is similar to H. R. 4.

The proposed legislation will benefit some 240,000 retirees and about 80,000 surviving widows and dependent children. These employees did not share in the increased benefits which the 84th Congress granted under Public Law 854 to persons retiring on or after its effective date, October 1, 1956. General revisions increasing benefits under the civil-service retirement system were enacted in 1926, 1930, 1942, and 1948, and in each of those enactments benefits were also provided for persons already retired. These increases were paid from the civil-service retirement fund and did not call for special appropriations.

It is true that in the first session of the 84th Congress a token increase was provided for civil-service annuitants, but it is also true that that token increase was far below the proportionate increase in the cost of living. And, of course, that token increase was prior to the legislation of 1956, enacted for the benefit of future retirees. This fact, as well as the further fact that the cost of living has increased each month since the enactment of 1956 legislation, plainly points up the unfortunate economic situation in which retirees now find themselves.

Prior to the adjournment of the 84th Congress, the Senate passed the bill, S. 3725, to provide the necessary increases for annuitants; however, due to the approaching adjournment, the House was not able to act on the subject.

It is my understanding that about 70 percent of the beneficiaries are men and the balance women. Some 50,000 of these former Federal employees are today receiving approximately $50 a month. Another 50,000 receive between $50 and $100 a month, and still another 50,000 receive between $100 and $150 a month. In other words, 75 percent of our civil-service retirees receive less than $150 a month. The plight of their survivors is even more distressing. The average survivorship annuity is $50 a month. Do not these stark facts, then, amply demonstrate that Congress has the duty and the obligation to provide equitable and necessary improvement in its program of retirement and survivor benefits for former Government employees and their survivors?

No one denies the gross inadequacy of retirement benefits in meeting the present high cost of living. The urgency for remedial action, however, was graphically revealed in a special report published in the August 3, 1956, issue of the U. S. News & World Report. That report showed that civil service retirees were down 13 percent from the 1939 standard of living. On the other hand, the report showed that 35 major groups, representing 95 percent of our population of workers, enjoyed increases above that 1939 standard, ranging from 4 to 107 percent.

Many of the individuals who will be benefited by the increases proposed in the legislation here under consideration are wholly dependent upon their annuities. The inflationary spiral has hit hard. The shrinkage in the purchasing power of the "retirement dollar" cannot be ignored either.

The average age of the annuitants to be benefited by this legislation is 67.7 years. This fact, too, points up the necessity for immediate and favorable consideration of the proposed legislation. We recognize that retirees are at a great disadvantage because the dollars which they paid into the retirement fund have greatly decreased in value. The purpose of the proposed legislation is to compensate for this loss in purchasing power and to provide some equity to these former Government workers.

The Congress has a direct responsibility to these former employees to see to it that their benefits have a sound relationship to the cost of living. Let us not overlook the real problems with which these retirees are faced. They are confronted with reduced income, reduced health, reduced living standards, and in many cases with increased medical expenses. Legislative action to assist these senior citizens is overdue.

In view of the above, I hope it will be possible for the subcommittee to give favorable consideration to the legislation here under consideration.

Hells Canyon, TVA, and Niagara

EXTENSION OF REMARKS
OF
HON. FRANCIS CASE
OF SOUTH DAKOTA
IN THE SENATE OF THE UNITED STATES
Tuesday, July 9, 1957

Mr. CASE of South Dakota. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD one of my weekly newsletters which I send to the people of South Dakota. It deals with the subject of power at Hells Canyon, TVA, and Niagara.

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

HELLS CANYON, TVA, AND NIAGARA

WASHINGTON, July 1, 1957.—It's time for plain speaking in South Dakota on power—public and private. Bills now pending in Congress point up the subject.

BILL NO. 1—HELLS CANYON

The Senate has passed a bill that would direct the Federal Government to build a high dam on the Snake River in Idaho

I voted against it. Why?

Because it will cost you your share of $500 million, possibly $600 million, plus damages to the private power company which has already spent about $20 million building some low dams under a license issued under President Roosevelt's 1936 Federal Power Act.

The issue was blurred by a tax amortization certificate that should not have been issued although the Idaho Power Co. was only getting what others have been getting since accelerated depreciation was resurrected with the Korean war. I did not like that—said so—introduced a resolution to stop it and stop all fast writeoffs.

Idaho Power then turned back its tax amortization certificate before the vote—but even if it had not, it does not make sense to make a $600 million mistake just because you've made an $18 million one.

Under either plan—there would be 750,000 kilowatts of firm power. A high dam might get 15,000 more. It might also get some dump power if you take water away from the upstream irrigators to fill a high dam. But I do not see using crop water to create dump power when the British are producing atomic power competitively.

So, I voted "No" which was to say, "Let the private company continue and let them put up the dough. We need lower, not higher, taxes."

BILL NO. 2—TVA

In the Senate Public Works Committee, I have helped to shape and report a bill that will let the Tennessee Valley Authority issue its own bonds up to $750 million to increase its facilities to meet growing power needs in its territory.

TVA is public power. My friends who think TVA is creeping socialism will probably themselves get the creeps on this one. And my REA friends who have been educated to think that one should be damned

politically and perhaps eternally if he did not vote for a publicly built Hells Canyon Dam may give me no credit for supporting TVA public power.

But you, my fairminded reader—don't let anybody poison your mind. FRANCIS CASE is neither under the control of the private power trust when it comes to Hells Canyon nor the Socialists when it comes to TVA. I simply think it makes sense to let the cost of these things fall somewhere else than on the backs of the taxpayer.

Since TVA, a proven operation, can sell bonds and finance its needed expansion, why do it by taxation or an increase in the national debt?

BILL NO. 3—NIAGARA

Another bill which I have helped to shape and report from Senate Public Works would let the State of New York, through its State Power Authority, develop the hydroelectric potential in the Niagara River. It will cost them $566 million.

Again, I'm in the middle. Between the folks who wanted the original Miller-Capehart bill that would turn Niagara's potential over to five private power companies and those who wanted the Lehman-Roosevelt bill to have Uncle Sam do it and pick up the check.

This will be public power—State public power—but the so-called public power people are unhappy because we did not tack on the full preference clause for public bodies and cooperatives.

I voted for modifying the preference clause because I think if New York State finances the job, the people of that State are entitled to at least 50 percent of the power in that State. And less than 5 percent of them are served by the so-called preference bodies.

Also, I respect the claim of New York to some of the power that will be produced from waters rising and dammed in their State. (You know I also think that for South Dakota, too.) New York, under Republican Gov. Charles Evans Hughes over 50 years ago asserted that claim and it has been continued through Democrat Franklin Delano Roosevelt, Republican Tom Dewey and present Democratic Gov. Averell Harriman. All have asserted the doctrine of our Western States that a State has certain rights in its waters.

So, I have never favored requiring New York to accept a Federal preference law that would require them to export their State-financed power from a State dam on waters rising partly at least in their State to cities and co-ops in Pennsylvania, Ohio and Indiana and deny it to the 95 percent of their own citizens who are served by private distributors.

Now if I seem to have written this a bit bluntly, it is because the time has come to call the turn on a tendency to damn or praise in terms of "public power" and "private power." We have both in the United States—and should.

Without the drive that men have when there is a prospect of making a profit from enterprise and hard work, this country would not do any better than Russia does with state enterprises exclusively; without the yardstick of TVA and the example of what people will do with abundant electric power when they can get it at rates they can afford, we would not be the country we are today.

Not in our generation would the farm homes of America be lighted and modernized as they are had there been no Rural Electrification Administration. It has meant more to improve rural living than any other farm legislation you can name.

And the simple existence of a TVA yardstick makes it safe to have private power development when private capital and enterprise are able and willing to undertake the venture.

In each of these three cases, FRANCIS CASE voted—not on a public-power or a private-power basis—but for the solution which appeared likely to get the job done with the most protection to the public purse and to you as a taxpayer. I would save on—

Hells Canyon—private power	$600,000,000
TVA—public power, private funds	750,000,000
Niagara—public power, New York funds	566,000,000
Total in 3 bills	1,916,000,000

That much power development for a growing United States without any demands on the Federal Treasury. Without any increase in your taxes.

That's the way I voted. But whether you will be saved that first $600 million depends on what happens to Hells Canyon in the House of Representatives or at the White House.

If you want to help pay for a high Hells Canyon Government-built dam, write your Congressman that you are willing to have the national debt increased or your income tax raised or your share of the tax cost hidden in the price of a new tractor, corn-picker, or TV set.

And if you'd like to have the full-preference clause tacked onto the Niagara bill, write your Congressman that you are willing to have the Niagara Dam built by the Federal Government. That's a sure way to pick up the tab New York State stands ready to accept.

And, if you want TVA to be public enterprise, pure and simple, tell us that you want all TVA growth financed by Federal appropriations instead of TVA bonds. That's a quick way to add $750 million to the Federal budget for the next 6 years.

Thanks for letting me report to you so frankly.

Pregnancies Grow in Washington Schools

EXTENSION OF REMARKS

OF

HON. JOHN BELL WILLIAMS

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1957

Mr. WILLIAMS of Mississippi. Mr. Speaker, the entire country has been following with interest the results of public-school integration in the District of Columbia. Because President Eisenhower had suggested that Washington's public school system should serve as a model of integration for other communities to follow, developments here have been carefully noted by the public.

Last fall, a subcommittee of the Committee on the District of Columbia conducted a thorough study of conditions in the newly integrated Washington schools, and the evidence presented to that subcommittee startled the entire Nation. I am quite sure that no fairminded person could close his eyes entirely to the disastrous effects that inevitably result from such wholesale integration if that person should take the time to read the transcript of hearings before that subcommittee.

In the current issue of U. S. News & World Report is to be found an enlightening article dealing with some of the problems brought about by integration of the District schools. The facts revealed in this article are shocking, to say the least, and should awaken even the most avid integrationists to the cold realities of life. Under leave to extend my remarks in the RECORD, I include the aforementioned article:

PREGNANCIES GROW IN WASHINGTON SCHOOLS

Pregnancy and vandalism are being pictured officially as twin problems in schools of the Capital of the Nation.

The number of pregnancies has multiplied. In one big section of the city, the health-clinic center has recorded a rise of 1,000 percent in pregnancies among junior-high-school girls, between 1948–49 and the present. The rate of rise is reported by officials as most rapid in the years since 1954, when separate schools for Negroes and whites were ended.

At the same time, vandalism in schools is described as a problem of serious proportions. Representative EARL WILSON, Republican, of Indiana, told Congress of an investigation of vandalism made by him at an elementary school newly constructed at a cost of $677,400. The story told by Representative WILSON is given in this article as it was printed in the CONGRESSIONAL RECORD.

JUNIOR MOTHERS

It is the problem of pregnancy among school children that is attracting special attention at this time. The problem is described in detail by a report made to the Youth Council of the city's administrative body, the District of Columbia Commissioners. The report was prepared by Dr. John R. Pate from school records and is entitled "Junior Mothers." Dr. Pate is director of the District's Bureau of Disease Control.

What follows is from the text of the report on pregnancy among pupils in junior high schools of Washington:

"The members of the Commissioners Youth Council, area M, have expressed concern over the increasing rise of illegitimacy among the early teenage group.

"A rise of over 1,000 percent in the number of such instances in comparison with 1948–49 school-year figures to that of 1956–57 has come to the attention of the Southwest Health Center clinic.

"In 1948–49, there were only seven illegitimate pregnancies in this age group (junior high school) that came to our attention. It is not expected that this large an increase would hold true throughout the city; but, because the statistics have risen so dramatically over a period of years, it was felt that a further study of this problem would be timely in order to bring to the attention of all concerned the seriousness of the situation, for the problem generally has increased.

"Further, many of these children being born out of wedlock are dependent solely on public-assistance funds for their support. This economic burden merely adds another complication to the emotional and moral one in the community.

"Alarming increase

"During the current school year there has been an alarming increase in the number of pregnant girls in the 7th, 8th, and 9th grades of the junior high schools of the city of Washington coming to the Southwest Health Center to have completed and properly signed physicians' certificates of pupils' inability to attend school. This problem has been increasing over the last 2 to 3 years, more than was noted in several years prior to 1954. The fact is that, during the current school year, our records show an increase of approximately 1,000 percent in the number of illegitimate pregnancies as compared to the 1948–49 school year in this age group.

"The purpose of this report is not to cast reflection on any particular group, for this situation is not confined to any one segment of the population. But it might be said that it is most prevalent in the group coming from the lower socio-economic status.

"Of the 23 junior high schools in the city of Washington, we have records on children

from 13 schools reporting to this health center for confirmation of pregnancy in order to be excused from school.

"The statistics of the public schools, included in this report, cover a period of 8 months. In practically every school the report is not completely accurate, falling short of the total number of pregnancies.

"Even the official certification of live birth kept by the Division of Vital Statistics does not always give the true picture as to illegitimacy, for the certification record, which is a legal record, does not necessarily indicate whether the child is legitimate or illegitimate. This is only found in the supplementary section which is recorded in confidential files.

"The overall figures for the District of Columbia in the year 1954, insofar as were obtainable, show 3 percent of the births to whites were illegitimate and 26.3 percent to nonwhites. This figure included births in the District of Columbia of nonresidents also, which further distorts the actual picture.

"Broken homes

"The statistics included in this report * * * are the actual numbers which the public schools have on record. In analyzing the case records (of pregnancies) available at the Southwest Health Center, we find of the 78 on hand that 61 come from broken homes. Two of this number are second pregnancies. Both of these girls, 14 years of age, had their first child at 13. Only one of the 78 is an only child. For the most part, they come from large families with a number of children, live in crowded conditions, with a history of separation of parents, common-law fathers or multicommon-law fathers in one family. Some of these junior mothers come from families where this pattern has existed from 2 to 3 generations.

"Example: One patient who was first seen at this clinic in 1948 as a frail, undernourished female early in her first pregnancy now is the mother of six living children, with several men involved. She is now living alone with these small children and is being given support with funds provided by the Department of Welfare. She readily admits the more children she has, the more income she expects to receive from this source and does not anticipate changing her pattern of living. (The present ceiling is $200 per month.)

"This pattern is repeated time and time again.

"Another example, whose child is now 9 months old, left junior high school in the ninth grade. The father of the child is a 17-year-old male who has continued in school. He does well in schoolwork and in school activities. In fact, so well that he was considered for a citizenship award which was to have been presented at graduation in June 1957. But the feeling of the principal is that we should not extend such a distinction to an individual who breaks the moral code of our way of life.

"PARENTAL COMPLACENCY

"It is tragic indeed to see these children present themselves as late as the second trimester of pregnancy or even the third trimester without ever having any prenatal care whatsoever. In the majority of instances, the mother of the patient is seen. In discussing the seriousness of the situation, the parents' reaction mostly is one of complacency. However, it has been our feeling that the parents have already experienced an emotional shock, and, while at the clinic, they seem to attempt to excuse the situation on the basis of the fact that it could not be helped and now it is too late.

"However, in a number of instances, these junior mothers have returned to the clinic within 3 or 4 months with no signs of pregnancy. It can only be concluded that an abortion has occurred. This, too, presents a very serious and alarming medical problem. This situation has been increasing in the last few months.

"According to the records of the Bureau of Vital Statistics for the calendar year 1955, [in the District] there were only 86 illegitimate live births to girls under 15 years of age. Certainly, from all indications, an alarming percentage of births in the District of Columbia are illegitimate.

"In the early part of the 1956–57 school year one school in southwest [Washington] reported over half of the 240 children enrolled were illegitimate. In the past few months, in the course of the redevelopment project, many of these families have moved. However, there still remain 40 illegitimate children out of an enrollment of 210.

"Boasts and bad examples

"It has been observed that, when children in the seventh, eighth, and ninth grades become premature mothers and then are required to return to a school setting, there has been a psychological change, as well as an enforced degree of maturity, which greatly, affects their ability to adjust to normal school activities. For the most part, these junior mothers simply do not do well in the classroom setting, and boast of their progeny. This creates curiosity and develops disrupting attitudes among other teen-agers.

"It may well be pointed out in one instance where a young teen-ager who had a baby kept showing snapshots of her offspring to her close personal friend, an eighth-grade pupil, until she created such a strong desire in this young girl, who had never been pregnant, that she determined to duplicate the feat of her friend. After having intercourse with a number of young males and not getting pregnant, she has developed a definite psychosis. This situation is serious and, in spite of all counseling, when these premature mothers return to school they boast of their child or children to their school friends. This serious reaction and conflict of standards is demoralizing to all of the children who are aware of the situation.

"Other cities, less trouble

"Inquiries were made of several cities regarding their problem and, with the exception of Baltimore, none of the other several cities seem to be having such a dramatic increase in illegitimacy as Washington. The city of Baltimore replied on December 6, 1956, which is quoted in part:

" 'There is a catastrophic lack of knowledge on illegitimacy, probably one of the most important problems in maternal health and subsequently in child health for cities like Washington and Baltimore.

" 'The number of illegitimate pregnancies cannot be established with finality. Of the total illegitimate babies, 50 percent occur among girls 18 years of age and lower.' In 1954 in the city of Baltimore, 36 percent of the total number of live births among the nonwhites were illegitimate. This was an increase of 6 percent over 1953 figures. There was no noticeable increase in illegitimacy among white teen-agers during this same period.

"In the city of New York there were 131 births to mothers under 15 years of age in 1955, and in 1956 there were 146 births to mothers in this age group. In 1956, 133 of these 146 were illegitimate or 91.1 percent. Of births occurring among young women between 16 and 19, there were a total of 12,074 live births. Of these, 2,687 could be identified as births out of wedlock or 22.3 percent. In New York City there has been a gradual increase in the overall proportion of illegitimate births since 1954. In that year it was 5.5 percent; 1955, 6.3 percent; 1956, 6.7 percent. These figures fall far short of those of the city of Washington, however.

"In the city of Philadelphia in 1955 there were only 98 illegitimate births to mothers under 15 years of age recorded; 7 white or 0.2 percent and 91 nonwhite or 0.7 percent.

"Special schools for mothers?

"It seems in a number of cases children have made an effort to become pregnant in order to stop school. This confession has been made by a number of pregnant girls. If the pregnancy occurs in the 13th or 14th year and they are forced to return to school against their desires, a number of these children have stated they have frankly made an effort to become pregnant again. It is felt that some form of training should be provided for these children regardless of their wishes, even if it requires the establishment of special schools for them. They should be taught how to care for their offspring and be given other forms of instruction which can be made of practical value.

"It seems that the problem of illegitimacy is more serious in Washington and Baltimore than in New York City, Philadelphia, or Richmond, Va. Since the increase in this city has been so noticeable during the 1956–57 school year as compared with several previous years, it seems that we are faced with an acute pattern that demands immediate and serious consideration.

"Within the last few days the junior-high-school nurses and counselors have again been contacted and the figures released from the Statistical Division of the Board of Education are lower than what now seems to be the facts. It can only be concluded that the problem is even more serious than our statistics reflect.

"Grade-school pregnancies

"Due to the regulation that children must attend school until they are 16 years of age, there are few figures for senior high school students since, by and large, these pupils have reached their 16th birthday and may discontinue school without having to have an official excuse. Consequently, no accurate figures are obtainable. This report is directed primarily toward junior high school students. However, there have been recorded in the elementary schools 8 pregnancies between September 10, 1956, and April 10, 1957. Seven of these girls were 11 years of age and 1 was 10 when she became pregnant.

"Further observation is that, in some schools the male teen-ager is responsible, while in others there seems to be a definite pattern of young adults, 20 to 30 years of age and even older, who are responsible. Some teen-age males have confessed to fathering 2 to 8 children.

"In several cases stepfathers and common-law husbands are responsible, and, in others, married men have been named as the responsible partner. Out of the total records of approximately 75 junior high school children seen, in only 2 cases has the girl become legally married to the father of her unborn child.

"To prevent calamity

"From the statistics included in this report and the accompanying narrative, it can be readily concluded that we are now faced with a serious juvenile problem which affects both girls and boys. The result is such an enormous moral and economic catastrophe that we cannot afford to look askance at the needs of these young people.

"Sex education in the home, the church, the schools, and other social agencies must be put into effect, as the atomic weapon for the prevention of illegitimacy, and sufficient social services instituted, as well as pupil guidance and every other means at our disposal put into full force to correct and prevent maladjustments which follow such experiences.

"Further, it is imperative that we join forces to circumvent this present calamity and that we instill in our teen-agers a proper code of conduct for school, church, home, and community.

"On the question of public assistance to these children, it might be assumed that it

will be the responsibility of the taxpayer for many years.

"Currently, in New York State the aid for children is catching up to the aid for the aging. It would be interesting in this city to learn the cost proportionately for financial aid to illegitimate children to that of the sick and aged.

"The proposals that have been submitted to Congress to help in the field of juvenile delinquency may have a great bearing on solving this problem when this measure is put into effect."

VANDALS AND HOODLUMS

Representative WILSON, who called attention to the school-vandalism problem, is a member of the House Appropriations Committee, which handles funds for the District. Congress provides about $5 million a year for new schools in the District, and it was abuse of one of these new schools that aroused Mr. WILSON.

The Wilson speech, as reported in the CONGRESSIONAL RECORD of June 27, 1957:

"Two years ago—May 13, 1955, to be exact—the District of Columbia, with financial aid of the taxpayers all over the United States, completed construction of a $677,400 elementary school building at East Capitol and 55th Streets NE. The property, including a well-equipped playground, covers an entire block.

"Known as the Marion P. Shadd School, it has 26 classrooms, auditoriums, cafeterias, and all modern facilities. There are 32 teachers in addition to clerical and maintenance workers. Students total about 1,300, ranging from kindergarten through the sixth grade. It is an all-colored school in an all-colored community of modern, spacious apartments and homes.

"This is one of the finest school plants in Washington or anywhere else. It is an architectural and cultural landmark, an institution of which the residents of that Negro community should be very proud.

"A school ripped to bits

"However, this beautiful edifice is being destroyed—literally ripped to bits by vandals and hoodlums—while people of the neighborhood stand by in apparent disinterest. The Marion P. Shadd School is rapidly becoming a landmark of shame to the very people it is intended to serve.

"I inspected this school a few days ago, Mr. Chairman. I found hundreds of windowpanes broken. Mud and filth have been hurled against the building. Empty beer cans are scattered about the premises, piles of filth lie in the doorways, outdoor electrical equipment and entrance lights broken and destroyed. Three or four windows at the cafeteria end of the building have been boarded up by the school authorities because vandals break windowglass as fast as it is replaced. Obscene words and crude drawings cover portions of the neat little frame annex used for kindergarten pupils.

"This has been going on since the school was opened, I was informed by the distressed principal, Mrs. Lillian S. Glascoe, who has been a teacher in the District of Columbia schools for 34 years. The cost of replacing broken windows and repairing other damage to the building already has run into thousands of dollars, she told me. She says she has vainly sought cooperation of adults in the area.

"Lack of adult interest

"I am bringing this matter to the attention of this Chamber, Mr. Chairman, because Washington, as the seat of government, is a Congressional responsibility. Perhaps some of my colleagues may have suggestions as to how this shameful situation might be corrected.

"My own background as a teacher and a school administrator convinces me that this is a shocking example of the lack of adult interest in the schools established for their children. The Negro people who live in this area are allowing their magnificent institution to be turned into a landmark of shame to them.

"If we look more penetratingly into the problems of juvenile delinquency, we can see that parental delinquency and disinterest are prime factors."

A PROBLEM IN WASHINGTON'S PUBLIC SCHOOLS

Pregnancies among schoolgirls under 16, based on physicians' certificates received during the period September 10, 1956, to April 10, 1957:

Total pregnancies reported	190
Among Negro girls	178
Among white girls	12
In high schools	53
In junior high schools	129
In elementary school (including 1 girl 10 years old)	8

Federal Judiciary Will Provide Fair Administration of Civil Rights Laws

EXTENSION OF REMARKS

OF

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1957

Mr. VANIK. Mr. Speaker, in connection with the civil-rights debate in the House of Representatives I took the occasion several times to oppose the jury trial amendment on the basis that the right of law-abiding citizens to vote without restraint is without doubt as important as the right of a wrongdoer to a jury trial. I also argued that since in most States the jury panels are selected from among the electors, the right to vote, therefore, is fundamental and essential to the conduct of fair jury trials. It is in the nature of things that some people who seek to interfere or restrain others in their right to vote must give up their right to jury trial under these circumstances so that others—equal Americans—may have the right to vote, from which all authority in our Government develops.

During the course of the argument on the floor, the opponents of the contempt provisions of the civil-rights legislation argued that the legislation constituted a mass indictment of the integrity of the entire southern populace of the country and that it would be irresponsible to charge that a whole people would be faithless to a solemn juror's oath.

I want to point out that the conduct of the contempt proceedings under the civil-rights bill as it passes the House of Representatives will in every case be conducted before distinguished jurists of the Federal bench who have lived and developed in their home communities. In every respect they are the products of the South and are familiar with its traditions and its culture.

Can those who oppose this legislation logically contend that these gentlemen, the judges of the Federal district courts in the southern districts, will ignore their obligation to comply with all corners of the law in passing upon the contempt charges which may be brought against their fellow men? Can it be contended that these are men who may be swayed by passion or prejudice or who will render arbitrary or indiscretionary judgments? I do not believe so.

Mr. Speaker, I am submitting a list of the Federal judges who sit in the United States Federal district courts of the Southern States. By and large they are gentlemen who were born and raised in the communities in which they now act and pass judgment as judges of the Federal district court. They are products of the schools of the South. Some were members of Congress and have served with distinction throughout their entire careers. There is no reason for anyone to suspect that the civil-rights legislation will not be administered in keeping with the highest traditions of American jurisprudence.

ALABAMA

Daniel H. Thomas, judge; born, Prattville, Ala.; bachelor of laws, University of Alabama, 1928; admitted to Alabama bar, 1929; law practice, Mobile, 1929–51; assistant solicitor, 13th judicial circuit, Alabama, 1932–39; partner, Lyons, Thomas & Pipes, 1943–51; appointed United States district judge, southern district of Alabama, 1951. Hore: 13 Dogwood Circle, Spring Hill. Office: Federal Building, Mobile, Ala.

Seybourn Harris Lynne, judge; born, Decatur, Ala.; B. S., Alabama Polytechnic Institute, 1927; bachelor of laws, University of Alabama, 1930; admitted to Alabama bar, 1930; general practice of law, Decatur, Ala., 1930–34; judge, Morgan County Court, 1934–41; judge, Eighth Judicial Circuit of Alabama, 1941–42; judge, United States District Court for the Northern District of Alabama since 1946. Home: 305 East Glenwood Drive, Birmingham. Office: Federal Building, Birmingham, Ala.

Harlan Hobart Grooms, judge; born, Jeffersonville, Ky.; bachelor of laws, University of Kentucky; admitted to bar, Kentucky and Alabama; practiced in Birmingham, Ala., 1926—; former member, Spain, Gillon, Grooms & Young; judge, United States District Court for the Northern District of Alabama, 1953—. Member, American, Alabama, Birmingham Bar Associations, Phi Alpha Delta, Omicron Delta Kappa, Scabbard and Blade, Pi Kappa Alpha. Home: 2624 Aberdeen Road. Office: Box 34, Birmingham, Ala.

Frank M. Johnson, Jr., judge; born, Haleyville, Ala.; graduate, Gulf Coast Military Academy, Gulfport, Miss., 1935, Massey Business College, Birmingham, 1937; bachelor of laws, University of Alabama, 1943, admitted to Alabama bar, 1943; private practice in Haleyville and Jasper since 1946; member of firm; Curtis, Maddox & Johnson, 1946–53; United States attorney, northern district of Alabama since 1953. Served as private to captain, Infantry, United States Army, 1943–46. Decorated, Purple Heart with Oak Leaf Cluster; Bronze Star. Home: 1100 Ninth Avenue, Jasper, Ala. Office: Federal Building, Birmingham, Ala.

ARKANSAS

Harry J. Lemley, judge; born Upperville, Va., student University of Virginia, 1901–03; bachelor of laws, Washington and Lee University, 1910, doctor of laws, University of Arkansas. Admitted to Arkansas bar, 1912, practiced at Hope, Ark., 1912–39; United States district judge, eastern and western districts, Arkansas, since 1939. Member Phi Delta Theta, Phi Delta Phi. Author and coauthor of papers on archeology of Arkansas. Home, Hope, Ark. Address, Texarkana, Ark.

John Elvis Miller, judge; born near Aid, Mo., student Southeast Missouri State Teachers College, Cape Girardeau, and Valparaiso

(Indiana University, bachelor of laws, University of Kentucky, 1912). In practice of law, Searcy, Ark., since 1912, member Miller & Yingling; prosecuting attorney, first judicial circuit, Arkansas, 1919–22; director Bank of Searcy. Member 72d to 75th Congresses (1931–39), 2d Arkansas District; resigned on election as United States Senator to fill vacancy caused by death of Joseph T. Robinson for term ending 1943; resigned from United States Senate (April 1, 1941) to become judge of the United States District Court for the Western District of Arkansas. Member Arkansas Bar Association. Home, Fort Smith, Ark.

FLORIDA

Dozier A. DeVane, judge; born near Lakeland, Fla., student Florida State College, Tallahassee, 1904–05; bachelor of laws, Washington and Lee University, Lexington, Va., 1908. Admitted to Florida bar 1908; practiced in Tampa, 1908–18; county attorney Hillsboro County, 1913–14; counsel to Florida Railroad Commission, 1918–20; rate attorney American Telephone & Telegraph Co., 1920–22; general counsel Chesapeake & Potomac Telephone Co., and associated companies, 1922–30; practiced law in District of Columbia 1930–33; solicitor, Federal Power Commission, Washington, D. C., 1933–38; reentered private practice Ordando, Fla., 1938; member DeVane, Andrews & Patterson; appointed United States district judge, northern and southern districts of Florida, 1943, northern district, 1947. Member Kappa Sigma O. D. K. Phi Beta Kappa. Home, Old St. Augustine Road; office, Federal Building, Tallahassee, Fla.

George W. Whitehurst, judge; born Wauchuta, Fla. Student, Stetson University; bachelor of laws, University of Florida; admitted to Florida bar; Florida State circuit judge; now United States district judge, Miami. Home: 301 Valencia Way, Fort Myers, Fla.; office: Post Office Box 1070, Miami, Fla.

William J. Barker, judge; born Marietta, Ga., bachelor of laws with highest honors, University of Georgia, 1916. Admitted to Florida bar, 1916, and began practice in Jacksonville; judge, circuit court of State of Florida, 1925–40; United States district judge, southern district of Florida, since 1940. Member, American and Florida Bar Associations. Home: 3305 Lykes Avenue; office: Federal Building, Tampa, Fla.

Bryan Simpson, judge; born Kissimmee, Fla., bachelor of laws, University of Florida, 1926. Admitted to Florida bar, 1926, and practiced in Jacksonville, 1926–39; assistant States attorney, fourth Florida circuit, 1933–37, judge, criminal court of record, Duval County, Fla., 1939–46; circuit judge fourth Florida circuit, 1946–50; United States district judge, southern district, Florida, 1950. Trustee Bolles School, Jacksonville; member State board Children's Home Society, Florida. Served as first lieutenant United States Army, 1943–45, 12 months ETO. Member American, Jacksonville Bar Associations, Florida bar.

Emett Clay Choate, United States judge; born Columbus, Ohio; bachelor of laws, University of Indiana, 1914; admitted to Indiana bar and Oklahoma bar, 1914, New York bar, 1922, Florida bar, 1925; practiced in Oklahoma City, 1917–21, New York City, 1922–25, Miami, 1925–54; United States judge southern district, Florida, 1954. Member Housing Authority, City of Miami, 1952; member national board, field advisers, Small Business Administration, 1954. Delegate Representative National Convention, 1952. Served as first lieutenant, Oklahoma Infantry, 1914–16; major, Field Artillery, United States Army, 1917–18. Member American Automobile Association, American, Florida, Dade County Bar Associations, Phi Delta Phi. Clubs: Kiwanis (Miami); home: 3306 Crystal, Miami, Fla.

GEORGIA

Frank Arthur Hooper, Federal judge; born in Americus, Ga.; student, Georgia Institute of Technology, Atlanta Law School, 1936, LL. M., 1937; secretary to judge, Georgia Court of Appeals, 1917, private practice, Atlanta, 1919–43; judge, Georgia Court of Appeals, 1933; instructor, Atlanta Law School, 1934–43; assistant city attorney, Atlanta, 1940–43; judge, superior court, Atlanta Judicial Circuit, 1943–49; United States district judge, Northern District of Georgia, 1949. Member, Georgia House of Representatives, 1925–28. Served as ensign, USNRF, 1919.

William B. Sloan, judge; born in Gainesville, Ga.; admitted to Georgia Bar, 1915; Representative, Georgia State General Assembly, 1927–31; assistant attorney general, Georgia, 1932; judge, city court, Hall County, Georgia, 1934–45; judge, superior courts, Northeast Judicial Circuit, Georgia, 1945–48; United States district court, Northern District, Georgia, since 1951. Member, American, Georgia State Bar Associations, American Judicature Society. Home: 1188 Cherokee Road. Office: Federal Building, Gainesville, Ga.

Thomas Hoyt Davis, United States district judge; born in Braselton, Ga.; bachelor of arts, Mercer University; admitted to Georgia Bar, 1916; in general practice, 1916–26; solicitor general, Cordele judicial circuit, Georgia, 1927–33; United States attorney, middle district, Georgia, 1933–45; United States district judge, middle district, Georgia, 1945. Member, Georgia Bar Association, Cordele Circuit Bar Association. Home: Vienna, Ga.

William Augustus Bootle, judge; born in Colleton County, S. C.; Mercer University, 1924, LL. B., 1925; admitted to Georgia Bar, 1925, since practiced at Macon; member, Carlisle & Bootle, 1933–54; United States district attorney, Middle Georgia District, 1929–33; acting dean, Mercer University Law School, 1933–37; part-time professor of law, 1926–37; judge, United States district court, Middle District, Georgia, 1954. Trustee, Mercer University, chairman, executive committee board, 1941–46, 1948–53. Member, Phi Delta Theta. Club: Civitan, president, 1936). Home: 196 Buckingham Place. Office: Post office, Macon, Ga.

Frank M. Scarlett, Federal judge; born in Brunswick, Ga.; 1898–08, Gordon College, Barnesville, Ga., 1908–10; bachelor of laws, University of Georgia, 1913; admitted to bar of Georgia, 1913; practiced law in Brunswick under name of Courtland Symmes & Scarlett, 1913–15; private practice, 1915–29; appointed solicitor of city court of Brunswick, 1919–29; entered partnership under name of Reese, Scarlett, Bennett & Highsmith, 1929–37, with Reese, Scarlett, Bennett & Gilbert, 1937–46; United States district judge since February 14, 1946; president, Brunswick Chamber of Commerce, 1936–38. Home: 902 Wright Square. Office: Federal Building, Brunswick, Ga.

LOUISIANA

Herbert William Christenberry, judge; born New Orleans, La. Student Soule College, New Orleans; bachelor of laws, Loyola University 1924, also student, New York University, 1927; private practice, 1924–33; assistant attorney, Board of Commissioners of Port New Orleans, 1933–35; deputy commissioner, Louisiana Debt Moratorium Commission, 1935; assistant district attorney, Parish of Orleans, 1935–57; assistant United States attorney, Eastern District of Louisiana, 1937–42, United States attorney, 1942–47; United States district judge since 1947; instructor, Loyola University of the South, School of Law. Member, Federal Bar Association, Louisiana State Bar Association, New Orleans Bar Association; home, 4300 St. Ann St.; office: 600 Camp Street, New Orleans.

James S. Wright, district judge; born New Orleans. Bachelor of philosophy, Loyola University, 1931. Bachelor of laws, 1934; high school teacher, 1931–35; lecturer, English history, Loyola University, 1936–37; assistant United States attorney, New Orleans, 1937–46; practice of law, Ingoldsby, Coles & Wright, Washington, 1946–48; United States attorney, Eastern District, Louisiana, 1948–49. Served as lieutenant commander, United States Coast Guard, 1942–46. Observer, United States State Department of International Fisheries Conference, London, 1943. Member, Louisiana State Bar Association (board of governors), Federal Bar Association (president, New Orleans chapter). District of Columbia Bar Association, New Orleans Bar Association, Alpha Delta Gamma (national president). Clubs: Army-Navy (New Orleans); Army-Navy Country (Washington); Home: 35 Newcomb Boulevard, New Orleans, 18; office: Post Office Building, New Orleans.

Ben C. Dawkins, Jr., judge; born Monroe, La., bachelor of arts, Tulane University, 1932; bachelor of laws, Louisiana State University, 1934; admitted to Louisiana bar, 1934, practiced in Monroe, 1934–35, Shreveport, 1935–53; member, firm, Blanchard, Goldstein, Walker & O'Quin, 1935–53; United States district judge, Western District, Louisiana since 1953. President, Shreveport Recreation Council, 1941; director Children's Service Bureau, 1947–51, Child Guidance Clinic, 1952. Member school board, Caddo Parish School, 1949–53, president, 1950–52. Served as lieutenant commander, air navigator, United States Naval Reserve, 1942–45. Member, America, Louisiana State (board of governors, 1950–52) Shreveport (vice president, 1941–42, secretary-treasurer, 1947–48; president, 1949–50), bar associations, Shreveport Chamber of Commerce (director 1949–52), Junior Chamber of Commerce (director 1941–42); American Legion, Veterans of Foreign Wars (post commander, 1946–47, judge advocate, Louisiana department, 1947–48), Delta Kappa Epsilon, Phi Delta Phi, Omicron Delta Kappa; Club: Shreveport Exchange (president, 1951). Home: 4054 Baltimore Street; office: Federal Building, Shreveport, La.

Edwin Ford Hunter, Jr., United States judge, born Alexandria, La. Student, Louisiana State University, 1930–33; bachelor of laws, George Washington University, 1938; admitted to Louisiana bar, 1938, member, Smith Hunter, Risinger & Shuey, Shreveport, 1940–53, member, Louisiana State Legislature, 1948–52; executive counsel, Governor, Louisiana, 1952; member, Louisiana State Mineral Board, 1952. Served as lieutenant, United States Naval Reserve, 1942–45, on U. S. S. *Saratoga*. Member American Bar Association (Louisiana State chairman, junior bar section, 1945), American Legion (post commander, 1945, judge advocate, Department Louisiana, 1948), Sigma Chi. Home: 1027 Ninth Street; office: Post Office Box 1339, Lake Charles, La.

MISSISSIPPI

Sidney Carr Mize, judge; born, Scott County, Miss.; bachelor or arts, Mississippi College, Clinton, 1908; bachelor of laws, University of Mississippi, 1911; admitted to Mississippi bar, 1911, forming law partnership with his brother, Joe H. Mize, to 1926; then firm changed to Mize, Thompson & Mize; served as special district attorney, special county judge, special chancery judge; United States judge for southern district of Mississippi since 1937. Member, Democratic State Executive Committee, 1931–37. Trustee, Gulfport municipal schools, 1930–38. Member, American, Mississippi State, and Harrison County bar associations; Phi Kappa Psi, Phi Delta Phi. Address: Gulfport, Miss.

NORTH CAROLINA

Wilson Warlick, judge; born, Newton, N. C.; bachelor of science, Catawba College; 1910 doctor of laws (honorary) 1936; bachelor of laws, University of North Carolina, 1913; admitted to North Carolina bar 1913, practiced law, Newton, N. C., 1913–30; judge, su-

perior court, 16th judicial district, 1930–49; United States district judge, western district, North Carolina, since 1949. Chairman, North Carolina Probation Commission since 1937. Served as lieutenant, G–2, American Expeditionary Forces, Adjutant General Department, World War I; member of S. A. R. American Legion, 40 et 8, Alpha Tau Omega. Office: Federal Building, Statesville, N. C.

Donnell Gilliam, judge; born, Tarboro, N. C.; student, University of North Carolina, 1905–10; admitted to North Carolina Bar, 1910; member, firm Gilliam & Bond, Tarboro, 1923–45; State district solicitor, 1923–45; United States district judge, eastern district of North Carolina since May 30, 1945. Chairman, Edgecombe County Democratic Executive Committee, 1910–45. Member, Delta Kappa Epsilon. Home: 302 Church St., Tarboro, N. C.

OKLAHOMA

Royce E. Savage, judge; born, Blance, Okla.; bachelor of arts, University of Oklahoma, 1925, bachelor of laws, 1927; assistant insurance commissioner, 1927–29; practiced law as member firm Monnet & Savage, Tulsa, 1929–38; Cantrell, Savage & McCloud, Oklahoma City, 1938–40; appointed United States district judge for northern district of Oklahoma, 1940. Member of Phi Delta Theta and Phi Delta Phi. Home: 2135 East 25th Street; office: Federal Building, Tulsa.

William R. Wallace, judge; born, Troy, Tex.; student, Indianola College (now University of Tulsa), 1901–05; University of Oklahoma, 1909–10; doctor of laws, Oklahoma Baptist University, 1947; admitted to Oklahoma Bar, 1910, practiced in Pauls Valley, Okla., 1910–25; county judge, Garvin County, 1913–17; attorney, Magnolia Petroleum Co. and Lone Star Gas Co., 1925–50; United States district judge for the northern, eastern, and western districts of Oklahoma since 1950. Served as member of Oklahoma State Legislature, 1909–23. Chairman of Oklahoma Public Welfare Commission, 1939–42; board of regents, University of Oklahoma, 1944–48; member of American and Oklahoma Bar Associations, Kappa Sigma. Clubs: Rotary, Men's Dinner. Home: 2419 North Harvey, Oklahoma City; office: Federal Building, Oklahoma City.

Eugene Rice, judge; born, Union City, Tenn., bachelor of science, Hall-Moody College, Martin, Tenn., 1910; bachelor of laws, Valparaiso University, 1917; taught in rural schools of Tennessee, 1910–13; admitted to Oklahoma bar, 1920, and practiced in Oklahoma; State district judge, 1930–37; former member of court of tax review, Oklahoma; appointed United States district judge, eastern district, Oklahoma, 1937. Served with United States Army and AEF, 1917–19. Member of American Bar Association, Oklahoma State Bar Association; honorary member of Phi Delta Phi. Home: 1521 Boston Street; office: Federal Building, Muskogee, Okla.

Stephen S. Chandler, judge; born, Blount County, Tenn.; student of University of Tennessee, 1917–18; bachelor of laws, University of Kansas, 1922; private law practice in Oklahome City, 1922–43; appointed United States district judge for the western district of Oklahoma, 1943. Member of Sigma Alpha Epsilon and Phi Delta Phi. Clubs: Oklahoma City Golf, Beacon, and Rotary.

Ross Rizley, judge; born, Beaver, Okla.; bachelor of laws, University of Kansas City, 1915; admitted to Okhaloma bar, 1915; actively practicing law since 1915; county attorney, Beaver County, Okla., 1919–20; State senator, first Oklahoma district, 1931–35; Member, 77th-80th Congresses (1941–49), 8th Oklahoma District; Solicitor, Post Office Department, March to December 1953; Assistant Secretary of Agriculture, 1953–54; Chairman, Civil Aeronautics Board, 1955; director, City National Bank, Guymon; member, Guymon Chamber of Commerce (former president, director). Member, Oklahoma State Bar and American Bar Associations; address: Guymon, Okla.; office: Department of Agriculture, Washington, D. C.

SOUTH CAROLINA

George B. Timmerman, judge; born, Edgefield County, S. C.; graduate, Patrick Military Institute, 1900; bachelor of laws, South Carolina College (now University of South Carolina) 1902; doctor of laws (honorary) 1952; general practice of law, 1902–42; appointed United States district judge for the eastern and western district of South Carolina, 1942; captain, South Carolina Militia, aide on brigade staff, 1905; solicitor, 5th judicial circuit, 1905–08; 11th judicial circuit, 1908–20; member, State of South Carolina Highway Commission, 1931–39, chairman, 1936–39; chairman, Lexington County (S. C.) Democratic Committee, 1914–16; Democratic State executive committeman, 1930–32, 1938–42; president, Democratic State convention, 1932; chairman, Ridge District Boy Scouts of America, 1940–43; vice president, central council, 1942–44; chairman, Batesburg-Leesville Park Commission, 1941–46; trustee, University of South Carolina, Columbia, S. C., 1941–47. Member, South Carolina and American Bar Associations, Phi Kappa Sigma, Omicron Delta Kappa. Home: Rutland Street, Batesburg, S. C.; office: United States Courthouse, Columbia, S. C.

Ashton H. Williams, judge; born, Lake City, S. C.; bachelor of arts, University of South Carolina, 1912; graduate law school; Georgetown University, 1915; admitted to South Carolina bar, 1914; since, practiced in South Carolina; member, Lake City Council, 1916–17; South Carolina State House of Representatives, 1921–22; senator, Florence County, 1923–26; member, Democratic National Executive Committee, South Carolina, 1948–49. Author (while in senate): Pay-as-You-Go Road Act, 1923; Coastal Highway Act; first act to tax gasoline for good roads; office, United States Courthouse, Charleston, S. C.

Charles C. Wyche, judge; born, Prosperity, S. C.; bachelor of science, The Citadel, Charleston, 1906; doctor of laws, 1952; Georgetown University, 1908–9; admitted to South Carolina bar in 1909, and practiced at Spartanburg; member, South Carolina House of Representatives, 1913–14; city attorney, Spartanburg County, 1919–33; United States district attorney, western district of South Carolina, 1933–37; appointed United States district judge western district of South Carolina, January 30, 1937; circuit judge, court common pleas, by special appointment, 1924; court of general sessions, 1924; associate justice, Supreme Court of South Carolina, by special appointment, 1929. Served in World War I, advancing from first lieutenant to major with AEF and Army of Occupation; member American and South Carolina State (president, 1931–32), Spartanburg County Bar Associations; American Law Institute; home: 268 Mills Avenue; office: Federal Building, Spartanburg, S. C.

TENNESSEE

William E. Miller, judge; born Johnson City, Tenn., bachelor of arts, University of Tennessee, 1930; bachelor of laws, Yale, 1933; admitted to Tennessee bar 1933; member, Cox, Epps, Miller & Weller, Johnson City, 1933–55; chancellor, first chancery division, Tennessee, 1939; United States district judge, middle district, Tennessee, 1955—. Member, Tri-Cities Airport Commission. Presidential elector, 1940; member, Constitutional Convention of Tennessee, 1953. Chairman, Washington County Chapter, American Red Cross, 1938–40; board of visitors, Emory and Henry College. Served as major, United States Air Force, World War II. Member, Johnson City Chamber of Commerce, American, Tennessee, Washington County (past president) bar associations; American Counsel Association; American Judicature Society; American Legion; Sigma Alpha Epsilon. Clubs: Executives, Kiwanis, Hurstleigh, Johnson City (Johnson City, Tenn.). Home: 228 Vaughan's Gap Road, Nashville. Office: Federal Building, Nashville.

Marion S. Boyd, judge; born 1900; graduate, University of Tennessee, 1921; judge, United States district court, western district of Tennessee since 1940. Office: Federal Building, Memphis, Tenn.

Leslie Rogers Darr, judge; born Jasper, Tenn.; student, Pryor Institute, Jasper, 1904–08; bachelor of laws, Cumberland University, 1909; admitted to Tennesseee bar, 1910; practiced law at Jasper, Tenn., 1910–26; judge, 18th circuit of Tennessee, 1926–39; United States district judge, eastern and middle districts of Tennessee since 1939. Home: 1506 Riverview Road, Chattanooga, Tenn.

TEXAS

Thomas W. Davidson, judge; born Harrison County, Tex.; special courses study, Columbia and University of Chicago; studied law privately; admitted to Texas bar, 1903; practiced in Marshall; city attorney, 1907; State senator, 1921; Lieutenant Governor of Texas, 1923; United States district judge, northern district of Texas, since February 1936. Member, Democratic National Convention, 1912–32. Member American, Texas (president, 1927), and Dallas Bar Associations; president, Harrison County Bar Association, 1916. Home: Maple Terrace, Maple Avenue. Office: Post Office Box 286, Dallas 1, Tex.

Joseph B. Dooley, Federal judge; born San Angelo, Tex.; practiced law, Amarillo, Tex., 1911–47; president, State Bar of Texas, 1944–45; United States district judge for northern district of Texas, 1957; member advisory committee, Supreme Court of Texas, 1940; member, American Bar Association, State Bar of Texas. Home: 3011 Hughes Street. Office: Federal Court Building, Amarillo, Tex.

Allen B. Hannay, judge; born Hempstead, Tex.; student Agricultural and Mechanical College of Texas, 1907–9; bachelor of laws, University of Texas, 1913; admitted to Texas bar, June 10, 1913; practiced law in Hempstead and Houston, Tex., 1913–30; Walter County, judge, 1915–17; appointed district judge, 113th district of Texas, March 30, 1930; United States district judge since 1942; member, committee on judicial statistics, United States courts; member, Texas Bar Association. Home: 4001 Ella Lee Lane. Address: 330 Post Office Building, Houston.

James V. Allred, judge; born Bowie, Tex.; admitted to Texas bar, 1921; bachelor of laws, Cumberland University, 1921, began practice at Wichita Falls; district attorney, same 1923–25; attorney general of Texas, two terms, 1931–35; Governor, State of Texas, 1935–39; United States district judge; southern district of Texas, 1939–42; engaged in practice of law; United States district judge, southern district of Texas, since 1951. Home: 4720 Bellaire. Office: Electric Building, Houston, Tex.

Ben C. Connally, judge; born Marlin, Tex.; bachelor of arts, University of Texas, 1930, bachelor of laws, 1933; master of laws, Harvard, 1934; admitted to bar, Texas 1933; practiced as member firm Sewell, Taylor, Morris & Connally, Houston, 1934–42; Butler & Binion, 1945–49; United States district judge, southern district of Texas, since 1949. Member American, Texas & Houston bar associations, American Legion, Houston Chamber of Commerce; Home: 244 Hedwig Road; Office: 416 Post Office Building, Houston.

Joe W. Sheehy, judge; born Saratogo, Tex.; student University of Texas, 1927–29; bachelor of laws, Baylor University, Waco, Tex., 1934; admitted to Texas bar, 1934, and since practiced in Tyler as member firm of Ramey, Calhoun, Marsh, Brelsford & Sheehy; assistant general Texas 1934; United States district judge for eastern district of Texas, Tyler, since 1951. Member American, Texas, and Smith County (pres. 1942) bar associations.

Home: 2312 S. Chilton Street; Office: Federal Building, Tyler, Tex.

Ben H. Rice, Jr., judge; born Marlin, Tex.; bachelor of laws, University of Texas, 1913; master of laws, 1914; admitted to Texas Bar, 1913; assistant county attorney, Falls County, Tex., 3 years; city attorney, Marlin, 9 years; elected chief justice 10th Court of Civil Appeals, 1940; Federal judge western district of Texas since 1950. Address: Federal Court House, San Antonio.

Robert E. Thomason, judge; born Shelbyville, Tenn.; B. S., Southwestern University, Georgetown, Tex., 1898; bachelor of laws, University of Texas, 1900; began practice of law, Gainesville, Tex., 1900; district attorney, Gainesville, 1902–6; practiced at El Paso, Tex.; since 1912; member Texas House of Representatives, 1917–21; speaker of house, 1920–21; mayor of El Paso, 1927–31; member 72d to 80th Congress, 1931–47, 16th Texas district; United States district judge, western district, Texas. Address: 1918 North Stanton Street; Office: Federal Building, El Paso, Tex.

Joe McDonald Ingraham, judge; born Pawnee County, Okla. Admitted to Oklahoma bar, 1927, District of Columbia bar, 1927, Texas bar, 1928; practiced in Stroud, Okla., 1927–28, Fort Worth, 1928–35; Houston, 1935–54; served as member United States House of Representatives, 1934–48; associate justice, Texas Supreme Court, 1936, 1938, 1940; judge, United States District Court, Southern District, Texas, 1954. Secretary Tarrant Co., representative executive committee, 1930–35, chairman, Harris Co., 1946–53, member Texas State executive commission, 1952—; presidential elector, 1932, alternate delegate national convention, 1940, delegate, 1948, 1952. Served as lieutenant colonel, United States Army Air Force, 1942–46. Member American Houston Bar Association, Texas State bar, S. A. R. (president, Texas, 1937–38.) American Legion. Club: Army and Navy Association (president, 1950). Home: 2341 Sunset Boulevard, Houston 5; Office: Post Office Building, Houston 2.

VIRGINIA

John Paul, judge; born Harrisonburg, Va.; graduate, Virginia Military Institute, Lexington, 1903; bachelor of laws, University of Virginia, 1906; admitted to Virginia bar, 1906, and practiced at Harrisonburg; member, Virginia State Senate, 1912–16, 1919–22; member, 67th Congress (1921–23), 7th Virginia District; special assistant to United States Attorney General, 1924–25; United States district attorney, western Virginia district, 1929–31. United States district judge since January 1932. Served as captain, Field Artillery, United States Army, 1917–19 with American Expeditionary Forces, May 1918–19. Member, Raven Society (University of Virginia), Kappa Alpha, Phi Delta Phi, Phi Beta Kappa. Home: R. F. D., Dayton, Va. Address: Federal Building, Harrisonburg, Va.

Alfred Dickinson Barksdale, judge; born Halifax, Va., educated Cluster Springs Academy, 1907–08; Virginia Military Institute, 1908–11, bachelor of science; University of Virginia, 1912–15, bachelor of laws; admitted to Virginia bar, August 13, 1915, and began practice in Lynchburg; judge, Sixth Judicial Circuit of Virginia, 1938–40; judge, United States District Court, Western District of Virginia, since January 1940. Member, Virginia Senate, 1924, 1926, 1927. Served as captain, 116th Infantry, United States Army with American Expeditionary Forces, World War I. Decorated Distinguished Service Cross, Chevalier Legion of Honor, Croix de Guerre. Trustee, Hollins College. Member, board of visitors, University of Virginia; member Lynchburg (Va.), State and American bar associations; Kappa Alpha, Phi Delta Phi, Phi Beta Kappa. Home: 2001 Link Road; Office: Post Office Box 877, Lynchburg, Va.

Albert B. Bryan, judge; born Alexandria, Va., bachelor of laws, University of Virginia, 1921; admitted to Virginia bar, 1921; practiced in Alexandria, 1921–47; city attorney, Alexandria, 1926–28; commonwealth's attorney, 1928–47; United States district judge, eastern district of Virginia, 1947—. Member, State board of corrections, Virginia, 1943–45; member, board of law examiners, 1944–47; member American, Virginia bar associations; American Law Institute; Phi Kappa Sigma, Phi Delta Phi. Home: 2826 King Street, Alexandria, Va. Office: United States Courthouse, Alexandria; also Norfolk, Va.

SENATE

WEDNESDAY, JULY 10, 1957

(Legislative day of Monday, July 8, 1957)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

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

Almighty and most merciful Father, whose power and whose love eternally work together for the protection and enrichment of Thy children, give us grace this day to live by faith in things unseen—the faith that Thou dost rule the world in truth and righteousness, the faith in the final coronation of Thy loving purposes for mankind, unfolding even in the social convulsions of these tense times, the faith that will make us calm and courageous in the face of risks and threats and dangers which will meet us in the faithful doing of our duty. Rid us, we beseech Thee, of all vain anxieties and paralyzing fears, and give us cheerful and buoyant spirits and abiding peace in seeking and following Thy will. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Journal of the proceedings of Tuesday, July 9, 1957, was approved, and its reading was dispensed with.

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing the nomination of David W. Edeen, to be postmaster at American Lake, Wash., which nominating messages were referred to the appropriate committees.

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

MESSAGE FROM THE HOUSE

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

H. R. 6814. An act to provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products; and

H. R. 8594. An act to authorize the Honorable ALBERT P. MORANO, Member of Congress, to accept and wear the award of the Cross of Commander of the Royal Order of the Phoenix conferred upon him by His Majesty the King of the Hellenes.

THE CIVIL RIGHTS BILL

Mr. JOHNSON of Texas. Mr. President, I have been following as closely as any other Member of the Senate the debate which has been taking place on the motion made by the distinguished minority leader [Mr. KNOWLAND]. It seems to me that the discussion thus far has produced two things:

First, a climate of reason within which the Senate can reach a meaningful conclusion.

Second, the need for some technical studies which can be used as a framework of reference.

In this instance, the Senate is operating without the benefit of a committee report, our normal source for reference material. Therefore, I am having some intensive studies made by some of the members of my staff, on some of the issues which have been raised by the discussions in the Senate.

I think we need basic information on the cases which have been decided under section 1985 of title 42 of the United States Code. That has reference, Mr. President, to part III of the bill.

I think we need basic information on the extent to which court decisions have already made law in the field of civil rights.

I wish to commend the Members of the Senate for the very high level of discussion which has taken place up to now. I appeal to them to continue in a spirit of reason and persuasion. I have no doubt that when action on this subject is completed, every citizen will have a right to be proud of the conduct of this great body.

ANNOUNCEMENT OF VISIT TO THE SENATE ON JULY 11 BY THE PRIME MINISTER OF PAKISTAN

Mr. JOHNSON of Texas. Mr. President, I should like to make an announcement in connection with the visit to the United States of the Prime Minister of Pakistan. By agreement with the minority leader and the Presiding Officer, at 3 o'clock on tomorrow, July 11, the Prime Minister will visit the Senate, and will be requested to make an address to the Senate at that time.

In this connection, Mr. President, I wish to say that the visit of Pakistan's Prime Minister, Husseyn S. Suhrawardy, to this country is a welcome occasion.

Pakistan is a nation which has a record of remarkable achievement under great difficulties. Its struggles to main-