State and the Smithsonian serve to throw the White House and the Mall into sharper relief.

Let us have a sense of tradition, and even of humor. Let us keep Washington from becoming a monotony of modern efficiency. Save this wonderful period piece.

This building is classed by Henry Russell Hitchcock, of the Architectural Historians Society, as one of the two most important 19th century structures standing in the Federal City. The other is the Treasury Building.

Three most interesting and beautiful buildings in Washington stand side by side: State-War-Navy, White House, and Treasury. All the more interesting and beautiful because each is different.

All that the fine old State-War-Navy Building needs is a good scrubbing to restore it to its original classic beauty.

This beautiful building of French Renaissance, which so long housed our State, War, and Navy Departments, would be the pride of any other capital city in the world. The mere mention of its destruction is enough to make our great statesmen, generals, and admirals, who occupied it, cry out from the grave in protest.

At the recent convention here of the American Institute of Architects, many of its most distinguished members, including Ralph T. Walker, of New York, who received the institute's "special centennial medal," strongly opposed the contemplated destruction of what is, perhaps, the finest building of its type in the United States, and a landmark in Washington since it was completed in 1888.

It is a striking commentary upon today's inflationary market that it would cost nearly as much to tear this building down in 1957 as it cost to build it in 1875–88, the price then being $10,038,482.42.

While taste has changed since its erection when it was considered the finest building in Washington, it is still just as impressive in design and scale as it was then, and its granite steps and columns and details are unblemished by 80 years of weather. With its superposed orders and mansard roofs and towers, it is a monumental example of Second French Empire architecture, simplified to suit the hard stone.

Its ample, ornate corridors and curved, cantilevered staircases are impressive. Its offices are spacious with high ceilings and decorative cornices and window embrasures. All appears in perfect repair.

A PLACE FOR PRESIDENTS TO WORK—COST: $32 MILLION

A plan is afoot to change and enlarge the White House.

The goal is to give the President enough office space, for the first time in more than 100 years.

Ike backs this plan. But there's opposition, too. A Washington landmark would have to go.

It is going to cost at least $32.8 million to give future Presidents the space they need to house their staffs.

That simple figure offers an idea of the size to which the job of being President has grown. It is a figure arrived at by a special Commission—including Members of Congress—that just completed a study of the White House.

This amount, the Commission says, would provide offices outside the White House big enough to meet needs for Presidential offices for at least the next 50 years. The new construction, the Commission adds, can be done in a way to preserve and enhance the traditional appearance of the President's home.

Details of the Commission's plan were first reported in the March 8 issue of U. S. News & World Report.

Today, President Eisenhower's staff of about 1,500 people is jammed into cramped offices in the east and west wings of the White House, and in the 70-year-old State, War, and Navy Building, across the street from the west wing.

Arrangements are "outmoded, overcrowded, inefficient," according to the study Commission's report.

STANDING ROOM ONLY

The President's staff secretary shares one room with four other people. The appointments secretary's office is too small to hold enough chairs for visitors; some must stand while they wait. Mr. Eisenhower's press secretary has a news ticker in a washroom. Desks and files and stacks of documents are scattered through corridors, the basement, the attic.

It's a situation that has been getting worse and worse since 1800 when the White House was first occupied. All early improvements, the Commission notes, were made "without any consideration" of the President's office needs.

When original offices on the first floor became too crowded, some activities were moved up to the second floor. Cabinet meetings also were transferred to the second floor, close to the President's study. As years passed, secretaries, officials, and visitors who had to see the President increased—and privacy of the President's living quarters declined.

By 1902, the situation was so bad that President Theodore Roosevelt, unable to get support for a plan to create permanent office space, built a temporary office west of the Executive Mansion.

Now, 55 years later, the temporary office is known as the west wing. It was completely rebuilt in 1934, by President Franklin D. Roosevelt. An east wing also gobbled up for offices, was added in 1942.

In 1946, President Harry S. Truman tried to enlarge the west wing to relieve congestion, but Congress impounded the money after protests mounted.

Mr. Truman then took over the State, War, and Navy Building, renaming it the Executive Office Building. Some thought that that solved the space problem, yet in 10 years it has become more acute than ever.

In the Study Commission's view, for 157 years the problem of giving the President office space has always been dodged, never faced. Only makeshift improvements have been made. Meanwhile, elsewhere in the Government, great office buildings such as the Pentagon were being put up for all the other departments and agencies—which take orders from the President.

A permanent cure? Heart of the Commission's plan is to tear down the old State, War, and Navy Building and replace it with a modern structure three or four stories high and in keeping in size and character with the White House.

In the White House itself, the west wing offices would be torn out and replaced with spacious living quarters for visiting dignitaries. The east wing would be made over to include an entrance for large social functions; an art gallery and museum. But outward appearance of the White House would be little changed.

The opposition. Proposed destruction of Old State has created opposition to the Commission's plan. To some, the venerable building is an architectural monstrosity. To others, however, including the powerful Speaker of the House, SAM RAYBURN, Democrat, of Texas, it is a historical edifice worth preserving.

The man who lives with the White House space problem, President Eisenhower, is sentimental about Old State, too—but, for the comfort and efficiency of future Presidents, he is backing any solution that will get more office room and preserve the White House as a home for Presidents and a shrine for all Americans.

SENATE

WEDNESDAY, AUGUST 14, 1957

The Senate met, in executive session, at 11 o'clock a. m.

The Rev. William W. Pendleton, priest in charge of St. John's Episcopal Church, Centreville, Va., and Christ Episcopal Church, Chantilly, Va., offered the following prayer:

Most gracious God, we humbly beseech Thee, as for the people of these United States in general, so especially for their Senate, now assembled: That Thou wouldst be pleased to direct and prosper all their consultations, to the advancement of Thy glory, the good of Thy church, the safety, honor, and welfare of Thy people, that all things may be so ordered and settled by their endeavors, upon the best and surest foundations, that peace and happiness, truth and justice, religion and piety, may be established among us for all generations. These and all other necessaries, for them, for us, and Thy whole church, we humbly beg in the name and mediation of Jesus Christ, our Lord. And now may the grace of God Almighty, the Father, Son, and Holy Ghost, be amongst you and remain with you always. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Journal of the proceedings of Tuesday, August 13, 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. Miller, one of his secretaries.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. JOHNSON of Texas. Mr. President, on yesterday, by error, I requested that the Armed Services Committee be permitted to sit during the session of the Senate today. I was in error; I thought today would be Thursday. I now renew the request, and ask that the Armed Services Committee be permitted to sit on Thursday, during the session of the Senate.

The PRESIDENT pro tempore. Without objection, it is so ordered.

On request of Mr. JOHNSON of Texas, and by unanimous consent, the following committee and subcommittees were authorized to meet during the session of the Senate today:

The Committee on the Judiciary, until 12 o'clock meridian.

The Subcommittee on Veterans Affairs of the Committee on Labor and Public Welfare.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

The Subcommittee on Business and Commerce of the Committee on the District of Columbia.

TRANSACTION OF ROUTINE BUSINESS

The PRESIDENT pro tempore. Under the order entered on yesterday, the Senate will now proceed, as in legislative session, to the transaction of routine morning business, under a 3-minute limitation on statements.

EXECUTIVE COMMUNICATIONS, ETC.

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

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

A letter from the Acting Secretary of Agriculture, reporting, pursuant to law, on cooperation of the United States with Mexico in the control and eradication of foot-and-mouth disease, for the period January 1, 1957 to June 30, 1957; to the Committee on Agriculture and Forestry.

ESTATE OF OSHIRO SHOKO

A letter from the Secretary of the Army, transmitting a draft of proposed legislation for the relief of the estate of Oshiro Shoko (with an accompanying paper); to the Committee on the Judiciary.

JOINT RESOLUTION OF ALABAMA LEGISLATURE

The PRESIDENT pro tempore laid before the Senate a joint resolution of the Legislature of the State of Alabama, which was referred to the Committee on Finance, as follows:

Senate Joint Resolution 73

Whereas the Congress of the United States levied during World War II certain transportation excise taxes, in the amounts of 10 percent on passenger travel and 3 percent on freight; and

Whereas these taxes were levied as wartime emergency measures, and, as such, have outlived their justification; and

Whereas there is pending in the Congress of the Unitd States a measure which would effect the repeal of these taxes: Now, therefore, be it

Resolved by the Legislature of Alabama (both Houses thereof concurring), That the Legislature of Alabama does hereby memorialize and petition, and does respectfully urge, the Congress of the United States to provide a measure of needed tax relief to the people of our Nation by enacting the pending legislation to repeal these "wartime" excise taxes levied on transportation; be it further

Resolved, That the Secretary of the Senate transmit a duly authenticated copy of this resolution to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each Member of the Alabama delegation in Congress.

IMMIGRATION—LETTER

Mr. LANGER. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a letter dated August 2, 1957, written to me by Mrs. Emele M. Picken, regent, Daughters of the American Revolution, Dickinson, N. Dak.

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

DAUGHTERS OF THE AMERICAN REVOLUTION,
Dickinson, N. Dak., August 2, 1957.

The Honorable WILLIAM L. LANGER,
United States Senator of North Dakota, Washington, D. C.

DEAR SIR: As regent of the Badlands Chapter of the National Society of the Daughters of the American Revolution, of Dickinson, N. Dak., I am writing this letter to voice the unanimous opinion of the 23 members of my chapter, upon the subject of the bill S. 2410, introduced in the Senate, together with other amendments, by Senator JOHN F. KENNEDY, cosponsored by HUMPHREY, PASTORE, and LAUSCHE, which will be coming up for action in the near future.

We feel that this bill is not for the good of our country, as it would liberalize and permit the influx of many foreigners and aliens, who could soon change the complexion of our entire population within a few years. This would in turn undermine the security and strength of our national origins quota system.

Therefore, we do most fervently and emphatically urge you to vote against the passage of such a bill and, by so doing, assure us, your constituents, of your affirmative stand against any liberalizing or weakening of the present immigration law.

We, as conscientious Daughters of the American Revolution, wish to hereby express our confidence in and support of the McCarran-Walter Immigration and Nationality Act adopted by the 66th Continental Congress, in 1957, and we urge that this legislation be kept intact.

Yours respectfully,
EMELE M. PICKEN, *Regent.*

REPORTS OF COMMITTEES

The following reports of committees were submitted:

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

S. 2363. A bill to authorize the erection of a national monument symbolizing the ideals of democracy (Rept. No. 865).

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

S. 1742. A bill to amend the acts approved April 16 and July 27, 1906 (34 Stat. 116 and 519), so as to authorize the Secretary of the Interior to convey certain lands on the Huntley reclamation project, Yellowstone County, Mont., to school district No. 24, Huntley Project Schools, Yellowstone County, Mont. (Rept. No. 867).

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

S. 328. A bill to grant minerals, including oil and gas, on certain lands in the Crow Indian Reservation, Mont., to certain Indians, and for other purposes (Rept. No. 962).

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

S. 2037. A bill to amend the act of June 28, 1946, authorizing the performance of necessary protection work between the Yuma project and Boulder Dam by the Bureau of Reclamation (Rept. No. 866).

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

S. 33. A bill to provide for the allocation of portions of the costs of Davis Dam and Reservoir to servicing the Mexican Water Treaty, and for other purposes (Rept. No. 868).

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

H. R. 8079. An act to amend the act of June 20, 1910, by deleting therefrom certain provisions relating to the establishment, deposit, and investment of funds derived from land grants to the States of New Mexico and Arizona (Rept. No. 965).

By Mr. BYRD, from the Committee on Finance, without amendment:

H. R. 1944. An act to amend title II of the Social Security Act so as to make inapplicable, in the case of the survivors of certain members of the Armed Forces, the provisions which presently prevent the payment of benefits to aliens who are outside the United States (Rept. No. 869).

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

H. R. 8005. An act to provide for the conveyance of an interest of the United States in and to fissionable materials in a tract of land in the county of Cook and State of Illinois (Rept. No. 870).

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce, without amendment:

H. R. 1678. An act to provide for the quitclaiming of the title of the United States to the real property known as the Barcelona Lighthouse site, Portland, N. Y. (Rept. No. 964).

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce, with an amendment:

S. 2349. A bill to facilitate the conduct of fishing operations in the Territory of Alaska, to promote the conservation of fishery resources thereof, and for other purposes (Rept. No. 963).

By Mr. JENNER, from the Committee on the Judiciary, without amendment.

H. R. 2354. An act for the relief of the estate of Leatha Horn (Rept. No. 871); and

H. R. 5288. An act for the relief of Orville G. Everett and Mrs. Agnes H. Everett (Rept. No. 872).

By Mr. JOHNSTON of South Carolina, from the Committee on the Judiciary, without amendment;

H. R. 3818. An act to provide for the maintenance of a roster of retired judges available for special judicial duty and for their assignment to such duty by the Chief Justice of the United States (Rept. No. 873); and

H. R. 3819. An act to amend section 331 of title 28, United States Code, to provide representation of district judges on the Judicial Conference of the United States (Rept. No. 874).

By Mr. O'MAHONEY, from the Committee on the Judiciary, without amendment:

H. J. Res. 354. Joint resolution to authorize the designation of October 19, 1957, as National Olympic Day (Rept. No. 876).

By Mr. O'MAHONEY, from the Committee on the Judiciary, with an amendment:

S. 732. A bill granting an extension of patent to the United Daughters of the Confederacy (Rept. No. 875).

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

S. 281. A bill for the relief of Jaffa Kam (Rept. No. 877);

S. 365. A bill for the relief of Yukio Nobuta (Rept. No. 878);

S. 893. A bill for the relief of Giuseppe (Joseph) Chillemi (Rept. No. 879);

S. 1545. A bill for the relief of Fou Yueh Lee (Rept. No. 880);

S. 1655. A bill for the relief of Maria Talioura Boisot (Rept. No. 881);

S. 1835. A bill for the relief of Maria Domencia Ricci (Rept. No. 922);

S. 1921. A bill for the relief of Maria Goldet (Rept. No. 882);

S. 2043. A bill for the relief of Genoveffa Migliozzi (Rept. No. 883);

S. 2062. A bill for the relief of Yasna Trevizan (Rept. No. 884);

S. 2123. A bill for the relief of Frances Monteleone (Rept. No. 885);

S. 2124. A bill for the relief of Tasia J. Somas (Rept. No. 886);

S. 2136. A bill for the relief of Mark Raymond Johnson (Ray Whang) and Lance Holt Johnson (Lance Whang) (Rept. No. 887);

S. 2164. A bill for the relief of Elpis Maria Stephanou Fryback (Rept. No. 888);

S. 2172. A bill for the relief of Walter Harry Hurt (Rept. No. 889);

S. 2199. A bill for the relief of Reinhard Klinefelter (Rept. No. 890);

S. 2204. A bill for the relief of Margaret E. Culloty (Rept. No. 891);

S. 2210. A bill for the relief of Emmanuel Kim Kosmitis (Rept. No. 892);

S. 2248. A bill for the relief of James Richard Scarlett (Richard Kurosawa) (Rept. No. 893);

S. 2302. A bill for the relief of James Charles McCain (Kim Keun Shik) (Rept. No. 894);

S. 2309. A bill for the relief of Elaine Elva Oliver (Lee Myung Sook) (Rept. No. 895);

S. 2314. A bill for the relief of Paul Daniel Schaer (Ba Be Kim) (Rept. No. 896);

S. 2324. A bill for the relief of Elaine Marie Simonton (Yu Keum Ok) (Rept. No. 897);

S. 2328. A bill for the relief of Sieglinde Preiss (Rept. No. 898);

S. 2382. A bill for the relief of John Tompkins (K. M. Soo Man) (Rept. No. 899);

S. 2484. A bill for the relief of Margo Diann Wallace (Demetra) (Rept. No. 900);

H. R. 293. An act to authorize settlement for certain inequitable losses in pay sustained by officers of the commissioned services under the emergency economy legislation, and for other purposes (S. Rept. No. 961);

H. R. 1349. An act for the relief of John J. Fedor (Rept. No. 925);

H. R. 1365. An act for the relief of Elmer L. Henderson (Rept. No. 926);

H. R. 1424. An act for the relief of Sylvia Ottila Tenyi (Rept. No. 927);

H. R. 1595. An act for the relief of Vanja Stipcic (Rept. No. 928);

H. R. 1636. An act for the relief of George D. LaMont (Rept. No. 929);

H. R. 1652. An act for the relief of Rajka Markovic and Krunoslav Markovic (Rept. No. 930);

H. R. 1797. An act for the relief of Maria Sausa and Gregorio Sausa (Rept. No. 931);

H. R. 1851. An act for the relief of Dezrin Boswell (also known as Dezrin Boswell Johnson) (Rept. No. 932);

H. R. 2058. An act for the relief of the Franklin Institute of the State of Pennsylvania (Rept. No. 933);

H. R. 2224. An act providing for payment to the State of Washington by the United States for the cost of replacing and relocating a portion of secondary highway of such State which was condemned and taken by the United States (Rept. No. 934);

H. R. 2979. An act for the relief of Mary Hummel (Rept. No. 935);

H. R. 3184. An act for the relief of Gordon Broderick (Rept. No. 936);

H. R. 3280. An act for the relief of Mrs. Grace C. Hill (Rept. No. 937);

H. R. 3583. An act for the relief of Chandler R. Scott (Rept. No. 938);

H. R. 4230. An act for the relief of W. C. Shepherd, trading as W. C. Shepherd Co. (Rept. No. 939);

H. R. 4344. An act for the relief of Malone Hsia (Rept. No. 940);

H. R. 4447. An act for the relief of W. R. Zanes & Co., of Louisiana, Inc. (Rept. No. 941);

H. R. 6166. An act for the relief of Michael S. Tilimon (Rept. No. 942);

H. R. 8586. An act for the relief of Pasquale Pratola (Rept. No. 943);

H. J. Res. 367. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens (Rept. No. 944);

H. J. Res. 393. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain persons (Rept. No. 945); and

H. J. Res. 410. Joint resolution to facilitate the admission into the United States of certain aliens (Rept. No. 946).

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

S. 684. A bill for the relief of Ilse Striegan Bacon (Rept. No. 901);

S. 882. A bill for the relief of Pauline Ethel Angus (Rept. No. 902);

S. 888. A bill for the relief of Alex P. Collins (Rept. No. 903);

S. 950. A bill for the relief of Milutin Jovanovic (Rept. No. 904);

S. 1047. A bill for the relief of Adelheid Pfeffer (Rept. No. 905);

S. 1322. A bill for the relief of Heinrich Johann Ellebrecht (Rept. No. 906);

S. 1358. A bill for the relief of Johanna Mayne (Rept. No. 907);

S. 1582. A bill for the relief of Helen Demouchikous (Rept. No. 908);

S. 1634. A bill for the relief of Carola Ohlig (Rept. No. 909);

S. 2012. A bill for the relief of Giuliana Donadel Green (Rept. No. 910);

S. 2028. A bill for the relief of Sherwood Lloyd Pierce (Rept. No. 911);

S. 2046. A bill for the relief of Gisela S. Hopkins (Rept. No. 912);

S. 2134. A bill for the relief of Junior Yoo Luhta (Rept. No. 913);

S. 2135. A bill for the relief of a certain Korean war orphan (Rept. No. 914);

S. 2182. A bill for the relief of George E. Kitriniari and Demetroula E. Kitriniari (Rept. No. 915);

S. 2252. A bill for the relief of Mrs. Fumi Ishikawa Clark (Rept. No. 916);

S. 2325. A bill for the relief of Benjamin Paul Klinger (Lee James) (Rept. No. 917);

S. 2566. A bill for the relief of Kimiko Muscarella (Rept. No. 918);

H. R. 1558. An act for the relief of Phillis Guyadeen (Rept. No. 947);

H. R. 1741. An act for the relief of Ikuko Morooka Mahoney (Rept. No. 948);

H. R. 1868. An act for the relief of Daniel Adamson (Rept. No. 949);

H. R. 4854. An act for the relief of Victoria Galea (Rept. No. 950);

H. R. 8284. An act for the relief of Innocenza Guarascio (Rept. No. 951);

H. J. Res. 340. Joint resolution to facilitate the admission into the United States of certain aliens (Rept. No. 952); and

H. J. Res. 368. Joint resolution for the relief of certain aliens (Rept. No. 953).

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

S. 262. A bill for the relief of Mrs. James S. Carpenter (Rept. No. 919);

S. 947. A bill for the relief of Bronislawa Chomicz (Rept. No. 920);

S. 1636. A bill for the relief of Delfina C. Lopes (Rept. No. 921);

S. 2041. A bill for the relief of Sala Weisbart (Rept. No. 923);

S. 2323. A bill for the relief of Barbara Marie Waddington (Helen Lee) (Rept. No. 924);

H. J. Res. 338. Joint resolution for the relief of certain aliens (Rept. No. 955);

H. J. Res. 373. Joint resolution to facilitate the admission into the United States of certain aliens (Rept. No. 956);

H. J. Res. 387. Joint resolution for the relief of certain spouses and minor children of citizens of the United States (Rept. No. 957);

H. J. Res. 392. Joint resolution for the relief of certain aliens (Rept. No. 958);

H. J. Res. 409. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens (Rept. No. 959);

H. J. Res. 411. Joint resolution for the relief of certain aliens (Rept. No. 960); and

H. Con. Res. 194. Concurrent resolution granting permanent residence to certain aliens (Rept. No. 954).

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

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

Edwin R. Hicklin, of Iowa, to be United States district judge for the southern district of Iowa, vice William F. Riley, deceased;

Laughlin E. Waters, of California, to be United States attorney for the southern district of California;

James W. Dorsey, of Georgia, to be United States attorney for the northern district of Georgia;

Frank O. Evans, of Georgia, to be United States attorney for the middle district of Georgia;

William Cozart Calhoun, of Georgia, to be United States attorney for the southern district of Georgia;

Krest Cyr, of Montana, to be United States attorney for the district of Montana;

William B. Bantz, of Washington, to be United States attorney for the eastern district of Washington; and

John Strickler, of Virginia, to be United States attorney for the western district of Virginia.

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

John C. Crawford, Jr., of Tennessee, to be United States attorney for the eastern district of Tennessee; and

Millsaps Fitzhugh, of Tennessee, to be United States attorney for the western district of Tennessee.

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce:

A. Newton Stewart, and sundry other persons, for appointment in the Coast and Geodetic Survey.

BILLS INTRODUCED

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

By Mr. ELLENDER (by request):

S. 2775. A bill to amend the Packers and Stockyards Act, 1921, as amended, by the grouping of the titles of such act amended into separately named acts; providing for the application of such acts so named; defining a livestock auction market, a stockyard, and packer-buyer; and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. JAVITS (by request):

S. 2776. A bill for the relief of the estate of Elwood Grissinger; to the Committee on the Judiciary.

By Mr. STENNIS:

S. 2777. A bill to amend the Agricultural Adjustment Act of 1938 with respect to cotton acreage history; to the Committee on Agriculture and Forestry.

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

By Mr. YOUNG:

S. 2778. A bill for the relief of Daniel Neal Snow (Chang Yo Seph); to the Committee on the Judiciary.

By Mr. NEUBERGER:

S. 2779. A bill for the relief of Sherri Jo Brownfield (Whang Helga); and

S. 2780. A bill for the relief of Audrey Mae Skelton (Whang Rachel); to the Committee on the Judiciary.

By Mr. MARTIN of Pennsylvania:

S. 2781. A bill to provide for the establishment of a fish hatchery in the northwestern part of the State of Pennsylvania; to the Committee on Interstate and Foreign Commerce.

By Mr. PASTORE:

S. 2782. A bill for the relief of Agostino Parrinello; to the Committee on the Judiciary.

By Mr. BEALL:

S. 2783. A bill for the relief of Esli Ferraro and Giuliana Silvana Ferraro, his wife; to the Committee on the Judiciary.

By Mr. MURRAY (for himself, Mr. MANSFIELD, and Mr. CHURCH):

S. 2784. A bill to amend the Flood Control Act of 1950 as it applies to the Libby Dam on the Kootenai River in the State of Montana; to the Committee on Public Works.

By Mr. KNOWLAND (for Mr. CAPEHART):

S. 2785. A bill for the relief of Mladen Carrara, Tonina Carrara, Ante Carrara, and Zvonko Carrara; and

S. 2786. A bill for the relief of Junko Kitabashi; to the Committee on the Judiciary.

By Mr. LANGER:

S. 2787. A bill to increase the pensions of Spanish-American War veterans, their widows and children; to the Committee on Finance.

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

By Mr. CHAVEZ (for himself and Mr. ANDERSON):

S. 2788. A bill to amend the act of October 31, 1949, to extend until June 30, 1960, the authority of the Surgeon General to make certain payments to Bernalillo County, N. Mex., for furnishing hospital care to certain Indians; to the Committee on Labor and Public Welfare.

By Mr. SCOTT:

S. 2789. A bill for the relief of Lydia F. Robinson; to the Committee on the Judiciary.

By Mr. HRUSKA:

S. 2790. A bill for the relief of Mr. Marian Zielinski; to the Committee on the Judiciary.

By Mr. SPARKMAN (by request):

S. 2791. A bill creating the Home Loan Guarantee Corporation; to the Committee on Banking and Currency.

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

By Mr. KENNEDY (for himself, Mr. WATKINS, Mr. HUMPHREY, Mr. DIRKSEN, Mr. PASTORE, Mr. LAUSCHE, Mr. CLARK, Mr. NEUBERGER, and Mr. JACKSON):

S. 2792. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

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

ESTATE OF ELWOOD GRISSINGER—REFERENCE OF BILL TO COURT OF CLAIMS

Mr. JAVITS submitted the following resolution (S. Res. 185); which was referred to the Committee on the Judiciary:

Resolved, That the bill (S. 2776) entitled "A bill for the relief of the estate of Elwood Grissinger" now pending in the Senate, together with all accompanying papers, is hereby referred to the Court of Claims; and the court shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28 of the United States Code and report to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States and the amount, if any, legally or equitably due from the United States to the claimant.

PRESERVATION OF COTTON ACREAGE HISTORY

Mr. STENNIS. Mr. President, I have been gravely concerned for years about shifts in cotton acreage because of the operation of the cotton acreage history method for governing allotments of acreage at the State, county, and farm levels.

Prior to last year, operation of the acreage history program brought about large and undesirable shifts in cotton acreage allotted to the individual States.

Congress, with foresight, adopted amendments last year to prevent wide fluctuations of losses to the individual States for 1957 and 1958.

Despite our amendment last year to prevent loss by any State of more than 1 percent of its allotted cotton acreage for these years, the problem of shifts of acreage within the State—at the county and farm level—remains a serious one.

Acreage apportionments, county by county, and farm by farm, are based on statutory formulas involving the average of planted cotton acreage over a period of years. When allowable acreage is underplanted and necessary legal precautions not taken to preserve the acreage history credit, allowable acreage not only on the farm but within the county is proportionately diminished in future years.

Because of the complicated provisions of existing law—designed to protect the individual farmer—many inequitable shifts at the farm and county level are being experienced. Within my own State, for instance, some counties in 1957 suffered a loss of as much as 6.5 percent of their 1956 cotton acreage allotment through operation of this program.

It can be stated generally that acreage lost to the individual farm cannot be regained during controlled years.

As a result, most farmers seek to plant their full allotment, which results in building up the surpluses which have given us so much trouble.

There are no less than five provisions in the present law—all designed to protect the farmer by preserving acreage history credit.

First. There is a release and reapportionment provision which authorizes farmers to file a release of acreage with the county committee and receive credit for the full allotment for farm history purposes.

Second. There is a 90 percent planting proviso which permits full credit for allotment at least 90 percent of the farm allotment is planted.

Third. There is a provision in the Soil Bank Act which gives credit for acreage used in participating in the soil bank.

Four. There is a provision covering the years 1956 through 1959 which permits farmers to give notice to the county committee that they intend to underplant and receive credit for history, provided written notice is given not later than June 1 of each year.

Fifth. And there is also a provision which authorizes full credit if drought or flood conditions prevent planting.

These are not well understood by the farmers who were intended to benefit from the provisions. Because of this lack of understanding of the legal requirements to be followed in protecting acreage history credit, many are losing acreage for their own individual farms as well as for their counties. Administration of the statutory exemptions is a burden on the county committee and other agricultural workers and is also a burden on the individual farmers who are keenly interested in preserving their history and who must at their own expense and on their own time come to the county office and try to execute the required documentation to preserve this history prior to planting time.

Mr. President, I believe that the primary purpose of the five exemptions can be more easily accomplished both for the Government and the farmer if acreage allotment history were to be computed automatically regardless of whether the farm allotment had been fully planted.

I introduce for appropriate reference a bill to accomplish this purpose.

It provides for two exemptions: (1) New farm allotments; and (2) farms on which no cotton was planted for the 3 previous years. It differs from the House bill, H. R. 8030, which passed on August 5, 1957, in that it refers only to cotton, and that the provisions would be permanent instead of temporary law. Earlier this year I introduced a cotton bill, S. 1924, which contained similar language, but since it now appears that a legislative revision of the broad cotton program will not be likely at this session, I believe that our Agriculture and Forestry Committee should give special attention to this particular aspect of the existing program. While the bill relates only to cotton, I believe that its general provisions could apply to other basic allotted crops, and I feel that the committee would consider these.

The latest 5-year average acreage as a basis for acreage history would be retained, but the undesirable shifts resulting from underplanting would be removed as an obstacle to effective operation of the program at the farm and county level.

In addition to the savings to farmers in time and travel, I understand from the Department of Agriculture that the proposed provision would save the Government at least $1 million annually in administrative expenses.

I certainly hope that the Senate Committee on Agriculture and Forestry will give attention to this bill, even during the present session. I believe it will be noncontroversial and that, when reported to the Senate, it will pass.

I ask unanimous consent that the bill be printed in the RECORD.

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

The bill (S. 2777) to amend the Agricultural Adjustment Act of 1938 with

respect to cotton acreage history, introduced by Mr. STENNIS, was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That section 344 of the Agricultural Adjustment Act of 1938, as amended, is amended by adding at the end thereof a new subsection as follows:

(n) Where for 1957 and any succeeding year the acreage planted to cotton on a farm (including the acreage regarding as planted to cotton by reason of participation in the soil-bank program) is less than the final acreage allotment determined for such farm for such year (excluding any released acreage reapportioned to the farm), such acreage allotment shall be considered for purposes of future State, county, and farm acreage allotments to have been planted to cotton on such farm: *Provided*, That (1) the foregoing provisions shall not apply to a new farm cotton acreage allotment and (2) if no cotton is actually planted on a farm during the 3-year base period, any cotton acreage history credited to the farm under the foregoing provisions shall be canceled. Acreage history credits for released or reapportioned acreage shall be governed by the provisions of subsection (m) (2) of this section pertaining to the release and reapportionment of acreage allotments.

SEC. 2. Section 377 of the Agricultural Adjustment Act of 1938, as amended, is amended by adding the following sentence at the end thereof: "The provisions of this section shall not apply to the 1957 and succeeding crops of cotton."

INCREASED PENSIONS FOR SPANISH-AMERICAN WAR WIDOWS

Mr. LANGER. Mr. President, I have been hopefully waiting and watching for a chance to support and vote for a little bill, H. R. 358, which even today is still pending in the Senate Finance Committee. This is in no way intended as any reflection of the Finance Committee, because it is one of the hardest working committees in the Senate.

But, Mr. President, this bill, H. R. 358 and similar bills have three times passed the House by a unanimous vote, so most certainly this bill cannot be controversial. It has but a single objective, namely, to raise the pension of a widow of a veteran of the Spanish-American War from $54.18 a month to $75 a month. I believe if this bill were before the Senate today, there would not be a Member of this body so indifferent or so heartless as to vote against it.

Mr. President, we were engaged in the Spanish-American War 60 years ago, and these widows range in age from 75 to 90 years. Many of them are blind and helpless. I ask, Mr. President, can any human being today be expected to live on $54 a month? Yet in most cases, except for charity, that is all these widows have to live on, as obviously, at this advanced age, they cannot work and earn one cent to help themselves.

A few days ago when the bill providing for an increase in retirement benefits for firemen and policemen of the District of Columbia came up for consideration, I voted for it, as I think such an increase is deserved and earned. I have also voted for all other bills, granting increases to various groups of our citizens.

Soon we will be considering the so-called Mutual Security Act again, although there is no mutuality, nor is there any security in any of its provisions, insofar as this country is concerned. It is in this act that we find, once more, the provisions for giving billions of American dollars to every foreign country on the globe.

But what of these old Spanish-American War widows? Are we going to adjourn yet another year and leave them just as badly off as they were before? I hate to say so, but it certainly looks that way.

So, Mr. President, I am today introducing a bill for the relief of veterans of the Spanish-American War and their dependents. I think $75 a month is entirely too low. My bill would grant them $110 a month and also raise the pensions of veterans of this war by 15 percent in keeping with the higher cost of living.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2787) to increase the pensions of Spanish-American War veterans, their widows and children, introduced by Mr. LANGER, was received, read twice by its title, and referred to the Committee on Finance.

PROPOSED HOME LOAN GUARANTY CORPORATION

Mr. SPARKMAN. Mr. President, by request, I introduce, for appropriate reference, a bill embodying a proposal for insured conventional mortgage loans. This bill is recommended by the United States Savings and Loan League and is introduced in order that Members of the Senate and others may study and discuss the plan.

A plan of insuring the upper portion of mortgage loans has worked successfully in England and the general idea has been discussed by mortgage lenders in this country for a number of years. The language of this proposal was developed and officially approved by the United States Savings and Loan League. While I am not committed to this particular proposal, nor to the details of the plan, I am convinced that the basic idea merits careful consideration by the Congress, particularly at a time when we are all concerned over the falloff in housing starts and the committees of Congress are searching for new means of stimulating housing credit.

Certainly we can all support the objective of the proposal, which is to provide higher percentage long-term mortgage loans, and thereby extend the opportunity of home ownership to additional millions of our younger families and families of moderate income. This bill may be a way of filling the gap that presently exists between FHA and VA loans typically made at 95 percent of appraised value, and conventional loans typically made at 70 percent of appraised value. We must keep in mind that the GI loan program may taper off and terminate and that even now more than half of the loans made each year are outside of the FHA and VA programs. A sound plan for liberalizing the terms of a conventional loan and bringing such a loan within the reach of more families is therefore desirable.

Even as I speak, the housing industry is in a very difficult position and, needless to say, so is the home buyer. The substantial decline in housing starts, which now is characteristic of the total industry, is due to an extreme shortage of mortgage investment funds. This one fact has become evident to me through talking with literally hundreds of builders, bankers, brokers, and home buyers. It was practically the theme of a major portion of the testimony taken this spring by the Banking and Currency Committee. It is continuing to worsen rather than improve.

Even the administration has taken cognizance of this problem and has attempted to provide additional private additional funds by raising the FHA interest rate twice in the last 9 months. As chairman of the Housing Subcommittee I have been attempting to find ways to attract money, particularly from the large pension and trust funds which are now primarily invested in Government securities, into the mortgage field. The staff of the Housing Subcommittee has been assisting me in this matter and has recently held meetings, attended by representatives of the National Savings and Loan League, the United States Savings and Loan League, and the Federal Home Loan Bank Board. Each of these organizations was asked to supply some recommendation for improving the mortgage investment picture.

The United States League's proposal is the one which I am introducing today. The National Savings and Loan League also has made a recommendation, but, as yet, that recommendation has not been reduced to such form that it can be introduced. I am very much interested in the recommendation made by the National League, since it proposes to do what I have felt necessary for a long period of time, namely to develop and issue a form of security which will be attractive to the huge pension and trust funds. If we can establish an organization empowered to issue debentures, bonds, or other securities which the pension and trust funds will purchase, we will be in a position to tap a source that will yield billions of dollars for further investment in home mortgages.

Even now the staff of the Housing Subcommittee is working with representatives of the National Savings and Loan League, and with others interested in the field, in the hope of developing a plan which will accomplish this objective. I hope by next year to be able to introduce further proposed legislation along this line which may be incorporated into a package or an omnibus bill which will really strike at the heart of the mortgage investment problem.

Mr. President, I ask unanimous consent that there be printed in the RECORD at this point a brief summary and explanation of the proposal contained in the bill I am introducing.

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

The bill (S. 2791) creating the Home Loan Guaranty Corporation, introduced by Mr. SPARKMAN, by request, was received, read twice by its title, and referred to the Committee on Banking and Currency.

The summary presented by Mr. SPARKMAN is as follows:

SUMMARY OF PROPOSAL FOR GUARANTY OF TOP PORTION OF CONVENTIONAL LOANS

INSURANCE COVERAGE

Insurance coverage up to 20 percent of the top portion of conventional loans made by members of the Federal Home Loan Bank System and such other lenders that might participate in the plan on a prescribed basis. Insurance would expire when loan reaches 50 percent of original appraisal. The insurance coverage of the top 20 percent of these loans would be on a 90/10 coinsurance basis. Maximum ratio of loan to value 90 percent; maximum maturity 25 years; maximum loan covered $20,000 with no limitation on interest rate.

Example: On a single-family home appraised at $10,000 a maximum $9,000 loan could be made. The insured portion would be 90 percent of the top 20 percent ($1,800) or $1,620, and the association would have the risk on such a loan of $7,380 ($7,200 plus $180—the 10 percent of the top 20 percent). The association, however, could buy and pay for less insurance if it so desired. Any loss in the insured portion would be shared with the lender assuming 10 percent of it and the Home Loan Guaranty Corporation 90 percent.

PREMIUM

Cost of premium to the borrower or lender would be a single premium of not less than 5 percent or more than 10 percent of the amount insured. If maximum coverage were purchased, this would be equivalent to about 1 percent to 2 percent of the entire loan. This premium could be added to the loan.

OPERATION OF PLAN

The lender would transmit to insuring agency a copy of the note and mortgage, a prescribed form of application for insurance, and a copy of the appraisal made on the prescribed form, appraisal to be made by lenders' appraiser (but Corporation would have the right to require an appraisal by an appraiser approved by it), and the insurance premium. Guaranty Corporation would have no further accounting expense or trouble with the loan unless it were foreclosed. Under this procedure the Guaranty Corporation could operate economically with a nominal staff of officers and employees. Because of the substantial lender participation in the risk and the use of only supervised lenders and the power to disqualify any lender from participating in the program, the Corporation could rely upon the responsibility of the lenders in a manner very similar to the VA program.

CLAIMS

In the event of default, the lender would foreclose and sell the property (or, with the approval of the insuring agency, acquire it by deed in lieu of foreclosure and sell the property). The insuring agency would be liable to pay to lender any loss in cash not in excess of the amount insured. The insurance plan contemplates that possibly additional insurance to cover at least a portion of foreclosure costs could be provided by the payment of a slight additional premium.

INSURING AGENCY

The creation, by an act of Congress, of a new Home Loan Guaranty Corporation to function under the jurisdiction of the Federal Home Loan Bank Board. Initial capital required would be $50 million, to be subscribed for and owned by the 11 Federal home-loan banks in the proportion that each bank's capital bears to all the capital of the system. It is proposed and is entirely probable that the Corporation could pay a dividend to the banks on this capital. The proposed capital would equal, roughly, one-seventh of 1 percent of the amount of home mortgages held by FHLB members.

It should be noted that home-loan bank capital has been increasing at the rate of $80 million to $90 million per year and is now in excess of $600 million. By the end of 1957 it will be in excess of $700 million. The amount of home-loan bank capital thus required would be less than one-tenth the present home-loan bank capital and only about one-half the current yearly increases in capital.

The Home Loan Guarantee Corporation would be a separate Corporation and with the exception of the use of a small portion of home-loan bank capital for capitalization and with the possible use of Federal home-loan bank office facilities it would have no direct relationship with the Federal Home Loan Bank System, and would not involve the use of home-loan bank credit or its obligations.

The premium suggested is deemed to be adequate to cover the risk and to accumulate adequate reserves and surplus so that the capital can within a period of years be returned to the bank system at par.

OTHER LENDERS

If lenders other than FHLB members are permitted to participate, they would be required to buy stock in the Corporation in an amount of one-fifth of 1 percent of the amount of home mortgages they service or own, and in the case of mortgage bankers the additional requirement that the mortgage-banking firm have a net worth of at least 1 percent of the amount of mortgages serviced plus being subject to some nominal supervision by the Corporation.

SAFEGUARDS

The Guarantee Corporation would be protected by an approved appraisal, its power to disapprove lenders engaged in unsound lending, and substantial lender participation in the lending risk.

USE OF PROGRAM

For plan to operate in the higher-loan ratio limits, it would be necessary to change the Federal regulations, as well as many State laws or regulations. This would also be true of other investors such as insurance companies, mutual savings banks, and commercial banks.

It would be expected that between 175,000 and 250,000 families could enjoy the benefits of this plan in the first year of its operation and that this number would rise each year. It would mean a broad expansion of homeownership opportunities through savings and loan financing of hundreds of thousands of young American families who have but moderate downpayments and it would help to take up the slack in the mortgage field when the GI mortgage-loan program expires.

AMENDMENT OF IMMIGRATION AND NATIONALITY ACT

Mr. KENNEDY. Mr. President, on behalf of myself, and Senators WATKINS, HUMPHREY, DIRKSEN, PASTORE, LAUSCHE, CLARK, NEUBERGER, and JACKSON, I introduce, for appropriate reference, a bill to amend the Immigration and Nationality Act, and for other purposes.

I wish to acknowledge the cooperation of the Senator from Illinois [Mr. DIRKSEN] for his assistance in helping to develop a bill which will provide much needed relief in this field.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2792) to amend the Immigration and Nationality Act, and for other purposes, introduced by Mr. KENNEDY (for himself and other Senators) was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed in the RECORD an explanation of the bill.

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

ANALYSIS OF BILL TO AMEND THE IMMIGRATION AND NATIONALITY ACT

Section 1: Under section 101 (b) (1) of the Immigration and Nationality Act, much difficulty has been encountered in the interpretation of the term "stepchild." As now written, that designation does not apply to a child born out of wedlock to a woman who subsequently marries a man not the father of the child. As a result, much hardship is caused by separation of families, since a child in this circumstance is not in a position to receive a nonquota or preference status under the law. For example, an American citizen who marries such a woman can bring her to this country as a nonquota immigrant; but he cannot bring her illegitimate child as a nonquota immigrant, resulting often in a long wait by the infant for a quota visa. This proposal would apply the term "stepchild" to a child whether or not born out of wedlock. (Identical provisions can be found in section 22 of S. 1006 which was introduced by Senator WATKINS on January 31, 1957, in furtherance of the President's recommendations for revision of the immigration laws. Substantially the same provisions can be found in section 2 of H. R. 8123 introduced on June 13, 1957, by Congressman FRANCIS E. WALTER, chairman of the House Subcommittee on Immigration.)

Section 2: Section 101 (b) of the Immigration and Nationality Act defines the term "child" as used in titles I and II. This section of the bill would amend the definition by adding two further categories of children. The first would clarify the law so that an illegitimate child would, in relation to his mother, enjoy the same status under immigration laws as a legitimate child. It is believed that the drafters of this provision of the act did not intend to deprive an illegitimate child of the status he enjoyed under earlier law, but it appears that the language contained in section 101 (b) requires the interpretation that an illegitimate child may not be considered the "child" of his mother.

The second change would extend the definition of "child" to adopted children under limited circumstances. An adopted child may not now be given the status of child under the immigration laws. This has led to hardship in many cases, particularly where a child was adopted at a young age, long before his adoptive parents contemplated emigration to the United States. If, in such cases, the child was born in a country with a heavily oversubscribed quota, he cannot accompany his adoptive parents. It is therefore desirable that consideration be given to an amendment whereby a child adopted while under the age of 14 and who has lived with his adoptive parents for at least 2 years prior to the visa application may be considered a child under the immigration laws. A proposal of this type would prevent abuse through ad hoc adoptions made only for the purpose of circumventing the immigration laws. (Substantially the same or similar provisions can be found in sec. 23 of S. 1006 and sec. 2 of H. R. 8123.)

Section 3: Section 203 (a) (1) of the present law accords first preference status to spouses and children accompanying an alien to the United States who has been given first preference status because he has a special skill, ability, education, or experience which is needed in the United States. This section would amend existing law by granting first preference status also to spouses and children of the skilled aliens who are following to join him in the United States. This would prevent separation of families and permit the prompt immigration of such families who were, for one reason or another, possibly illness and the like, unable to accompany their father or husband when he came to the United States. (Substantially the same provision can be found in sec. 25 of S. 1006.)

Section 4: Under existing law there is no available method whereby American citizens who wish to adopt alien children can bring them to this country without encountering the delays which follow if the child was born in a quota area the quota of which is exhausted. It has been established under previous legislation which permitted the admission of orphans that these children were well suited for adjustment to the American form of life and that they made worthy additions to our population. This section would authorize the issuance of not more than 2,500 nonquota immigrant visas annually to certain alien orphans, under the age of 14 years, who are adopted or or are to be adopted by a United States citizen. Special provision is made for the filing of assurances with the Attorney General that the proposed adoption will be completed, that the child shall be actually an orphan, and that the natural parent shall derive no benefit under the immigration laws by virue of the admission of the orphan to the United States. (Substantially the same provisions can be found in sec. 36 of S. 1006. Comparable but not identical provisions are contained in sec. 1 of H. R. 8123.)

Section 5: This section vests the Attorney General with discretionary authority to authorize a visa for, and to admit to the United States spouses, parents, or children of a United States citizen or of an alien lawfully admitted for permanent residence notwithstanding the commission by such relative of crimes involving moral turpitude or the fact that the relative may have at some time in the past been connected with or engaged in certain immoral activities. This measure would leave to the sound determination of the Attorney General consideration of the question whether this extraordinary relief should be granted in those cases where, for example, extreme hardship would be caused if the alien were to be excluded, and where it appears to the Attorney General that the admission to the United States of the alien would not be contrary to the national welfare. (Similar provisions can be found in sec. 9 of H. R. 8123.)

Section 6: This section would permit the Attorney General to authorize a visa for, and to admit to the United States, under such controls as he deemed necessary, the spouses, parents, and children of United States citizens or of lawfully resident aliens, notwithstanding the fact that such relative is afflicted with tuberculosis. This is another measure primarily designed to alleviate hardships and to prevent the unnecessary separation of families. (Substantially the same provisions will be found in sec. 5 of H. R. 8123.)

Section 7: This section would provide that deportation proceedings may be instituted otherwise than by a warrant of arrest. Under a practice of long standing, deportation proceedings have been instituted by a physical arrest of the respondent. Such action has been regarded on occasions as being unduly harsh, particularly when the alien is a child of tender years, or is of advanced age, or for some other reason is not likely to abscond. Although section 242 (b) of the present law prescribes the deportation hearing procedure, it does not specify the manner in which such proceedings must be initiated. The Department of Justice has recently adopted the practice of commencing a deportation proceeding with an order to show cause, reserving a physical arrest for those cases in which custody and detention of the alien is regarded as necessary in the public interest or safety. While this procedure is regarded as being entirely within the contemplation of the law, enactment of this section would afford an unmistakable statutory sanction for this less drastic procedure. (The identical provisions can be found in sec. 18 of S. 1006.)

Section 8: This section will forgive certain displaced persons and refugees, as well as spouses, parents, and children of United States citizens or residents, misrepresentations made in applying for immigration visas or for entry into the United States. Most of the persons affected by this section are displaced persons, many of whom I understand are in my State, who were forced to make misrepresentations when they were applying for their visas in order to avoid forcible repatriation by the Communists to countries behind the Iron Curtain. Substantially the same provisions are contained in section 4 of H. R. 8123. (This legislation passed the House of Representatives in the bill, S. 247, on May 21, 1957. Similar provisions are contained in section 17 of S. 1006. A similar measure passed the Senate last year when it accepted the amendments to H. R. 6888, 84th Cong.)

Section 9: This section would grant discretionary authority to the Secretary of State and the Attorney General to waive the requirement of fingerprinting on a reciprocal basis, for aliens coming temporarily to the United States as nonimmigrants. This type of proposal has been twice recommended by the President of the United States as being within the interest of relieving the restrictions upon travel to the United States. I would have you observe that there is nothing mandatory about my proposal; should the appropriate officials of the Government believe that fingerprinting is necessary, they have all the power they need to require it. (Provisions having a similar effect are contained in sec. 14 of S. 1006.)

Section 10: This section grants the Attorney General discretionary authority to adjust the status of certain skilled specialists who are in the United States temporarily but whose services have been deemed to be urgently needed in the United States. Spouses and children of those aliens would also be granted nonquota immigrant status. This section applies only to foreign skilled specialists who are in the United States on July 1, 1957. It should be carefully noted that the benefits of this proposal will be available only to those aliens who are not subject to the restrictions imposed upon exchange students and visitors under the act of Congress which became law on June 4, 1956, known as Public Law 555. (Substantially the same provisions as my proposal passed the House of Representatives in the bill, S. 461, on May 21, 1957. Similar provisions are also contained in sec. 3 of H. R. 8123.)

Section 11: This section would cancel the mortgages imposed on the quotas of certain countries as the result of the issuance of visas under the Displaced Persons Acts, as well as under two acts relating to immigration of sheepherders from Spain. (The same result would be accomplished by sec. 8 of H. R. 8123 as well as sec. 1 of S. 1006.)

Section 12: Section 323 of the Immigration and Nationality Act, relating to the naturalization of children adopted by citizens of the United States, would be amended by this section so as to authorize the naturalization of children adopted by United States citizens in those cases in which the parent is stationed abroad in the Armed Forces or in the employment of the United States Government, or of an American firm or international organization when it is intended that the child reside abroad with the parent until the parent's employment is terminated. The new provision would confer benefits upon adopted children similar to those conferred upon spouses of citizens under the provisions of section 319 (b) of the act. Specifically, the present requirements for residence and physical presence in the United States by the child before he may be naturalized would be waived. This amendment is regarded as necessary to avoid separation of families. (The same provision can be found in sec. 33 of S. 1006 and sec. 1 (e) of H. R. 8123.)

Section 13: This section, which is similar to section 6 of H. R. 8123, introduced by Congressman FRANCIS E. WALTER on June 13, 1957, would grant nonquota immigrant status to certain relatives of aliens who are in the United States if the immigrant's petition was approved by the Attorney General prior to July 1, 1957. This is recognition of the fact that a certain number of immigrants entered our country recently, mostly under the Refugee Relief Act of 1953, as amended, and left behind their spouses, parents, and children. As such, it would alleviate much hardship which has resulted from the separation of families who are waiting their turn on quota lists. This section of this bill would, in addition, grant nonquota status to skilled alien specialists for whom a visa petition was approved by the Attorney General prior to July 1, 1957, but who have been unable to obtain their first preference quota number because the quota is exhausted for the particular country involved. This provision actually affects a comparatively small number of persons. It is not prospective. It will aid in bringing to the United States the aliens who are most urgently needed here. This bill would wipe the slate clean, in effect, for these classes of aliens who are waiting their turn on the quota waiting lists.

Section 14: This section is similar to section 13 of S. 129 which I introduced earlier in this session, and also section 14 of S. 2410 introduced by Senator KENNEDY. It would provide for a limited class of aliens, further restricted numerically, a method whereby they may adjust their immigration status and acquire permanent residence in the United States. The persons involved are those high ranking Government officials and their immediate families who have come here as diplomatic representatives, or representatives of their countries to the United Nations. Because of Communist and other uprisings, aggression, or invasion, their governments have in some cases been wiped out. These worthy persons are left homeless and stateless. This bill would permit the Attorney General to adjust their status, subject to Congressional review in accordance with the practice which already exists in other types of proceedings which are now submitted to Congress for review of administrative action. Most important, I would have it clearly understood that this bill does not give any preference or extra benefit to chauffeurs, cooks, or butlers. It does not open the door to a large-scale mass invasion of the United States by unworthy persons. An investigation will have to be made by the Department of Justice, the case of course will be approved by the Attorney General only if it is worthy, and finally the Congress must also give its stamp of approval. Equally important is the fact that not more than 50 persons may receive the benefits of this section in any single fiscal year.

Section 15: This section makes applicable to my bill, where necessary, the existing defi-

nitions contained in section 101 (a) and (b) of the Immigration and Nationality Act.

Section 16: Issuance of certain special nonquota immigrant visas authorized under the Refugee Relief Act of 1953.

Subsection (a) of section 7 provides for issuance to certain refugee-escapees of the special nonquota immigrant vias authorized to be issued under paragraph (1), (9), 10), and (11) of section 4 (a) of the Refugee Relief Act of 1953, but which remained unissued on January 1, 1957.

Subsection (b) of such section defines refugee-escapee, for purposes of subsection (a), as any alien who, because of persecution or fear of persecution on account of race, religion, or political opinion, has fled or shall flee from any Communist, Communist-dominated, or Communist-occupied area, or from any country within the general area of the Middle East, and who cannot return to such area, or to such country, on account of race, religion, or political opinion.

Subsection (c) of such section provides that such section shall not be held to extend the Refugee Relief Act of 1953, or to authorize the issuance of special nonquota immigrant visas in excess of the number provided in section 3 of such act.

EXTENSION OF COVERAGE UNDER SOCIAL SECURITY ACT TO CERTAIN PERSONS—AMENDMENT

Mr. BEALL submitted an amendment, intended to be proposed by him to the bill (H. R. 8755) to amend title II of the Social Security Act to permit any instrumentality of two or more States to obtain social security coverage under its agreement separately for those of its employees who are covered by a retirement system and who desire such coverage, which was referred to the Committee on Finance, and ordered to be printed.

NATIONAL MONUMENT SYMBOLIZING THE IDEALS OF DEMOCRACY—ADDITIONAL COSPONSOR OF BILL

Mr. KNOWLAND. Mr. President, at the request of the senior Senator from Colorado [Mr. ALLOTT], I ask that the junior Senator from Oregon [Mr. NEUBERGER] may be made a cosponsor of Senate bill 2363, the Freedom Foundation bill.

The PRESIDENT pro tempore. Without objection, it is so ordered.

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

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the CONGRESSIONAL RECORD, as follows:

By Mr. NEUBERGER:

Article entitled "Liberty Statue's Welcome Needs Revision," written by Jalmar Johnson, dealing with revision of immigration laws, published in the Portland Oregonian of August 10, 1957.

The PRESIDENT pro tempore. Is there further morning business?

CALL OF THE ROLL

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

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

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

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

THE POST OFFICE CONSTRUCTION PROGRAM

Mr. AIKEN. Mr. President, I think it is too generally assumed that the major number of Federal employees work in Washington, D. C., or this vicinity. This is an erroneous assumption, because by far the greater number of Federal employees work outside the District of Columbia in the 48 States of the Union.

Today, Mr. President, many of those Federal employees are working under most unsatisfactory conditions, whether they be employees of the Post Office, the Internal Revenue Service, or some other Federal agency.

In my State many postal employees are working in cellars because there are no other available facilities.

Not since 1938, as I understand, has there been a new Federal courthouse or post office constructed in the 48 States of the Union. In 1955 Congress took note of this condition, authorized the construction of many long-needed buildings throughout the United States, and provided for a lease-purchase program to finance construction of such buildings. The Congress provided money for acquiring sites and for drawing up plans.

The cities and towns in the various States cooperated fully with the Federal Government. Sites have been purchased. Plans have been drawn. A great many of the plans are practically complete today. However, still there are no buildings. The cities where sites have been acquired have lost the taxes which they would otherwise have collected from the property, which was taken by the Federal Government to construct buildings which have not been built.

The same bad condition which prompted the legislation in 1955 still exists, and is steadily growing worse. When people go into towns where Federal agencies are located, in the various States, they cannot even find the agencies they are looking for. They have to go from place to place all over town, and they cannot find the agencies. It is not only inconvenient, but it is costly.

I believe, Mr. President, that Congress has not kept faith with the cities and towns in the 48 States of the Union which were promised Federal buildings 2 years ago last summer—it is almost last summer now, anyway. Instead of that, all we have is talk about spending hundreds and hundreds of millions of dollars more to construct buildings in the District of Columbia. It is nice to have new buildings in the District of Columbia, but I wish the Members of Congress could see the conditions under which many Federal employees have to work outside the District of Columbia. It seems to me that the Congress has certain obligations for the construction of these buildings, and has failed to keep its promises to the people of the 48 States.

There seems to be a difference between the two Houses of Congress at this time. In the meantime, instead of having new buildings erected, many cities in the United States have simply lost some of their taxable assets, because they depended upon the word of the Federal Government.

The fact that there may be a difference between the two Houses of Congress is no excuse whatever for the Federal Government, through its Congress, failing to keep its agreement with the 150 or 200 cities and towns which happen to be located—perhaps that is their misfortune, but I do not think it is a misfortune—outside the District of Columbia. It is high time for Congress to come down to earth and decide to keep the promises which have been made to all these deserving cities and towns and deserving people all over the country.

GARNISHMENT ABUSES IN THE DISTRICT OF COLUMBIA

Mr. JAVITS. Mr. President, the Judiciary Subcommittee of the Senate Committee on the District of Columbia, of which I am a member, has before it S. 1913, a bill introduced by our distinguished colleague from Wyoming [Mr. O'MAHONEY] for himself, and Senators NEELY and BUTLER, which would amend the garnishment statutes of the District of Columbia. Hearings have already been held on this measure, but additional revelations of abuses in garnishment proceedings indicate that more detailed study is necessary before adequate legislation can be reported. Illustrating the problems involved in garnishment in the District of Columbia is an article from the Washington Star of Sunday, July 21, which details some of the abuses which we are seeking to correct. I ask unanimous consent to have the article printed in the RECORD.

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

DISTRICT CLERK EXPOSES GARNISHMENT ABUSES—STORY OF PERJURED TESTIMONY, FORGED RECORDS, MAY REVIVE CONGRESS PROBE

(By Emerson Beauchamp)

A former employee's shocking account of the practices of a Washington credit store is about to force a reopening of dormant Congressional hearings on garnishment.

He will swear that perjured testimony, forged records and a bagful of questionable legal tricks were everyday tactics of the store in collecting its accounts by garnishment.

The witness, a 26-year-old man who worked for more than 2 years in the store's collection department, took his story to Representative DOWDY, Democrat of Texas, last May after reading the Star's series of articles on garnishment abuses. Mr. DOWDY is the author of a bill that would abolish garnishment of wages in the District.

IMMUNITY OFFERED

After reading a memorandum prepared by the man's attorney, Mr. DOWDY got in touch with Chief Municipal Court Judge Leonard P. Walsh, and the two called on United States Attorney Oliver Gasch.

Mr. DOWDY explained he would like to call the man as a witness but wanted to protect him against possible criminal prosecution. After a week's study of the matter,

Mr. Gasch agreed to grant the man immunity from prosecution for his own participation in the acts he described.

Mr. DOWDY hopes hearings can be reopened soon by the Judiciary Subcommittee of the House District Committee, of which he is a member. The subcommittee held 2 days of hearings last May on the Dowdy bill and a milder measure which would limit garnishment of wages to 10 percent of a debtor's salary.

The hearings were recessed on a negative note as Chairman ABERNETHY, Democrat, of Mississippi, expressed concern that even the 10-percent bill might protect deadbeat debtors at the expense of honest merchants.

But the author of the 10-percent bill, Chairman MCMILLAN, of the District Committee, already is on record in favor of the Dowdy bill in preference to his own measure.

The McMillan measure is similar to a bill introduced in the Senate by Senator O'MAHONEY, Democrat, of Wyoming, which will be taken up when the Senate District Committee considers garnishment legislation during a meeting at 10 a. m. Wednesday.

The Star has obtained a memorandum prepared by the former credit store employee's attorney, summarizing the testimony the witness will give. Here are some of the credit store tactics he will swear to:

Confession of judgment: This is a paper signed by a debtor admitting that the debt is due and payable. If a customer can be induced to sign it when he makes his purchase, the store has an easier time collecting from him later if he misses a payment.

When a quick check of a new customer's record indicates he is a poor credit risk, the store—instead of refusing him credit—agrees to sell to him if he will sign a confession of judgment. The customer signs it, usually without knowing what it is.

Later, if the customer misses a payment, the store simply files a suit, fills in the court case number on the form and presents the debtor's confession that the debt is a just one. The court then grants a judgment against the debtor.

According to the witness, the store's attorney signs these confession forms in blank, a hundred or so at a time, so that they will be ready when needed.

Consent of condemnation: This is another device, designed to get an old customer deeper in debt and guard the store against a plea for exemption. (The law exempts from garnishment $200 of a debtor's salary per month if he is the head of a house, or $60 if he is single. But the exemption is not automatic; it has to be claimed.)

When a customer falls behind in his payments to the store and finds that his salary has been attached, he may visit the store to try to get some of his money released. The store, instead of agreeing to give him a chance to get out of debt, persuades him to buy more merchandise. But to buy more, he must sign a consent of condemnation, which authorizes the debtor's employer to release his money to the creditor. Now the customer is deeper in debt than before, and he has signed away his right to any exemption from garnishment.

Double judgment: Once a court, grants a creditor a judgment against a debtor, the creditor must file a garnishment notice each time he wants to attach the debtor's wages. But often, after one attachment, the debtor will make further payments direct to the store to avoid being garnisheed again.

In such a case, the witness will testify, the store does not notify the court when the debt has been paid in full. Instead, the store leaves the judgment in force. Later, if the debtor buys more goods and falls behind in his payments again, the store files a new garnishment notice based on the old judgment. This relieves the store of going to the trouble of asking the court for a new judgment.

Pigeonholed papers: When a creditor asks the court for a judgment against a debtor, three copies of his motion are prepared—one for the court, one for the creditor, and one for the debtor. According to the witness, the store often fails to mail the debtor his copy of the motion. Thus the debtor does not appear in court, and a judgment against him is granted by default.

Once a judgment is granted, a garnishment notice is served on the debtor's employer, who must reply to it stating how much he owes the debtor. If the employer fails to reply, his own assets may be garnisheed.

In one case, the witness will testify, the credit store's attorney took an employer's answer from the court clerk's office and pocketed it; the answer never got into the court files. Later, the employer wrote the attorney, confirming that he had filed his answer with the court. According to the witness, the attorney commented: "They'll never see this one. This would blow our case."

"Moving" the debtor: The District Code provides that if a debtor lives outside the District, the creditor can attach his salary without obtaining a court judgment in advance.

To make it easier to attach the wages of a debtor who does live in the District, the witness says the store often prepares a false account card with a nonresident address. This is presented to the municipal court clerk to back up an affidavit swearing that the debtor lives outside the District, and the creditor files an attachment-before-judgment form with the court.

The debtor, who finds his salary attached without any notice, usually visits the store to try to get some of his money released, and the store persuades him to sign a confession of judgment. Then the store can get a judgment from the court, and the illegal attachment before judgment is withdrawn.

Doctored records: In cases involving small amounts, debtors usually do not come to court, and judgment is granted to the creditor by default. A debtor's appearance in court is so rare, the witness says, that credit store attorneys usually are caught without their account records and must ask for postponement of the case.

Back in the store, the records are checked. If there is anything in them that might hurt the store's case, the records are doctored. If necessary, a new account card is prepared. Various employees make entries on it, and one of them crumples and smears it to make it look older than it is.

Perjured testimony: When a case is contested and goes to trial, the credit store's attorney gives employees detailed instructions on what to say in court, and the testimony is parroted back to him from the witness stand.

The witness says he committed perjury almost every time he appeared in court, under threat of losing his job if he told the truth.

"Docket and hit": If a debtor claims his exemption, the creditor may find he is unable to collect anything on his municipal court judgment. But he can docket this "dead" judgment in district court and obtain a new judgment there. The debtor still is entitled to his exemption, but he has to claim it again.

According to the witness, the store he worked for uses this technique to bully employers into paying, telling them district court is higher than municipal court and has priority. If this doesn't work, there may still be a chance to collect if the debtor fails to claim his exemption within the time allowed.

Five-payday month: Still another trick to get around the exemption statute is to wait for a month that has five paydays before filing a garnishment. A debtor whose salary normally would be exempt—say a man who makes $50 a week—would earn more than $200 in a 5-payday month, and some of his wages could be attached.

Mr. JAVITS. The distinguished Senator from Pennsylvania [Mr. CLARK], chairman of the Judiciary Subcommittee, is demonstrating fine leadership in the effort to draft a suitable statute to meet the situation. The subcommittee has consulted lawyers of experience in various States; and I can pledge to the people of the District of Columbia, who have suffered under the existing statute, that we shall do everything we can to bring forth a bill which will remedy the manifest abuses which have appeared in connection with this practice.

Mr. President——

The PRESIDING OFFICER. The Senator from New York.

VISITS TO RED CHINA BY AMERICAN CITIZENS

Mr. JAVITS. Mr. President, in connection with the problem which still is with us, of allowing United States newspapermen to visit Red China, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a lead editorial from the New York Times of today, entitled "Problem in Diplomacy."

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

PROBLEM IN DIPLOMACY

An interesting problem in diplomacy is presented by the controversy over the proposed visit of forty-odd young Americans to Communist China. These youngsters, and some of them can no longer be called youngsters, attended the Moscow Youth Festival. They were then invited by the Chinese Communist Government to ride an expense-free gravy train to Peiping. Such is the situation.

The difficulty thus created is typical of the confused years through which we are living. On the one hand, we can have little patience with any American who is willing to lend himself to Communist propaganda by traveling at Communist expense through a Communist-dominated country. If the Communist-dominated country happens to be China, whose government intervened against the United Nations in Korea and caused the deaths of thousands of United Nations soldiers, many of them Americans, a sense of disgust at these young adventurers' folly is strong.

But there is another aspect of the situation almost equally compelling and almost opposite in its effect on one's thinking. This is the doubt that rises in one's mind as to whether it is really democratic and righteous for the State Department to tell any law-abiding American citizen where he may not go or whether he can go abroad at all. We deplore the policy of Communist countries in making their frontiers a wall and their lands a jail. A refusal of a passport or a visa to any one of our own citizens, always with the proviso that he is on good terms with legality, accomplishes the same purpose.

There can be no doubt that the law, as interpreted up to now, does give the State Department the authority to withhold passports, to limit visas, or to pick up the passport of any citizen who has violated the passport regulations. An offending traveler could be fined as much as $2,000 or imprisoned as long as 5 years, or both. Therefore, there was force behind the words of

State Department Press Officer Lincoln White when he said on Monday:

"Travel to Red China is not only contrary to passport regulations in force, but would be subversive of the well-known foreign policy on which these passport regulations are based."

On the other hand, no free man can give up his right to protest, in the ballot box or otherwise. He must, however, be prepared to accept the consequences, and these youths from the Moscow Youth Festival should remember that. Theirs is not the way to break the Iron Curtain. Of infinitely greater importance would be the issuance of visas to American newspapermen which would permit them to travel in and report from Communist China. A mature newspaperman is certainly a better interpreter than are these free-riding young people.

Mr. JAVITS. The New York Times recommends that, at long last, the State Department acts to permit American newspapermen to go into Red China, and contends that this would be a very much wiser exercise of the executive discretion than to lift the bars against Americans generally traveling there in the first instance, with specific applicability to the young people who have attended the Youth Festival in Moscow.

It is felt—and I think very properly—that, to begin with, it is one thing to determine, with the help of experienced newspaper eyes, what is going on in Red China. It is another thing to allow young people to make themselves the object of a propaganda campaign—and we all know that that is all the Communist Chinese intended.

I have introduced proposed legislation to provide for an expanded student exchange between the United States and the countries behind the Iron Curtain, but excluding Red China. I hope very much that someday Red China may show itself to be a civilized power, entitled to the reciprocity and consideration of other nations. We certainly have plenty to complain about with respect to the other countries behind the Iron Curtain. There, at least, we are encouraged to try. With respect to Red China, we have not even been encouraged to do that, because she remains an aggressor and a threat against the peace of the world in Vietnam, Taiwan, and other areas.

I commend this editorial as a wise exercise of statesmanlike judgment, in an area where we can do something—however, not what the young people now in Moscow wish us to do.

KLAMATH INDIAN TRIBE—ARTICLES FROM EUGENE REGISTER-GUARD

Mr. NEUBERGER. Mr. President, on Monday, August 12, I inserted in the RECORD the first four articles of a series on termination of Federal supervision over the Klamath Indian Reservation which appeared in the Register-Guard, a daily newspaper published in Eugene, Oreg. These stories, written by Mr. William Dean of the Register-Guard staff, outline the different problems left unsolved by Public Law 587, passed in the 83d Congress. I have now received the two concluding articles in the series from the Register-Guard of August 8 and August 9, 1957, and I request unanimous consent that they appear in the body of the RECORD for the information of the Senate.

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

[From the Eugene (Oreg.) Register-Guard of August 8, 1957]

KLAMATHS BITTERLY DIVIDED—COUNCIL MEETING ENDS IN WALKOUT, LACK OF QUORUM

(EDITOR'S NOTE.—The Klamath Indian Reservation in southern Oregon is one of the first in the Nation to come under a relatively new Government policy to terminate supervision of the Indians. Termination has been in process for 3 years. This and following articles are a report on the progress of this program.)

(By William Dean)

The tumult died more quickly than it had started. The shouted argument between the chairman and one member of the executive committee ceased when one of the speakers stepped back from his microphone.

The shouts and taunts from members of two factions in the audience slowed and then the room was quiet. A motion to adjourn failed with only the active members of each faction voting. Nearly a third of the eligible members present took no part.

There was a call for a quorum count.

Members representing one faction complained: "I knew they'd do that." "Just like them when they can't have their way."

The woman in the blue suit began counting eligible members along the north side of the hall. Many of those sitting in the other half of the room headed for the doors. Within moments 30 or more men and women left. Outside in a hallway, someone remarked, "We can still be counted if we stay in the building."

The group there moved quickly through the door and into the sunlight outside. The woman in the blue suit entered the hallway, then turned back without counting the retreating backs.

"Mr. Chairman," she said, "I count 83."

The chairman bowed his head a moment. "We lack a quorum of 100 for doing business. The council meeting is adjourned."

Thus the July 13 meeting of the general council of the Klamath Tribe came to an end after a full afternoon of parliamentary maneuvering and accusations. The only accomplishment was to show that the members of the tribe are bitterly divided over an issue which reaches beyond the confines of the council hall at Klamath Agency.

Termination, the day of final settlement, the day of complete emancipation from the stewardship of the Federal Government was to come on August 13, 1958—a year and a month from the date of the special council meeting. But virtually none of the basic issues involving this act of wiping out 93 years of reservation life, of having their money held for them in trust, of having many of their problems solved for them by the Great White Father, had been settled by the time of the July 13 meeting.

The July 13 meeting was not unusual. Virtually every meeting of the tribal council in the last 3 or 4 years has ended in a walkout of one of the two principal factions within the tribe—and thus has been unable to continue because it was not possible to get 100 of the 900 adult members of the tribe to take part.

The points at issue on July 13 are not now particularly important. Nor was the shouting session between Seldon Kirk, tribal chairman, and Boyd Jackson, executive committee member, more than a symptom of the strife which has divided the Klamath people since Congress passed the Termination Act, Public Law 587, in August 1954.

The technique of walking out and bringing council meetings to a halt is not exclusively the property of the group led by Boyd Jackson. The faction led by Wade Crawford has halted council meetings by the same procedure more than once.

The basic contention between the two factions grows out of what might be called an elementary difference in the makeup of the people who are known to outsiders as Klamath Indians. The Klamaths, under Public Law 587, are treated as a group in which the individuals have been making equal progress in the transition from an Indian society to a white society. Most of the Indians say that this is not accurate. They say that some of the tribal members (for example, the two dozen or so who live in the Eugene-Springfield area) have made a complete transition. But, there are many remaining on the reservation who—even though they may drive flashy, modern cars—are still living either in the Indian society or in the far worse state of irresponsible lassitude fostered by the reservation system.

Hi Robbins, the Sprague River man who is one of less than a dozen ranchers on the reservation who have been judged fully capable of operating successfully without the legal and financial benefits of tribal membership, says unqualifiedly:

"No. They can't take care of themselves. The paternalism of the Government has kept them in the condition of children; they have been protected from the need to work or to be responsible for their debts."

RESERVATION A SANCTUARY

Until recently, Robbins said, the reservation was a sanctuary for Indians who got into trouble in Klamath Falls or other towns. A few years ago Congress passed Public Law 280 which makes the Klamaths on reservation subject to both the criminal and civil jurisdiction of the State. But the effect of living for years in a sanctuary from local law officers, Robbins and other Indians say, is still apparent in the actions of some members of the tribe.

On the other side is the view of Wade and Ida Crawford and the group which they lead. These are described by the elderly Seldon Kirk as the "white Indians"—mainly the one-third of the tribe which has moved to other areas. Their interest in the reservation now is much the same as yours would be in a family estate in South Dakota or Kansas—primarily a monetary interest and perhaps an inability to understand why the old folks back home are so disturbed at the prospect of breaking up the property.

These are the people who fully understand Crawford when he says:

"This is a matter of getting our individual equities. We'll settle this, if need be, in the same way you would if someone tried to keep you from using your own property * * * by going to court."

They are the ones who would agree with the statement made by Orme Lewis, Assistant Secretary of Interior, in a letter to Congress in January 1954.

PRIVATE PROPERTY

Acknowledging that accelerated cutting of the reservation timber in order to carry out the termination plan would eventually injure the economy of the Klamath Basin, Lewis says:

"Nevertheless, this asset is private property belonging to the Klamath Indians even though it is held in trust by the United States for the tribe." He adds that Public Law 587 was designed to conform to the concept of tribal and individual holdings as private property.

They are the ones who have had the experience to see and appreciate the opportunity each will have when he gets his $50,000 or greater equity from the reservation.

As individuals, experienced in life away from the reservation, they find it difficult to grasp the concept held by Boyd Jackson

and others who want termination, but only as a slow process extending over many years; the concept held by many of Jackson's followers that the reservation is common property and still a tribal holding.

Or, as an attractive young Crawford supporter—a Klamath woman from off the reservation—said during the quorum count at the July 13 meeting:

"The trouble is, so many of those Indians don't know what's going on."

[From the Eugene (Oreg.) Register-Guard of August 9, 1957]

ANSWERS ARE VITALLY IMPORTANT: WHAT WILL HAPPEN TO THE KLAMATHS AFTER TERMINATION?

(By William Dean)

(EDITOR'S NOTE.—This is the last in a series of articles on the progress of the termination program on the Klamath Indian Reservation.)

What will happen to the Klamath Indians on termination day?

What will happen on the day or days on which their individual equities in the million-acre, $100 million reservation are given to the Klamath people?

No one really knows. But taking the Klamath termination for what it really is—a full-scale test with live people of the Government's policy of getting itself out of the Indian business—the answers are vitally important. The effects of the termination program are being watched carefully by Indians and non-Indians across the country, because their reservations and their communities may be the next to undergo the disruptive social and cultural change that appears slated for the Klamath Basin.

One of the things that is certain is that termination will come. It may come in 1960 as now planned by Congress—or it may be stretched over many years.

WHAT ABOUT THE MONEY?

If termination comes by legislative act within the next 2 or 3 years what will happen to the 2,000 members of the Klamath Tribe and to the money that many of them expect to receive?

"Most of the money will go to the dogs," Seldon Kirk, chairman of the tribal council, says.

"Some people say the Indians will be no good until they have spent their money and have to go to work," says William Ganong, Jr., a Klamath Falls attorney and member of the Klamath Chamber of Commerce's Indian committee. "But there are responsible Indians out there now who will know how to handle that money. The unanswerable question for the ones that don't is how to make the transition without too great a shock."

"There'll be a lot of new cars bought," says an automobile dealer. Looking pointedly at the writer's decrepit vehicle, he adds, "You oughta come back about a week after they get their first payment. We'll have some terrific used cars."

"It'll be like throwing a steak to the dogs," says Elnathan Davis, secretary of the tribal council, who is disturbed over the potential for exploiting the Indians who are expected to come into an inheritance of around $50,000 per person. "Too few of us are prepared to handle these things."

Bert Albert, mayor of Chiloquin which is a mostly non-Indian town inside the reservation, says:

"As far as termination goes they could do it tomorrow. It won't be any different if they wait 10 years or if they had done it 10 years ago."

FINGER OF BLAME

Then Albert, who has lived in Chiloquin for 30 years, points a finger of blame at what may well be both the reason why many Klamaths are not prepared to stand on their own—and the reason why they should be put out on their own at the earliest possible time:

"The trouble here is with the per capitas. That's the worst damn thing there ever was. The Indians don't have any incentive. They know they're gonna eat anyway. They've been brought up that way. The best thing would be to sell the timber to the Government and let the Indians have the money to spend. After they've spent it they'll have to learn to work—or go hungry."

This opinion of the per capitas—the distribution of money to individual Klamaths from the sale of their timber—is held almost universally among the Indians themselves.

Boyd Jackson, vigorous opponent of termination as it is outlined in Public Law 587, says: "We were better prepared for termination 40 years ago (before the per capitas started) than we are today."

Wade and Ida Crawford, equally vigorous opponents of delay, contend: The Indian has been shackled and debilitated by the white man's paternalism and the easy money from timber sales. To continue this system, either in a reservation or a trust setup, won't bring back the independence and vigor of the Klamaths.

EIGHT HUNDRED DOLLARS YEARLY AVERAGE

For 40 years or more the Klamaths have been getting an annual living income from their timber. It's averaged out at about $800 a year for each man, woman and child. It is tax free.

Among those who have stayed on or near the reservation it has been the exceptional individual who has sought outside income from jobs or stockraising or farming. Since World War II when a peak market for beef encouraged many to take a flier at cattle raising the cattle population of the reservation has dwindled from around 10,000 head to less than 3,500. During the same period, there has been an increase in stumpage prices which almost parallels the reduction in cattle grazing.

One estimate places the number of adult Klamaths who are actually self-supporting at no more than one-third. This same estimate, which is generally accepted by those dealing with termination, says that at least 45 percent depend solely on their per capita payments from timber revenue and another 22 percent have some supplemental income.

One Indian recently said:

"Every time I get to wondering what's wrong with us, I come back to the per capitas—the dole as we call it. If I had any guts I'd bank mine and go to work. But what would I do? I've never held a job more than 2 or 3 days in my whole life."

No child or youth, this man is a father in his late thirties.

With an eye toward preventing more of a tragedy than already exists on the Klamath reservation today, there are a number of official and private groups casting about for answers to the Klamath's dilemma.

In most cases, these groups are subject to the same appraisal that was made of the Klamath education program which was set up by Public Law 587. This appraisal was first voiced in an editorial in Christian Century, one of the foremost of the national religious magazines.

That magazine said that either the adult education program on the Klamath is unnecessary because the Indians are already prepared for termination—or the termination program itself is premature.

FOREIGN SERVICE ACADEMY

Mr. YARBOROUGH. Mr. President, the distinguished junior Senator from Montana [Mr. MANSFIELD] who now occupies the chair, last Saturday introduced a bill, cosponsored by several other Senators, including myself, to establish a United States Foreign Service Academy. The academy would train persons for foreign service. They would receive the equivalent of a master's degree upon completion of the studies prescribed by the academy.

In my opinion, Mr. President, our military and naval service academies are the finest military schools the world has ever known. The value of the military service academies has been proved in many wars. In the Mexican War, General Scott expressed his fixed opinion that but for our graduated cadets the war between the United States and Mexico would have lasted 5 years, with, on our part, more defeats than victories in the first half of that war.

In the War Between the States, nearly all the great military and naval leaders and captains on both sides were graduates of either West Point or Annapolis.

However, we lack an institution whose purpose would be to train young officers in the conduct of effective foreign relations, our really first line of defense.

For 155 years we have prepared our young men in the finest institutions of military vigilance, and in all that time the buffer zone between diplomatic relations and actual warfare has been fought by the men of our Foreign Service. It is only natural that we turn our attention to this area and provide for the training of those who will guide our Nation through the troubled waters of future international intercourse.

Winning the peace is as important as winning the war. We have trained our young men to win wars, and they have won them. If we train them to win the peace, why should there not be a profound faith that they can attain victory in that field too?

I urge the Senate Foreign Relations Committee to give their keen attention to this measure, and I hope that the Senate will act upon the bill before the present session closes.

THE INFLUENZA EPIDEMIC

Mr. NEUBERGER. Mr. President, because many Members of the Senate are vitally concerned over the possibility of a spread of Asiatic influenza to our own country, I believe an informative article in the August issue of Harper's magazine by Dr. David D. Rutstein, head of the department of preventive medicine at Harvard University, will be of significant value and worth to the Senate. I share Dr. Rutstein's concern and, indeed, I have already urged the United States Public Health Service to make certain that adequate supplies of preventive vaccine for this virulent strain of influenza are available in the Pacific Northwest States, where such an outbreak might start. I ask unanimous consent that Dr. Rutstein's article from Harper's magazine entitled "The Influenza Epidemic" be printed in the body of the CONGRESSIONAL RECORD.

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

THE INFLUENZA EPIDEMIC: HOW DEADLY WILL IT BE?—WHAT IS CAUSING IT?—WHAT CAN WE DO ABOUT IT?

(By David D. Rutstein, M. D.)

EDITOR'S NOTE.—Dr. Rutstein is Professor and head of the Department of Preventive Medicine at Harvard, a staff member of 6 Boston hospitals, and author of a television series and forthcoming book, both entitled "The Facts of Medicine.")

In April an epidemic of influenza exploded in the Far East. Starting in Hong Kong, it spread thousands of miles in all directions in less than 2 months. As we watch it spread, we ask ourselves: Will this epidemic burn itself out—or is it the forerunner of a worldwide plague which may kill millions of people before it dies away?

An exact answer to this question is not possible at the moment. But a look at the record will tell us what to watch for as the epidemic spreads. It will also guide us in doing everything possible to minimize its effects.

Influenza, a disease of the respiratory tract, is spread from person to person by direct contact, through breathing, coughing, speaking, and sneezing. It is so highly infectious that many thousands of persons in a city may be attacked at the same time, and it spreads rapidly along lines of communication from one center of population to another. The disease varies in severity from being almost asymptomatic to one which may cause death within a few days. All epidemics of influenza have both mild and severe cases, but a large majority in most epidemics are of the milder sort. Occasionally, as in 1918–19, the epidemic may include a large proportion of severe cases.

Influenza is the only disease causing worldwide epidemics in modern times. Indeed, this disease spreads all over the world so rapidly that pandemic—a special word meaning worldwide epidemic—is used to describe it. Pandemics of severe influenza occur about 4 times every 100 years. The last pandemic occurred in 1918–19 and the one before that in the winter of 1889–90. The interval between such outbreaks has varied from about 10 to 50 years and is therefore of little help in forecasting a pandemic of severe influenza. In the intervals between pandemics there are widespread epidemics of mild influenza every 2 to 4 years. The last such epidemic occurred in the United States in the winter of 1952–53 and there were scattered cases in 1954–55.

In order to determine how serious the present epidemic may become, let us look back at the 1918–19 pandemic of severe disease and compare it with the epidemics of milder influenza which have occurred since.

The 1918–19 outbreak began in the early spring of 1918 when a wave of localized epidemic passed over the continent of Europe. These epidemics travel along lines of communication, but did not seem to extend from the cities to the surrounding countryside. This beginning is often referred to as the first wave. The epidemic in each city affected from 10 to 50 percent of the total population in the short period of 4 to 6 weeks and subsided as fast as it had spread.

Because of the neutrality of Spain in World War I, we had most information about the early 1918 epidemic from that country. As a result, in the United States the disease was popularly called Spanish influenza. A similar epidemic wave appeared in the Far East. At almost the same time there were small outbreaks of influenza-like disease in the United States, but these lacked the wavelike characteristics of the European and Asian epidemics.

Influenza in the first wave was incapacitating, but the death rate was low. The symptoms came on suddenly with a chill, followed by an elevation of temperature to 103 or 104 degrees. At times patients would report that they had felt rotten for a day or two before the onset of the acute disease. During the 2- to 3-day course of high fever the patient complained of severe headache and generalized muscle pain, particularly in the back and legs. Respiratory systems were relatively mild with a persistent cough and some nasal discharge. Usually the temperature dropped rapidly and all acute symptoms disappeared, with the exception of the cough which gradually decreased.

After a bout of influenza, patients complained of feeling washed out and it sometimes took days or even weeks before they felt like their old selves again. The disease had a range of severity from very mild cases with slight fever and some discomfort all the way to a severe, prostrating illness complicated by pneumonia which was at times fatal. This complication was not frequent and for the most part the death rates were but slightly increased during the first wave.

THE SECOND WAVE

The relatively mild first wave of influenza in 1918 would have passed unnoticed had it not been followed by the death-dealing second wave. This appeared in France in mid-August of 1918, and by late August and early September it had hit the United States. Boston was the first community attacked, but within a few days the epidemic had spread rapidly down the east coast in a more or less southwesterly direction. Almost simultaneously, severe influenza appeared in epidemic form in Army camps throughout the country. The second wave spread so rapidly through the civilian population that a peak for the entire country was reached by late October. From 25 to 40 percent of the population of the affected communities was made ill almost at the same time; the highest attack rate occurred in children 5 to 14 years of age. The epidemic subsided equally rapidly, so that by late November it had practically disappeared. This pattern was reproduced at about the same time in many parts of the world.

The severe nature of the disease was mirrored in the death totals. In the United States over 300,000 people were dead as a result of this second wave, or approximately one out of every 300 civilians in the country. In certain Army camps where the disease was most fatal, one out of every 35 men died. This was probably a reflection of the tragic fact that the second wave of the 1918 epidemic had its highest death rate among young adults, particularly males. The death rate in this age group was even higher than that among very old people.

What were the characteristics of the disease in this second wave? Patients presented the same symptoms as in the first, but in addition acute inflammation of the lungs was relatively common. This pneumonia, coming on early in the disease, usually became much worse on the third or fourth day—just at the time when the patient was expected to be getting better. This complication was responsible for most of the deaths.

In the winter of 1919, during the usual respiratory disease season, there was a third wave of influenza. It was less well defined than the previous ones. In the United States it varied in extent from place to place, but was clearly less serious than the second wave. In any particular community, the intensity of the third wave seemed to bear no relationship to that of the two previous ones. Like the earlier waves, it lasted from 4 to 6 weeks and then subsided rapidly. In the winter of 1920 there was a widespread epidemic of moderately severe influenza which may have been the aftermath of the 1918–19 epidemic.

Since 1918 there have been repeated epidemics of relatively mild influenza every 2 to 4 years. Only a few of them have been widespread enough to be called pandemics. Most of them, regardless of the area of spread, have consisted of comparatively mild cases. The exceptions were the widespread epidemics of 1920 and 1928–29, the 1941 and 1949 epidemics in the Netherlands, and the 1951 epidemic which had a high fatality rate in Liverpool, England. But even the worst of these interim epidemics was far less serious than the 1918–19 pandemic.[1]

There is one additional difference between the epidemic of 1918–19 and those which followed. Deaths in all since 1920 have, for the most part, occurred in very young children and very old people. Death has come most often to those already suffering from a chronic disease, particularly heart disease or tuberculosis. This is in sharp contrast to the large number of deaths in previously healthy young adults in the 1918–19 outbreak.

THE VIRUS THAT CHANGES

The cause of the 1918–19 pandemic of influenza is still unknown. It is supposed that the pandemic was due to a virus. Viruses are very tiny protein molecules which infect the insides of cells and are too small to be seen with the ordinary microscope. Research techniques available in 1918 were not developed enough to identify the suspected virus. Since that time enormous scientific advances have been made. We have learned to grow viruses in animals and in chick embryos in fertile hens' eggs. Now we are also able to take photographs of most viruses with the electron microscope.

The first successful isolation of an influenza virus took place during an epidemic in 1933. In that year Drs. W. Smith, C. H. Andrewes, and P. P. Laidlaw in England were able to grow the virus in a rodent called a ferret. The virus obtained from throat washings of human influenza patients produced a typical disease in ferrets. Since 1933 it has been possible to isolate a virus from every subsequent epidemic of influenza. The techniques have gradually been simplified and the virus can now be grown in chick embryos.

The influenza viruses fall into three large groups labeled A, B, and C. Of these, only A virus is important as a possible cause of severe pandemics. The important characteristic which would suggest its association with pandemics of severe influenza is its ability to give rise to sudden sharp mutations. Influenza B- and C-viruses are not likely to produce pandemics of severe influenza because the B virus has shown but slight tendency to mutate and the C-virus none at all.

Ordinarily, if we recover from an infection with an influenza virus, we build up an immunity which protects against later attacks of the same disease. But this is true only if the subsequent infection is caused by the same kind of virus. If, in the meantime, the virus has mutated this may not be the case. The amount of protection we would have against the new mutant will depend upon how far the mutant has strayed from its patent virus.

Since 1933, and up to the present epidemic, there have been two major mutations and a large number of minor ones among the influenza A-viruses. The original A-virus

[1] The worldwide total of deaths from influenza during the 1918–19 epidemic is estimated at twenty-one to twenty-five millions.

found in 1933 was soon replaced by the mutant virus found by Dr. Thomas Francis, Jr. in Puerto Rico in 1934. This Puerto Rico mutant—or minor mutants of it—was concerned in subsequent epidemics of influenza until 1947. In that year it was suddenly replaced by another mutant, now called the A-prime-virus.

Thus, if we had had an influenza infection in 1933 we would probably have had good immunity against the original virus. But we would have very little immunity to the Puerto Rican virus, and practically no immunity to the A-prime-virus. Each mutant seems to stray farther and farther away from the original parent virus.

Although we have no specific information about the cause of the 1918–19 pandemic, we do know much about the germs which, as secondary invaders, were at least partly responsible for the pneumonia which was the most severe complication. Germs are much larger than viruses, were easily studied at that time through the ordinary microscope, and could be grown readily on relatively simple culture media. The initial inflammation of the lungs produced by the influenza seemed to open the way to these germs.

The germs most frequently identified during the pandemic were the streptococcus which ordinarily causes scarlet fever; the staphylococcus, the common cause of boils and abscesses; the pneumococcus, the usual cause of lobar pneumonia; and a germ called the influenza bacillus which except in young children only rarely causes pneumonia in the absence of a predisposing influenza epidemic. Information collected about these germs of the 1918–19 epidemic has great practical significance because we now have antibiotics effective against most of them. Penicillin is very effective against the streptococcus and the pneumococcus. Tetracycline and streptomycin work well against the influenza bacillus. Certain of the antibiotics (erythromycin and chloramphenicol) have been effective only against certain strains of the staphylococcus.

The present epidemic struck suddenly and spread fast. In a period of less than 1 week 250,000 people, one-tenth of the population of Hong Kong, were said to have received medical treatment for influenza. By early June the epidemic had been reported in Singapore, Formosa, Indonesia, the Philippines, Australia, Thailand, Japan, and many parts of India as far west as Bombay. It is difficult to get precise information on many features of these epidemics, but the following points seem established:

(1) The disease has spread extremely rapidly and has the early characteristics of a pandemic. Spokesmen for the Medical Research Council in England and the United States Public Health Service have expressed the belief that the epidemic would spread to Europe and America relatively soon. By the time these words appear in print, the 1957 influenza epidemic may have already appeared in much of the United States.

(2) In the epidemic cities a large number of people have been stricken within a very short period of time. Press reports from Taipei, Singapore, Manila, and Bombay indicate that such a large proportion of the population was attacked so quickly that essential community services were seriously impaired.

(3) The death rate, although increased, has been relatively low. It is similar to the death rate in the first wave of the 1918 epidemic, and in the minor epidemics which have appeared since that time.

(4) There has been a high attack rate among children. Schools have been closed by the epidemic in Taipei, Singapore, and Tokyo.

(5) The epidemic has not only exploded rapidly within centers of population but it has spread throughout the surrounding countryside. In the Philippines, for example, health authorities reported that the epidemic appeared to be spreading throughout the entire archipelago.

(6) The virus causing the epidemic has been isolated. It is a new mutant unlike any previous recognized influenza A-virus. Indeed, this virus differs most from all of those isolated since the first virus of 1933.

(7) For the first time since the discovery of the A-virus, a rapidly spreading epidemic is involving a large part of the earth's surface; it is due to a sharply different mutant against which no immunity exists in the general population. The epidemic in 1947, at the time of the last major mutation of A-virus, did not have the wavelike characteristics of the present outbreak.

PROTECTING OURSELVES

One of the current theories of the mechanism of the 1918–19 pandemic provides us with an excellent working basis for an efficient program of protection. That theory assumes that the 1918–19 pandemic was due to the rapid spread of a virulent mutant of the influenza A-virus against which no immunity was present in the population, and that the virulence of this virus was enhanced by secondary infection with pneumonia-producing germs.

We do not yet know how virulent the new mutant will be or whether it will favor invasion by pneumonia-producing germs. Unfortunately, we now have no laboratory test for virulence in human beings of influenza viruses. We may be reassured that during the present summer the epidemic will be relatively mild, because the complicating germs do not flourish at this time of year as they do in the colder months. Even in the severe 1918–19 pandemic, the disease in the first wave during the summer was relatively mild. We may expect the present wave of relatively mild influenza to die away in the late summer. We do not know whether this will be the end of the epidemic or whether it will recur in a second, more serious wave of disease as in 1918–19.

If we are to derive maximum benefit from our knowledge of influenza, we must not delay. The interval between now and early autumn when respiratory disease increases, gives us time for preparation. We must use this time well. With proper planning we may be assured that modern scientific techniques, the new antibiotics, and a cooperative, informed population can minimize the effects of the pandemic whether it be one of mild or severe disease.

Fortunately, much has already been done. The World Health Organization, as long ago as 1947, set up a World Influenza Center at the National Institute of Medical Research in London. This is the focal point of a network of over 50 laboratories in all parts of the world. In Washington, the United States Public Health Service set up in 1948 an Influenza Information Center which acts as liaison with the World Influenza Center and the cooperating laboratories in this country. This program provides for an immediate exchange of information about influenza throughout the world and for the transmission from one laboratory to another of new influenza viruses. The virus causing the current epidemic has already been received in this country. American laboratories have already verified its different nature.

An effective dead vaccine has been developed against influenza. This vaccine, first produced in 1942 from the Puerto Rican mutant of influenza A, protected against infection caused by this same virus. But in 1947, when this virus was replaced by the A prime mutant, the vaccine was no longer effective. Since then the vaccine has been kept up to date as new minor mutants have developed. But, as might be expected, laboratory tests on the blood of those immunized with vaccine produced just prior to the 1957 outbreak show no protection against the new virus. This means that the existing vaccine will probably be ineffective. To meet this emergency, specimens of the 1957 virus have been distributed to commercial vaccine manufacturers throughout the United States, and vaccine production is already under way. It is not yet known how much of the new vaccine will be available before the end of the summer.

The United States Public Health Service, through its Division of Foreign Quarantine, is patrolling all ports of entry to the United States. Influenza is not a quarantinable disease, but all ill travelers from the epidemic areas are examined. It is not likely that this procedure will keep influenza out of the country, but it will probably help us to identify early foci of infection.

Working arrangements are being set up in the United States between the United States Public Health Service and the health departments of each of the States. Through this arrangement, exchange of information, facilities, and services will aid in combating the epidemic as it spreads to various parts of this country.

A number of major steps probably will have been taken by the time that this article appears. Antibiotics effective against the pneumonia-producing germs will have to be stockpiled. This will probably be a responsibility of the Federal Government, with arrangements made for allocation to localities as needed.

It is not likely that enough vaccine for every resident of the United States will be available in time to meet the epidemic; therefore, priorities will have to be established. Priorities will probably be given to members of the military services and citizens who provide essential community services. These would include policemen and firemen, and those concerned with medical and transportation services and the maintenance of food supplies. Vaccine may have to be allotted to older people and also to persons suffering from chronic heart and lung disease.

If a severe epidemic occurs, the maintenance of essential services in each community will be a major problem. The Civil Defense Administration should be able to meet this need. Plans have already been made for protection against bacteriological warfare initiated by enemy attack. An influenza pandemic is nothing more than bacteriological warfare naturally produced. If an epidemic of influenza does occur here it will provide a good test for our civil-defense services.

WHAT WE CAN DO

Over and above these major programs, each of us has his own responsibility. If we learn the essential facts about influenza and work calmly and cooperatively with our community leaders, we can protect ourselves and our families and minimize the effects of an epidemic of mild or severe disease.

First we must know the important symptoms of the disease. If we develop chills or a chilly sensation, followed by high fever and associated with marked prostration, cough, or bloody sputum, we should go to bed immediately and call our physician. Going to bed will prevent spread of influenza to others. It will also protect the patient from catching pneumonia-producing germs from others. We must cooperate with our physician, follow his instructions, and not return to full activity until we are completely recovered.

If an epidemic strikes, those who stay well must do everything possible to help maintain essential community services. In the 1918–19 pandemic there was serious dislocation of food supplies in certain communities. Existing medical personnel were unable to cope with the demands for care. Transportation services were temporarily crippled.

Since 1918 urban living in the United States has, if anything, become more complicated, and requires close cooperation among many specialized services. If any of these services are knocked out, the entire community structure is threatened. Disabling illness in such occupations as operators of water purification equipment, of the steam boiler in a milk pasteurizing plant, or of elevator operators in a city of tall buildings can seriously threaten the health and lives of others. Those not already concerned with essential services will have to pitch in and help out if such an emergency develops.

Even if the 1957 epidemic of influenza should prove to be serious, the outlook is much more hopeful than it was in 1918–19. We now have many medical aids which were not available then. The new antibiotics should prevent many deaths from pneumonia, even in those very seriously ill. Influenza vaccine, even in very limited supply, will prevent cases of influenza among those in essential occupations or in those most susceptible to the disease. Finally, more full-time health departments, better organization of community services and local civil-defense units should make these medical advances available to all who need them. Our job is to use all of these assets effectively.

SIBLEY HOSPITAL

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an editorial which appeared in this morning's Washington Post, in support of the position which the House has taken on the Sibley Hospital issue, and in support of the position which my subcommittee of the Committee on the District of Columbia has taken.

I wish to announce that it is my hope there will be a full meeting of the Committee on the District of Columbia tomorrow to pass on the matter, and that we will have a report available to the Senate before the next call of the calendar, which, I have been advised, may be on Friday.

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

BETTER SITE FOR SIBLEY

A better site for the proposed new Sibley Hospital would be provided, and at the same time the financing of this needed new facility would be greatly helped, by Congressional approval of a bill now pending before the Senate District Committee and already passed by the House. In brief, the bill would authorize the exchange, at fair market value, of surplus Government property at Loughboro and Little Falls Roads NW., for the Hahnemann Hospital property at 135 New York Avenue, NW. Hahnemann is to be merged with Sibley at the new site in a facility to be constructed with one-quarter District and one-quarter Federal assistance.

This newspaper felt, as did officials of Sibley 3 years ago, that a site for the new hospital on the campus of American University would afford many advantages. Considerable community bitterness over the campus location might have been avoided if availability of the new site had been foreseen. We continue to think that a site adjacent to the University would be useful to both institutions. But the advantages of proximity would be only slightly lessened at the nearby Loughboro Road tract, the former location of the National Training School for Girls. In addition, the latter site is larger, is more isolated from residential development and offers a better opportunity for development of adequate access roads without undue interference with local traffic. From the hospital's viewpoint, the new site will be superior as security for part of the project's financing.

Since there are no definite immediate plans for use of the new tract by the Army engineers as an addition to the nearby Dalecarlia Reservoir and only the vaguest ideas as to any long-range needs for the land in connection with Washington's water supply, the indefinite abandonment of this choice location does not seem to be justified. District officials who voiced fears of pollution of the reservoir did not make a convincing case. The hospital would not lie in the drainage basin, and leakage of polluting materials would be highly unlikely in any case. We think Senator MORSE and his colleagues were correct in balancing the public interests involved and finding in favor of the hospital. It will be gratifying if provision of this new site will permit construction of Sibley, already long delayed, to proceed without further interruption.

ACCEPTANCE OF GIFTS BY THE PRESIDENT OF THE UNITED STATES

Mr. MORSE. Mr. President, I should like to read a quotation from Thomas Jefferson, whose views on democratic rights and sound procedure for conduct of oneself in office have always impressed me. I refer to the matter of the acceptance of gifts by the President of the United States. Thomas Jefferson said:

> I had laid down as a law for my conduct while in office, and hitherto scrupulously observed, to accept of no present beyond a book, a pamphlet, or other curiosity of minor value; as well to avoid imputation on my motives of action, as to shut out a practice susceptible of such abuse.

I repeat what I said the other day. I believe that any President, Democratic or Republican, has the duty of keeping the office he occupies, like Caesar's wife, above suspicion. I do not believe the President of the United States can accept expensive gifts and expect that many people will not be suspicious of the motivations behind such gifts. Therefore I again abhor the exceedingly expensive gifts the President has accepted. It is not in good keeping with the ethical obligations of his high office, for example, to be accepting gifts which in effect stock a large part of his farm. The President should be above that sort of conduct. Again I express my disapproval of such conduct on the part of the President. I recommend to him a reading of Thomas Jefferson.

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

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

HELLS CANYON RESOLUTION OF THE RUSSELLVILLE GRANGE, PORTLAND, OREG.

Mr. MORSE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a resolution adopted by the Russellville Grange, Portland, Oreg., concerning the Hells Canyon Dam issue.

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

HELLS CANYON RESOLUTION ADOPTED BY RUSSELLVILLE GRANGE, PORTLAND, OREG.

Russellville Grange wishes to thank you for the wonderful fight you have made to secure passage of legislation to provide for the development of the Columbia and Snake Rivers, so much manifest by your work for the Hells Canyon high dam.

We urge you to continue these efforts, as we do not think that the situation is hopeless and believe that we should all press forward to get the Hells Canyon high dam and the consequent development of the Columbia Basin.

Respectfully yours,

RUSSELLVILLE GRANGE,
ROY W. GILL, *Master*.

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD a letter I received from the Democratic Party of Wisconsin, Milwaukee's Eighth Ward Unit, signed by LeRoy Mucha, in regard to the Hells Canyon Dam issue.

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

DEMOCRATIC PARTY OF WISCONSIN,
MILWAUKEE'S EIGHTH WARD UNIT,
Milwaukee, Wis.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: Your valiant stand on the Hells Canyon tax deal is to be commended. In behalf of the officers and members of our organization, I extend to you our thanks for your courageous efforts in trying to stop the fast tax writeoff law in the Idaho Power Co. deal.

We are also proud to have a Democratic Senator from Oregon working for the interests of the people of Wisconsin. Hoping that we can send you some help this August 27.

Hoping that your State of Oregon will keep on sending you back to your Senate seat.

With every best wish, I am,

Democratically yours,

LE ROY MUCHA,
Unit Chairman.

The PRESIDING OFFICER. Is there further morning business?

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it so ordered.

ATOMIC ENERGY

Mr. ANDERSON. Mr. President, the American Federation of Labor and Congress of Industrial Organizations have written a letter to the Atomic Energy Commission expressing their interest in the matter of Power Reactor Development Co., docket No. F-16.

The letter indicates that the AFL-CIO strongly support the point of view expressed by other labor organizations at the beginning of the hearings.

Mr. President, I ask unanimous consent that the letter, dated August 8, 1957, from George Meany, president, American Federation of Labor and Congress of Industrial Organizations, to the Atomic Energy Commission be printed at this point in the RECORD.

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

AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS,
Washington, D. C., August 8, 1957.

In the matter of Power Reactor Development Co. Docket No. F-16.

Mr. W. B. McCOOL,
Secretary, Atomic Energy Commission, Washington, D. C.

DEAR MR. MCCOOL: Pursuant to permission granted on January 8, 1957 to the American Federation of Labor-Congress of Industrial Organizations for limited appearance in the above-entitled matter under rule 2.7318, we hereby submit the following as our statement of position for inclusion in the record of the above-entitled matter.

The testimony in the hearing in this case has now been substantially completed. The evidence presented demonstrates that the majority of the experts believe there is not, at the present time, reasonable assurance that this reactor can be operated without risk to the health and safety of the public.

We wish to urge as strongly as we can, on the basis of the facts revealed at this hearing, that the Commission reconsider its action permitting construction of this fast breeder reactor in so densely populated a region which includes the metropolitan areas of Detroit, Mich., and Toledo, Ohio.

We do not object to the development of this type of reactor. We do object, however, to its construction in a populous area in the present state of the art.

Progress in atomic development must be kept consistent with public safety. Indeed, if it is not, the entire program may suffer a serious setback. We are concerned, as we believe the Commission should be, not only that an accident or catastrophe on this project could affect a large number of people and create billions of dollars of property damage, but also that any major disaster in this new industry could lead the public to lose confidence in atomic reactor safety controls and thereby seriously set back development of the peaceful uses of the atom.

We therefore urge the Commission to suspend the permit issued for this reactor of the Power Reactor Development Co. at Lagoona Beach until there is reasonable assurance that its operation would present no hazard to the public.

Sincerely yours,

GEORGE MEANY,
President.

Mr. ANDERSON. Mr. President, the Atomic Energy Commission, through its Technical Information Service Extension, Oak Ridge, Tenn., has released a very substantial report concerning the fast breeder reactor control and safety meeting held November 10 and 11, 1954. This is unclassified, and the Oak Ridge group, on December 26, 1956, issued that information.

Because we shall soon be discussing the Power Reactor Development Co. and the fast breeder reactor, I ask unanimous consent to have printed in the body of the RECORD excerpts, with the page notations on them, showing the comments which were made with reference to the studies undertaken in trying to ascertain if the reactor was in itself safe.

The report points out that even the experts were somewhat worried as to how this might develop, and that Mr. Amorosi, who is the general superintendent, as I understand, for the Power Reactor Development Co., said:

I feel I would have more comfort if there was a proof-test reactor, a full-sized one, that would be run soon.

This is in support of the position taken by many members of the Joint Committee on Atomic Energy that while the development of a fast breeder reactor is extremely desirable, and while the companies involved in the undertaking are to be commended for taking the leadership in its development, there still remains the need for a reactor which may be tested before it is finally constructed.

I ask unanimous consent that these statements may appear at this point in the RECORD.

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

EBR EXPERIENCE

(By F. W. Thalgott, Argonne National Laboratory)

Page 13: I will now speak of one of the two phenomena which are of interest here: the so-called prompt temperature coefficient of the reactor. The overall slow temperature coefficient of the reactor has been well measured and found to be -1.4 in hours per degree centigrade. However, during the operation of the reactor it has been found that any sudden throttling of the coolant flow with its attendant rapid increase in fuel slug temperature coefficient acts to decrease the rate of power rise and ultimately causes a decrease in pile power. This indicates the presence of a positive temperature coefficient, but its magnitude is difficult to obtain. * * * It is difficult for me to say why this apparent positive temperature coefficient occurs, and it is difficult to say whether it is of nuclear or mechanical origin. I can, however, give you an indication of the order of magnitude of mechanical change that might be necessary to get period changes of this order. Dave Okrent estimated roughly, by means of a spherical calculation, that a change of about 0.025 centimeter on the radius of the EBR would be sufficient to put the reactor on a 15-second period. This results in about a 0.25 percent change in reactivity and is of about the same magnitude as is necessary to change the period from 32 seconds to 6 seconds. Thus you see the mechanical changes necessary to produce this effect are quite small.

Page 19: I will now talk about an oscillation that has been observed in the EBR on startup. It was first observed after the new loading was installed and occurred when the reactor was brought to power on about a 30-second period and then leveled off. This was at full flow, which is 292 gallons per minute. There were rather violent swings of the galvanometer when the oscillations occurred. Sometimes the oscillations would die out; sometimes they would get so violent that the reactor would scram on a fuel slug temperature alarm. Sometimes it was scrammed manually on "operator" alarm.

Page 28: The chairman, Dr. Hans A. Bethe: "It seems to me the evidence is strong for a positive prompt coefficient and a negative long-time temperature coefficient. It also seems to me that there are indications in the calculations by Harvey Brooks and Henry Hurwitz that such a combination could lead to the oscillations that have been observed. The EBR certainly is a very important instrument, being the only operating fast reactor, and it would be well worthwhile to get out of it as much information and comparison with theoretical calculations as we possibly can."

Mr. BROOKS: "* * * I would like to back Henry Hurwitz' suggestion for an oscillator experiment extremely strongly; I think this is the most important thing that you could do with the EBR." * * *

The CHAIRMAN: "* * * If there is a prompt temperature coefficient that is positive, and a delayed temperature coefficient that is negative, which seems to be one conclusion from the evidence, then there is a theory, due to Harvey Brooks, which tells how the oscillator response should depend on the power level. This would be ideally suited to an exploration of the temperature coefficient."

Page 83: W. H. Zinn, Argonne National Laboratory: "I do not believe I will include as acceptable devices the autocatalytic features, and that is why the discussion today on the Doppler effect has been so terribly important.

"It is quite necessary to know that your reactor plant does not have concealed within it some little autocatalytic gimmick which will override all of the fail-safe mechanical and electrical gadgets that you have provided."

Page 85: "The point at issue would be something like this: If you had an excursion in the reactor which released a certain number of megawatt-seconds of energy, say 100, what is the probability that you get a hole in your container as a result."

Page 86: Mr. HAFSTED: "* * * The insurance problem is something like this. The wording in the present law is that all risk should be carried by the utility company of whoever is going to build the reactor. The wording thereby is to hold the Government harmless. This is the thing which brings up the kind of group thinking that Dr. Zinn was talking about. This really means that you have to make nuclear reactors safer than coal-fired plants. They aren't completely safe either.

"There are two things that I feel have to be done in connection with the insurance business. One, at some appropriate time, have Congressional hearings again and change this part of the law to something more realistic. Two, I believe as part of this we must have an overall system whereby normal insurance companies can carry what I call a million-dollar deductible or $5 million deductible policy, where the utility company pays insurance for the first X million dollars and the Government somehow reinsures the insurance companies for the very remote and improbable occurrence of a major catastrophe involving expenses more than this X million dollars for which we are protected. I think those two steps have to be taken over the next few years before we can build reactors on a commercial basis."

Page 101: Mr. Amorosi: "Slide 7 shows what I have termed credible accidents. If I were dealing with the Safeguards Committee, I probably would insist that even these are not credible accidents."

Page 105: "* * * As an engineer designing a reactor it isn't enough to say, 'Let us see what we can expect on the assumption that the k's are this or that.' The designer wants to know, what kind of troubles can he get into when he designs improperly. What if the experts that are helping me with the theory of the nuclear events tell me that we may not have thought of all of these nuclear events. I still want to know how bad a shape I am in."

Page 106: Mr. Amorosi: "What accident is this that you speak of?"

Mr. Zinn: "I am assuming that you have one in which you vaporize the core, not melt it, and this takes a certain amount of energy. How are you going to dissipate this energy and still maintain the integrity of

your secondary container? That is your problem."

Page 108: Mr. Amorosi: "This should happen quite slowly, and it may melt some other things and not hold its shape."

The Chairman, Hans A. Bethe: "It probably would. That is, if it were still reactive. I suppose it would then melt the tubes, too. But I would really like to know what would happen."

Mr. Amorosi: "My feeling is that we must do some more work on it. I don't feel that it is something that is going to be a serious problem in the long run. I think it is one that we will show that although we can hypothesize it will give us trouble, the melting will make other things melt or do something in a manner that will alleviate the situation."

Page 111: Mr. Brooks: "If you have $5 immediately after shutdown, your power is down only by a factor of five from the running power. In other words, if you are running at 300 megawatts, right after the shutdown you still have 60 megawatts. That 60 megawatts then decays with the delayed neutron periods. That is the critical time. The thing that I worry about is if you have a sudden coolant block and your safety is immediately operative, you still have to take care of that 60 megawatts for 5 or 10 seconds. That is when melting is going to occur."

Page 112: Mr. Brooks: "I am not sure that I agree with the comment that you have to loose coolant to melt the fuel. I don't disagree with it. I think this has to be proved.

"Let me pose the question. Suppose that the coolant remains in the reactor, but you still have energy released. Everything is going to heat very fast, and the uranium is going to heat faster than the coolant."

Page 120: Henry Hurwitz: "* * * Because of the difficulty of predicting in detail the complex warping phenomena that may occur, it will probably be necessary to test out ideas for proving negative coefficients in full-scale reactor experiments. This means that considerable thought should be given to methods for experimentally determining the behavior of fast reactors under transient conditions. Pile oscillator experiments should be particularly useful."

Page 125: R. O. Brittan: "There have been a series of meetings at Argonne National Laboratory with personnel from APDA at which problems arising in analysis of fast reactor safety and hazards have been discussed and information on progress exchanged. This is in the nature of a continued report on kinetics studies at ANL.

"The solution of the kinetics equations describing the behavior of a reactor becomes a necessary part of analyzing possible accidents."

Page 151: Mr. Goertzel-Dr. Daane: "As has been well pointed out up to now, the reason for studying the sort of thing that Mr. Brittan and others talked about stems eventually from the question of what is going to happen to the reactor in actual use. How can it be damaged? We saw in Mr. Amorosi's presentation what sort of accidents he could envision. What we tried to do was to take care of the ultimate question, which is how bad an accident you can withstand."

Page 187: John D. Orndoff, Los Alamos Scientific Laboratory: "As I mentioned before, we experienced one unplanned excursion that terminated our experiments for a little while. This excursion may be of more interest to the present meeting than the previous detailed Godiva experiment. An assembly of about 18 cents above prompt critical was accidentally made. The maximum reactivity is known pretty definitely to have been that although predetonation may have taken place before the reactivity boosting slug became completely seated. The thermal shock caused the assembly to come apart."

Page 190: Mr. Zinn: "Someone asked the question this morning, if thermal expansions could indeed take place rapidly enough. Here is the answer."

Page 195: Mr. Zinn: "I believe in thinking about that kind of experimentation for a fast assembly, you could not set up a general type of experiment. It would have to be a very specific thing to test a particular design, and the design would, I think, in many details, have to be just about the way you were going to have it in the final reactor."

Then I don't believe it is necessary to contemplate carrying the experiments to the point where you would get destruction. However, you must carry them out, remembering that accidents happen. Such destruction might take place. With the technique which is, I think, used in the Godiva experiments, where the observation post is some distance away this could be done. The distance and the technique of separating the observation post from the experiment is not very difficult. We didn't find a half mile very difficult in the borax experiment."

Page 196: "I think I will repeat what I said earlier; you don't do this in the hope of getting some general data. You have the general data here on Godiva. What you are after are the sort of things we have been talking about, such as how does a pin-type thing disassemble itself, or what happens if the things that were not put into the calculations take place, like boiling in sodium and so on? You might also conceivably get a check on some of the changes such as the Doppler effect."

The Chairman: "* * * You want to find out, for instance, the things that you don't understand, and such as why does the EBR have apparently a prompt temperature coefficient. You want to find out such surprises in an experiment of the borax type, I would think. Godiva is beautiful because she can be so well calculated, and we would not expect any surprising effect in Godiva. However, our reactor and the EBR have many little parts which can move in ways that we do not foresee. I think maybe such things could be studied in these simulated accidents. I think you will agree."

Page 197: Mr. Zinn: Yes. Whether or not you do excursion-type experiments on a complete assembly should be judged on the basis of how many points in a complete assembly can you find where there is enough uncertainty to pay the piper, so to speak. This is going to be an expensive operation. One has to identify each thing and try to really come to a point where only experiments could give you an idea of what might happen.

Page 198: Mr. Brittan: "There is one thing you might do with these experiments, and that is look for instabilities that might occur during normal operating procedures."

Mr. Zinn: "I think that is prohibitive or almost impossible because it means putting a full cooling system on the experiment. I think you might better build the final reactor plant and hope you have somebody on your side. It is a pretty expensive experiment. You hope that if a vibration or something shows up, you are able to correct it."

Mr. Loeb: "Isn't there in this decision some kind of an assumption as to where you would like to put your reactor when you do build it? If you are going to put it out in the middle of nowhere, maybe you don't need the test assembly. If you are going to put it in some location where there would be some people and property, you worry one step further along the line as far as liability is concerned."

Page 199: Mr. Loeb: If your reactor plant is out in the middle of nowhere, you will be doing the experiments on the reactor. * * *

The Chairman, Mr. Hans A. Bethe: I think all we can do here today is establish a philosophy. We cannot and should not decide whether we do or don't want such an experiment. I think we are trying to find out which argument would make us do such an experiment.

Page 200: Mr. Amorosi: I would like a proof test before we assemble a reactor, because I think the expansion characteristics of the material are dependent upon the method of the assembly. I don't feel we completely understand the characteristics of the core, the blanket, the reflector, and the interplay of some of the control mechanisms. If we could do this sufficiently in advance of the actual construction of the reactor, we could save considerable time. As all engineers would like, we would like enough of a proof test so we can proceed rather rapidly and with confidence on the final construction.

Page 202: Mr. Hurwitz: It seems to me that one is almost forced to the position of expecting that the first reactor constructed will not necessarily have the inherently safe features which one would like to obtain ultimately. Thus, the first reactor will have to be built in such a location and in such an enclosure that one will not be very happy if one finds something perhaps not as bad as in the EBR, but let's say something which swamps your prompt negative temperature coefficient. Notice I said at either such a location or in such an enclosure.

Page 203: Mr. Hurwitz: I don't think the remote-control business is necessary. After all, one doesn't operate the EBR with remote control. It is only when you worry about the environmental hazard that you have to be especially cautious.

Mr. Fayram: I think it is common practice in the aircraft industry to expect a few mistakes. It is also their practice to build the proof aircraft in the home plants, take them out in the desert or another remote location, and test them. They are then taken home and modified before they are put into production. Couldn't some similar pattern be followed in this case, namely, instead of devoting attention to two reactors, using one as a proof-test reactor, a single reactor be designed and built, transported to a test site, tested, and if errors are made, the unit wouldn't be a total loss? The parts that are in error could be corrected, replaced, and then it can be brought home and put in operation.

Page 204: Mr. Amorosi: I feel I would have more comfort if there was a proof-test reactor, a full-sized one, that would be run soon. I feel that we would eliminate a lot of problems or get greater confidence in proceeding with the real one.

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

Stennis	Thye	Yarborough
Symington	Watkins	Young
Talmadge	Wiley	
Thurmond	Williams	

Mr. MANSFIELD. I announce that the Senator from Delaware [Mr. FREAR] and the Senator from West Virginia [Mr. NEELY] are absent on official business.

The Senator from Idaho [Mr. CHURCH] is absent on official business attending the Economic Conference of the Organization of American States at Buenos Aires, Argentina.

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

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Maine [Mr. PAYNE] are absent because of illness.

The Senator from Indiana [Mr. CAPEHART] is absent by leave of the Senate in order to represent the Senate at the Latin American Economic Conference in Buenos Aires.

The PRESIDING OFFICER (Mr. CURTIS in the chair). 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 passed a bill (H. R. 5836) to readjust postal rates and to establish a Congressional policy for the determination of postal rates, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

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

H. R. 52. An act to provide increases in service-connected disability compensation and to increase dependency allowance;

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

H. R. 1460. An act for the relief of Tom R. Rickman and others;

H. R. 1672. An act for the relief of the legal guardian of Frederick Redmond;

H. R. 1682. An act for the relief of Edward J. Moskot;

H. R. 1864. An act for the relief of Mrs. Lidie Kammauf;

H. R. 2045. An act for the relief of Robert D. Miller, of Juneau, Alaska;

H. R. 2049. An act for the relief of Mrs. Blanche Houser;

H. R. 2460. An act to improve the career opportunities of nurses and medical specialists of the Army, Navy, and Air Force;

H. R. 2950. An act for the relief of Lt. Col. Emery A. Cook;

H. R. 3281. An act for the relief of Howard S. Gay;

H. R. 3440. An act for the relief of Mr. and Mrs. Allan Schlossberg;

H. R. 4023. An act for the relief of Oswald N. Smith;

H. R. 4154. An act for the relief of the legal guardian of Thomas Brainard, a minor; and

H. R. 5627. An act for the relief of Mrs. Emma Hankel.

HOUSE BILL REFERRED

The bill (H. R. 5836) to readjust postal rates and to establish a Congressional policy for the determination of postal rates, and for other purposes, was read twice by its title and referred to the Committee on Post Office and Civil Service.

THE LATE SENATOR JOSEPH R. McCARTHY, OF WISCONSIN

The PRESIDING OFFICER (Mr. CURTIS in the chair). The hour of 12 o'clock noon having arrived, the Senate, pursuant to Senate Resolution 178, agreed to on the 8th of this month, will now proceed with the delivery of memorial addresses on the life, character, and public service of the late Senator JOSEPH R. McCARTHY, of Wisconsin.

The Senator from Wisconsin [Mr. WILEY] is recognized.

Mr. WILEY. Mr. President, an American philosopher has said human existence is but a kindergarten course in life.

Another has said the spiritual man is the expression of eternal life. The spiritual man never ceases to live; he is deathless, having been molded by the hand of his Maker.

Mr. President, on Monday last, memorial services were held for one who had served as a Senator for 34 years, Senator Walter F. George, of Georgia. Today we gather in memorial services for another who served among us as a Senator for 10½ years.

One lived to be 78 years, the other, unfortunately, but 48 years. Both had been State court judges before coming to the Senate. Both were men of strong minds.

Both differed from one another, and from other Members of the Senate. Each was an individualist, as I shall describe. One came from the South; the other from the Midwest.

I had personally served closely with the one on the Foreign Relations Committee; with the other as representing the same great State.

Thus, as senior Senator from Wisconsin, it became my duty, following the passing of my former colleague, the junior Senator from Wisconsin to inform the Senate on May 6 of the news of his untimely death.

I first became acquainted with Senator McCARTHY in 1944, when he opposed me in the primary. He was then an officer in the Marines—young, handsome, and vital.

Then, as in the dramatic years that followed, he was a man of energy, of determination, of vigor, who had risen by dint of his own efforts.

In January 1947, he was elected to the Senate. Subsequently, in his famous address in Wheeling, W. Va., on February 9, 1950, he first captured the attention of the Nation.

The shocking Hiss case, at about that time, had aroused the country, just as within the past few weeks, with the arrest of a Soviet colonel in counterintelligence, we have once more been grimly reminded of the Communist menace within our midst.

In 1953 my colleague became chairman of the Senate Permanent Investigations Subcommittee, and with the chairmanship came the hearings which were reported the length and breadth of this Nation, and throughout the world. All his energy and attention were devoted to the mounting demands of the hearings. All over the Nation there was heated and often bitter discussion about those hearings. Now, however, they are history.

In the days and months which have followed since Senator McCARTHY's passing, vast numbers of words have been spoken about him in the public press, over radio, television, and in many public forums. Even now, however, it is still too early to define the place in history which my departed colleague will take.

But there is none to dispute that in the hearts of those of his family whom he left behind—his devoted wife, his infant daughter, members of his immediate family and relatives, and his hard-working staff—his place is forever established.

Throughout the land, large numbers of Americans who identified themselves strongly with him still feel the strength of his convictions, and they remain true in their devotion to him.

Moreover, with the lapse of time, many men no doubt understand in clearer perspective the impact of his unique personality in this unique Chamber, of which we are privileged to be Members. Some people sometimes speak as if all 96 Members of the Senate should be of one mold, one personality, one type of interest. The late junior Senator from Wisconsin was an individualist in a Chamber of individualists.

In a body which devotes itself basically to legislation, he found a particular interest in the field of investigation. And in many other ways, he was unique in his interests and his talents.

There is a vital role to be fulfilled by individualists, and the role of the investigator, as such, is an important role for a Member of the Senate. My late colleague was one of the strong-willed personalities which make the United States Senate the distinctive body that it is.

I, for one, hope that with the passing of time there will be an increased understanding, a lessening of the controversies which for so long swirled around my late colleague. I hope that time will bring a healing of old wounds; that it will bring a remembrance of the good, the constructive, and the enduring.

"Joe," as he was known to one and all, was a man of quick friendships and—yes, it must be admitted—of quick enemies. But he was informal, candid, and direct, a man of ready amiability but deep-seated views.

Through all the years of our association in the Senate, I say very frankly that I really never became familiar in great detail with him. He had his friends; I had mine. In many respects, his philosophy differed from mine. But by and large, we got along very well, applying the American concept that each had the right to his own views.

JOE McCARTHY fought hard for his convictions. He was a battling marine and a battling United States Senator. He gave everything he had to those battles.

Now we of the Senate pause in our activities to pay respect to his memory. We recall not only his battles but his

personality, his friendships and loyalties, and all that complex of factors which made up his brief but crowded, eventful life.

In a little less than 2 weeks the people of Wisconsin will go to the polls to elect the successor to the late junior Senator from Wisconsin.

We of the Badger State will remember then, as we of the Senate remember today, that the late junior Senator from Wisconsin was genuinely, patriotically devoted to this Nation, to its flag, to its interests, as he saw them; to its welfare, as he felt it; to its future, as he interpreted it—with all the strength of his convictions.

Mr. KNOWLAND. Mr. President, it is always a solemn occasion in the activities of the Senate of the United States when Members of this body stand to pay their last respects to one of our departed colleagues. It is a particularly difficult occasion when we commemorate, as we do here today, the remembrance of one who departed from this life and from this Chamber, on May 2, while he was in the prime of life.

Mr. President, the story of Senator JOSEPH RAYMOND MCCARTHY was a typically American one.

He was born in Grand Chute, Wis., November 14, 1909; attended the Underhill country school; worked on a farm, and later started his own chicken farm; at the age of 19, moved to Manawa, and enrolled in Little Wolf High School, while working in a grocery store and ushering at a theater in the evenings, completing a 4-year course in 1 year; in 1930, entered Marquette University, at Milwaukee, Wis., to study engineering, but later transferred to the law department, and graduated in 1935; was admitted to the bar in the same year, and commenced practice in Waupaca; in 1936, moved to Shawano, Wis., and continued the practice of his chosen profession; was elected circuit judge of the 10th judicial circuit of Wisconsin in 1939, and, while serving in this capacity, enlisted, in 1942, as a private in the United States Marine Corps.

I think that JOE MCCARTHY was as proud of his service in the marines and of the Marine Corps as he was of anything in his life.

He was later commissioned lieutenant and served 30 months on active duty, with 19 months in the South Pacific area. He was an unsuccessful candidate for United States Senator in 1944, while in military service. He was reelected circuit judge of Wisconsin in 1945, while still in the Marine Corps. He was elected, as a Republican, to the United States Senate in 1946 and reelected in 1952.

In my judgment, JOE MCCARTHY was a courageous American whose Irish background and religious convictions could not leave him complacent in meeting a challenge which all our people agree represents a continuing and constant threat to our American way of life. He challenged us to pursue an effective course in meeting the menace which faces us still after he has gone, the menace to free men in free societies born of the godless international Communist tyranny. It was against this menace to free men everywhere that my colleague, the junior Senator from Wisconsin, devoted his efforts and, indeed, his life.

He sought to alert what he felt was a large body of uninformed or apathetic people to the deadly danger confronting our country.

Some complain that in debate his tactics were rough. Senator MCCARTHY, if he were here, would not deny this. He would point out, however, that in dealing with international communism we are confronting a system that does not hesitate to liquidate millions of non-Communists by starvation, firing squads, or a bullet in the back of the head in the cellars of the NKVD.

He was shocked when he discovered that those who had the power and bore the responsibility in several instances ignored the facts of espionage and Communist infiltration when they had documentation from the highest and most responsible investigative agency in the executive branch.

Quieter and less spectacular figures had presented facts only to have them treated as "red herrings." They had warned of dangers abroad only to be told to "wait for the dust to settle."

JOE MCCARTHY has gone. He died at 48, in the prime of life. The danger to our Nation and the Free World remains. I cannot help but believe that he will be satisfied if we as a people do not again fall into a state of complacency or let our guards down when dealing with the most godless tyranny the world has ever known.

Senator JOE MCCARTHY was not the first and, I pray, will not be the last to warn of the dangers to our society that are inherent in the philosophy of peaceful coexistence with the followers of Marx, Lenin, Stalin, and Khrushchev. Although JOE MCCARTHY has gone, the danger to our Nation and the Free World remains. He has departed from us to confront One whose judgment is infinitely superior to the judgment of those who in recent years have either praised him or criticized him.

Some of the columnists, cartoonists, and public figures painted JOE MCCARTHY as a tough and unreasonable man. Those of us who saw him in his home and with his family and friends know that he was kindly, genial, and had a forgiving disposition even toward those he felt had been unfair to him.

My heartfelt sympathy goes out again at this time to his wife Jean, his infant daughter Tierney, to the other members of his family, and to the people of the great State of Wisconsin.

Mr. JOHNSON of Texas. Mr. President, it is always sad when a colleague passes away. It is doubly sad when that colleague is a young man of vitality and of force, a man who is capable of moving his fellow man.

JOE MCCARTHY—and he was "Joe" to everyone who knew him—was compounded of many elements. He had strength. He had great courage. He had daring. JOE MCCARTHY had a rare quality which enabled him to touch the hearts and the minds of millions of his fellow men.

JOE MCCARTHY lived in the midst of one of the greatest controversies of our time. He, himself, was the center of controversy, and he had the zest for combat of his Irish ancestors.

Many times JOE MCCARTHY walked a long and lonely road. As he was judged by his fellow men, some regarded him with adulation and some with hatred. But one thing that can never be disputed is that the name of JOE MCCARTHY will never be forgotten. There was a quality about the man which compelled respect, and even liking, from his strongest adversaries.

Some of us frequently disagreed with him, but few of us could ever honestly say that we were not touched by his personality.

There was one great, warm comfort in his final days. It was the presence of a lovely lady, intensely loyal and always intensely devoted—his wife Jean.

JOE MCCARTHY will be judged by history, and by a Higher Power that none of us should or could question.

Today, on behalf of Lady Bird and myself, I wish to express deep sympathy to Jean, to his family, and to the great State which gave him the privilege of serving in this body.

Mr. SALTONSTALL. Mr. President, a resolution unanimously adopted on July 22 by our Republican conference was placed in the CONGRESSIONAL RECORD by me on July 22. It ably portrays our feelings toward our late colleague, JOE MCCARTHY.

His untimely death shocked the people of the United States. It shocked us all because of the significant and telling part he had played in the affairs of the Nation and the world in the struggle against international communism. History in the days to come will record that influence, but we who are here now realize how his untiring efforts sapped his strength.

He was proud of his experience as a fighting marine. That service, too, took much of his vitality in later life; but it was another evidence of his courage.

As a colleague, he was always friendly, an interesting companion and an outspoken champion of the causes he espoused. I miss him and my sympathy goes out to his wife Jean and their daughter. Mrs. Saltonstall and I admire her for the courageous and dignified manner she has carried on without her Joe.

Mr. SMITH of New Jersey. Mr. President, as one of those who voted against JOE MCCARTHY in the sad Senate proceedings of 1954, I rise to pay him this personal tribute of affection.

I sincerely respected Joe for his loyalty to his deepest convictions and the outstanding part he played in calling attention to the dangers of communism in America.

I admired and respected him for his devotion to his church of which he was a sincere and devoted member. The clear-cut and uncomprising position of the Catholic Church in the United States and throughout the world against the insidious spread of atheistic communism is one of the inspiring chapters in the history of Christian civilization.

My difference with Joe was not a difference of faith or purpose. It was a difference in procedures.

Mr. President, I want to remember Joe as a crusader for those Christian principles in which he believed and as a personal friend for whom I had the deepest affection.

My wife joins me in extending the deepest sympathy to his beloved wife and their daughter.

Mr. MUNDT. Mr. President, the biographical facts concerning JOE MCCARTHY are well known, and have been recited many times by Members of the Senate and members of the press.

I rise on this occasion to pay tribute to JOE MCCARTHY primarily because of two basic qualities in his character which, it seems to me, were outstanding.

The first of those I would indicate as being his intense sense of loyalty.

The second is the fact that he was a man of unquestionable courage. I think we can look at any phase of JOE MCCARTHY's career at any time and be impressed by the qualities of loyalty and courage which he so clearly demonstrated and manifested.

First of all, JOE MCCARTHY was loyal to his country. He demonstrated that, not alone by his service in the Senate, but preceding that service, by his service to the people of the State of Wisconsin, and by his service to the people of America generally as a member of the fighting Marines.

Long before I had come to know JOE MCCARTHY personally, and a Member of the Senate as well as a fellow committee member—I served with him on two committees, the Committee on Appropriations and the Senate Committee on Government Operations and its tempestuous little subcommittee, the Permanent Subcommittee on Investigations—I had heard about JOE MCCARTHY from a great citizen of my State, its present governor, Joe Foss.

Joe Foss was also a marine. He wore the highest decorations the Government can give to one of the outstanding members of the Marine Corps. He was an outstanding ace in World War II.

Joe Foss had told me many times about his services in the Far Pacific alongside a Wisconsin Senator by the name of JOE MCCARTHY. He told me how Joe had gone far beyond the line of duty. He left the ground to fly in fighting planes, in order to acquire the information he thought was necessary to enable him to discharge the functions to which he was assigned by his superior officers in the Marine Corps.

JOE MCCARTHY's loyalty to the United States has never been questioned by his bitterest enemies. JOE MCCARTHY was loyal to his convictions; and he had firm convictions.

One of his abiding convictions was the conviction which most of us—and I hope all of us—share, that is, that so long as there is abroad in the world the aggressive force of militaristic, atheistic, imperialistic communism, none of the freedoms which we cherish in this country can be considered safe.

Being a man of action, JOE MCCARTHY determined to do something, to the best of his abilities and in accordance with his lights, to weaken communism abroad and at home, and to strengthen the forces of freedom on this continent, in the last great bastion of hope if communism is to be defeated.

JOE MCCARTHY was loyal to his friends, loyal to the members of his staff, and loyal to his associates in the Senate. Many times he placed himself in positions of controversy and difficulty in defense of friends of his, who, in turn, had rendered services which he thought were outstanding to his country or to a common cause.

Indicative of JOE MCCARTHY's loyalty to his staff is the fact that the members of it still serve at the office formerly occupied by the junior Senator from Wisconsin. I have noticed that this staff, long after Joe has gone, still works far into the night, carrying on the functions of his office, answering the many letters which have come to the office by the tens of thousands, in praise and in tribute of JOE, and in carrying on to the best of its capacity the functions of that senatorial office, as it seeks to continue its service to the people of Wisconsin.

The staff includes such persons as Ray Kiermas, Dick Omelia, and Mary Driscoll, and others, who demonstrate the fact that their loyalty to Joe grew out of the fact that he was always intensely loyal to them in the work they did for such long hours and at such great personal sacrifice during the turbulent days when he was engaged so vigorously in the fight against communism.

Mr. President, JOE MCCARTHY was loyal to the Senate. He felt the Senate was a great institution, an independent branch of Congress, not to become a rubberstamp of the Supreme Court, not to become a rubberstamp of the executive branch of the Government, but a body which was to make its own determinations and its own decisions. He was loyal to the men who served in the Senate, and his loyalty to the Senate never wavered, even at a time when he felt in his heart the Senate had turned its back on him in an hour of trouble. I believe he remained loyal to the Senate to the end of his life.

Finally, Mr. President, JOE MCCARTHY was loyal to the Republican Party. At great personal cost to himself he campaigned the length and breadth of this land on behalf of fellow Republicans who he thought merited election to high office. He entered State and local campaigns on behalf of many candidates, because he believed in the concepts and principles embraced in the history and record of the Republican Party.

Concerning JOE MCCARTHY's personal courage, his courage, in peace and in war, was characteristic of his fighting Irish personality. JOE MCCARTHY was a tough antagonist in conflict, whether it was military conflict, or forensic conflict, or ideological conflict, or a clash of personalities.

In any conflict, JOE MCCARTHY neither asked nor gave quarter. Many times he took positions in situations when it would have been easier for him to be silent. Motivated as he was by that pervading courage, he sought to strike out against anyone he thought to be wrong and to defend those who he thought were right.

As one of the large senatorial delegation which went to Wisconsin on the occasion of his funeral at Appleton, I could not help be impressed, not only by the vast size of the crowd who came to pay tribute to him on that occasion, but by the genuine affection in which JOE MCCARTHY was held by the people of his own town and of his home State.

As has been said earlier today, JOE MCCARTHY received great encouragement and completely loyal support and devotion from his lovely wife Jean, and, during the closing days of his life, great solace from his infant daughter Tierney.

Mr. President, there are occasions when men get to know each other better than on other occasions. Sometimes it is at a fishing camp, when it rains all day, and the men are closed up within the four walls of the fishing camp. Then one gets to know pretty well his companions on the fishing trip.

Sometimes we get to know people pretty well on a duck pass, or while sitting all day under an overturned boat, trying to keep the rain water from washing down one's neck.

I believe one can also get to know a man pretty well when one serves on a committee which is under the constant drumfire of a large segment of the American press and radio. Anyone who has served on a committee of Congress, whether in the House or in the Senate, which is charged with the responsibility of exposing communism, recognizes that from the very start of the investigation there is bound to be a bitter attack on the investigation by a certain segment of the so-called leftwing press of the country. That attack is bound to be unfair, and it is bound to be constant. It is going to be bitter, and it is going to come from every direction. Therefore, when one serves on a committee with a man like JOE MCCARTHY, or any other Member of the Senate or House, which committee is charged with the responsibility of exposing communism, it is not necessary to serve very long, and it is not necessary to engage in many investigations, before one learns the caliber of those with whom one is associated.

Mr. President, I had, for a number of years, the responsibility of serving with JOE MCCARTHY on the subcommittee of the Senate Committee on Government Operations which was charged in part with the responsibility of exposing Communist activities. He and all of us were subjected to that kind of attack. I know something about how JOE MCCARTHY reacted. I know that he met those attacks head on, and that he elected to fight back with everything he had against those who were fighting him with everything they had.

In doing that he made a great circle of enemies, because he refused to quit, he refused to surrender, he refused to yield, but, instead, elected to strike back at those who had struck at him.

I came to respect his fighting qualities which kept him in the ring. I came to respect the fighting qualities which induced him to make some of the excessive statements of which some of his enemies complained. Mr. President, this was a battle for keeps, and the very efforts and the very methods he used helped to dramatize a situation concerning which

far too many Americans had already been lulled to sleep.

It is only necessary to read the news reports of the last 2 months to recognize that JOE MCCARTHY was dramatizing a situation which badly needed to be emphasized. The startling spy stories relating to the disclosures being made by the FBI during the last 60 days indicate that JOE MCCARTHY was not whipping a dead horse, and that he was not discovering strawmen under beds. He was talking about the Communist espionage apparatus which is working in America today. He was talking about a Communist imperialistic program which is in existence all over the world and which needs the best attention of all free men, and all our best talents, in order to protect us against it.

All of us owe JOE MCCARTHY a great debt of gratitude for the fact that he did help focus, through a considerable period of time, the attention of a great many Americans, and the attention of people in many other countries of the world, on the fact that communism is here and needs to be destroyed and cannot be ignored, and that communism must be fought with different types of rules than can be used in fighting against the ordinary type of conspiracy or the ordinary type of criminal groups which seek to destroy America. As Joe used to like to say, "You have got to fight a snake differently from the way you pet a cat."

Mr. President, I pay my tribute to JOE MCCARTHY for the work he did, and shall leave to history an evaluation of his gallant service where it can find its place in the niches of the archives of our Nation.

On behalf of Mary and myself, I extend to Jeannie, Tierney, and Mrs. Carr, and to all the relatives of JOE MCCARTHY, our deepest sympathy. We were proud to consider JOE MCCARTHY and Jeannie McCarthy as our friends.

Mr. YOUNG. Mr. President, with the passing of Senator JOSEPH R. MCCARTHY, the Senate of the United States and the Nation have sustained a tremendous loss.

Perhaps, as has no other American in our day, he sensed the danger of international communism and its devious ways of infiltrating into organizations of all kinds—yes, even in the topmost level of our Government. Like all of us, Senator MCCARTHY made some mistakes. The good he has accomplished, however, far overshadows any mistakes he may have made.

JOE MCCARTHY was a dynamic, intelligent, colorful, sincere, and honest public official. His youthful years spent on a farm in a rural community in Wisconsin had much to do, I believe, with the shaping of his future life. As is so typical of the rural people with whom he grew up, he was intensely patriotic and had no patience with those who would compromise in the slightest with any element which he thought was detrimental to the best interests of his country. More than anyone else, he brought to our people a consciousness of the real menace that faced our Nation. Largely because of his efforts, the United States averted some of the tragic mistakes made by other nations.

Mr. President, it was my privilege to attend Senator MCCARTHY's funeral in his hometown of Appleton, Wis. There I gained a better understanding of JOE MCCARTHY, after visiting with his closest neighbors and friends and learning something of his childhood experiences and environment. While Senator MCCARTHY fought fiercely and to the bitter end for any cause in which he believed, he was still a kindly and deeply religious person.

Few men in public life in America ever enjoyed the great esteem and admiration in which he was held by the people who knew him best—those of his home community. I shall always consider it an honor and a privilege to have been closely associated with this great American.

Mr. President, I extend my profound sympathy to his good and devoted wife, Jean, and their little daughter, Tierney.

Mr. President, I call the attention of the Senate to the fact that other citizens and other groups have paid their respects to Senator MCCARTHY, and that many of these tributes have appeared in the CONGRESSIONAL RECORD during the past 2 months. The RECORD contains resolutions passed by State legislatures and city councils, resolutions of national organizations, newspaper and magazine articles and editorials from all over the land, all applauding Senator MCCARTHY's work and commending him for his vigorous and self-sacrificing fight against our country's enemies. I consider it particularly significant that so many State legislatures and city councils have expressed themselves on this subject. Members of those bodies are, after all, extremely close to the people.

It seems to me, Mr. President, that we will earn the gratitude of Senator MCCARTHY's friends, of the historians of the future, and of others who may take inspiration from his career if we make all these commentaries readily available. I therefore ask unanimous consent that an index which has been prepared of the commentaries on Senator MCCARTHY's career which have appeared in the RECORD from May 2 to the present be included as a part of today's RECORD.

Also, Mr. President, I ask unanimous consent to have printed at this point in the RECORD many other fine editorials and resolutions relating to Senator MCCARTHY and his life.

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

EDITORIAL ON WONE NEWSCAST, MAY 3, 1957, 7:45 A. M., 12 NOON, 6 P. M., 10:30 P. M.

(By George Young, WONE news director)

The first paragraph in the history of a great American has been written at Bethesda Naval Hospital in Maryland.

It may seem incongruous that the life and good works of Senator JOSEPH MCCARTHY are not to be properly evaluated until after his death.

But that is the way with history and the great men whose real worth history recounts.

For history is a lengthy process as its strong voice sounds the laws of right and wrong across the centuries.

And when the final paragraph on Senator JOSEPH MCCARTHY is inscribed, it will reveal him for what he was—a valiant fighter for what he believed to be right, an active participant in the battle against communism, a man of great courage and a patriot of the highest order.

But the history of Senator MCCARTHY must also acknowledge his foes. They include frauds, eggheads, cowards, idle tramps, searchers for revenge, the jealous, the political opportunists, and outright traitors.

And the list of MCCARTHY enemies and MCCARTHY detractors will include not only the names of social parasites, but the names of Presidents as well.

History will record that ex-President Truman called MCCARTHY "a pathological character assassin." It will reveal, to the eternal shame of those involved, that President Eisenhower and his advisors left the names of Senator and Mrs. McCarthy off the White House social invitation list.

And history will record how MCCARTHY's critics accused him of playing fast and loose with people's reputations by making what his foes termed unsupported accusations; it will say his enemies charged him with abusing witnesses before his one-man committee; it will repeat the charges of arrogance and demagoguery.

Even this early after his death, the foes of the Senator who sought out Communist snakes within the lush green fields of bureaucracy and the thick jungles of red tape within our Government—even this early after his death, these foes of the Senator are being termed those opposed to his tactics.

MCCARTHY's tactics, we believe, were required by the serious circumstances of the moment. True, he entered the quest for subversives and he was shod with hob-nail boots as he went about his task. History has shown that you can't wipe out a nest of vipers by tickling them to death with your bare toes.

Certainly, MCCARTHY was no perfect man, but in fearlessness and loyalty and conviction he was head and shoulders above most of his defamers and critics.

The number of subversives and fellow-travelers and outright card-carrying Communists who were ultimately rooted out of the very heart of our Government administrative circles as a result of MCCARTHY's vigorous Congressional investigations in the 1950's is a matter of record, and will shine in the history of that great American and to the credit of free men everywhere.

Yes, the history of this farm boy from Appleton, Wis., will place him where he belongs in our memories—among the great zealous patriots who have gone to their deaths in defense of the American way of life.

And the small men in great places who have spoken ill of his endeavors, the vote of condemnation by his own colleagues in the Senate, the social snubbing by ill-advised occupants of the White House—these matters will but enhance the historic value of a man who died at the age of 47 in Bethesda, Md., last night—perhaps the victim of evil report which often is as deady as an assassin's knife.

At the moment, it is small comfort for the many supporters of Senator MCCARTHY's upright and fearless brand of Americanism that he was able to clean out many of the enemies of our Government despite the hindrance of eggheads, leftwingers, New Dealers, and Communists.

But history will record that Senator MCCARTHY was a relentless fighter for the right as he saw it, and those who were on his side are legion.

At this hour they may glory in the bright memory of Senator JOSEPH MCCARTHY of Wisconsin while the first paragraph in his brilliant life is written in a history which continues to record the crimes, follies, and misfortunes of mankind—and relentlessly inscribes on the tablets of eternity the records of great men like Senator MCCARTHY who stood for that which is right and just in moral law.

CONGRESSIONAL RECORDS

MAY 6, 1957

Page 6348: Eulogy, Senator WILEY, of Wisconsin.

Page 6349: Resolution of respect in the United States Senate, Senate Resolution 132.

Page 6349: Eulogy, Senator KNOWLAND, of California.

Page 6349: Sermon by Msgr. John K. Cartwright, given at funeral services at St. Matthew's Cathedral (inserted in the RECORD by Senator KNOWLAND, of California).

Page 6350: Eulogy, Senator MANSFIELD, of Montana.

Pages 6350–52: Funeral service proceedings in the United States Senate.

Page 6354: Eulogy, Mrs. EDITH NOURSE ROGERS, of Massachusetts.

Page 6366: Eulogy, Congressman HOFFMAN, of Michigan; editorial entitled "A Valiant Fighter," from the Chicago Tribune (inserted in the RECORD by Congressman HOFFMAN, of Michigan).

Page 6403: Eulogy, Congressman WITHROW, of Wisconsin; eulogy, Congressman BYRNE, of Illinois; column by George Sokolsky entitled "JOE," from the Washington Post and Times Herald of May 4, 1957 (inserted in the RECORD by Congressman HIESTAND, of California).

Page 6404: Resolution of sympathy passed by the House of Representatives, House Resolution 247.

MAY 7, 1957

Page 6500: Senator MALONE on censure.

MAY 8, 1957

Page 6404: Eulogy, personal tribute of Congressman VAN PELT, of Wisconsin.

MAY 9, 1957

Pages 6717–6720: Eulogy of Congressman CLARE HOFFMAN, of Michigan; editorial entitled "A Patriot Dies," from the Benton Harbor, Mich., News-Palladium of May 4, 1957; editorial entitled "Senatorial Storm Abates," from the St. Joseph, Mich., Herald-Press of May 4, 1957; series of letters to the Washington Post relative to that paper's editorial; column by David Lawrence entitled "A Legacy From McCARTHY," from the Washington, D. C., Evening Star of May 6, 1957; column entitled "Political Maneuver" by George Sokolsky (inserted in the RECORD by Congressman CLARE HOFFMAN, of Michigan).

Page 6404: Eulogy, personal tribute of Congresswoman KATHERINE ST. GEORGE of New York.

MAY 15, 1957

Page 6922: Resolution of sympathy, House of Representatives, State of Delaware (inserted in the RECORD by Vice President Nixon).

MAY 22, 1957

Pages 7345–7346: Resolution of Wisconsin State Legislature on life and services of Senator JOSEPH R. McCARTHY (Senator WILEY, Wisconsin).

Pages 7354–7355: Remarks of Senator STYLES BRIDGES on censure.

MAY 29, 1957

Page 7941: Talk by Roy Cohn, at luncheon honoring Senator KNOWLAND (Senator BRIDGES, of New Hampshire).

MAY 31, 1957

Page 8130: Resolution of sympathy passed by Senate Committee on Government Operations (Senator MUNDT, of South Dakota).

Page 8339: Resolution of sympathy passed by Illinois State Senate (Senator DIRKSEN, of Illinois).

JUNE 11, 1957

Page 8742: Resolution of sympathy passed by Senate Rules Committee (Senator CURTIS, of Nebraska).

Page 8881: Radio broadcast of Senator JENNER, May 19, 1957, in honor of Senator JOE McCARTHY (inserted in RECORD by Senator JENNER, of Indiana).

JUNE 25, 1957

Pages 10243–10244: Eulogy by Congresswoman EDITH NOURSE ROGERS, of Massachusetts. Letter to Mrs. ROGERS from Mrs. Joseph McCarthy (inserted in the RECORD by Congresswoman ROGERS, of Massachusetts).

JUNE 26, 1957

Page 10271: Resolution of commendation passed by Arizona Federation of Republican Women in annual convention at Phoenix, May 3–5, 1957 (Senator GOLDWATER, of Arizona).

JULY 22, 1957

Pages 12269–12270: Resolution of Republican conference of the United States Senate, May 8, 1957; resolution of Massachusetts Council of Young Republican Clubs, May 11, 1957 (Senator LEVERETT SALTONSTALL, of Massachusetts).

JULY 23, 1957

Page 12511: Article by Senator STYLES BRIDGES, of New Hampshire, appearing in Hearst newspapers, May 4, 1957 (Congressman PERKINS BASS of New Hampshire); resolution of New Hampshire House of Representatives (Congressman PERKINS BASS of New Hampshire).

JULY 29, 1957

Page 12857: Resolution of United Spanish War Veterans, 1957 Encampment, La Crosse, Wis.; Resolution of Common Council of City of South Milwaukee, adopted May 7, 1957 (Senator CARL CURTIS, of Nebraska).

ADD SENATOR JOE TO LIST WHO FOUGHT RED INVASION

Thus they pass—these vanishing Americans—Gen. George Patton, Forrestal, Taft, McCarran and now Senator Joseph McCarthy. We wonder who will be next on the list—Dirksen? Bricker? Jenner? Walter? Bridges? Manion? MacArthur? Or may it be California's own Bill Knowland, Donald Jackson or Jimmie Utt? All have fought for God and country and hated Communists and their slimy apologists with a fervent hatred, therefore all must be marked for destruction by fair means or foul.

They must be afraid at times, as we are all afraid for our loved ones and our very lives when dealing with such implacable foes. Afraid of the lies, the smears, the ridicule, the innuendoes that we know will be our lot when we cross swords with the Communists. But brave men fight on despite fear. It is the coward who compromises, makes excuses and clasps the traitor to his heart while trying to buy his way out of a fight.

We all know the Communists have no sense of honor or fair play and the dupes they get to do their dirty work are of the same ilk. They dance with joy when the words "witch hunt," "peace," "love," "do not judge" and the like are used for they know the lies and inconsistencies that lurk behind these words. Many people will not listen to the truth nor will they read the books that would enlighten them. It is much easier for a group to spend their time pulling a patriotic American's reputation to shreds.

And so from the falling hands of those who die for God and country the torch is thrown to us—the little people. Please God, there will be enough to hold it high, no matter how dark it seems, no matter how afraid we are, until the light of freedom and love of country once more shines forth o'er all our land.

Goodbye, Senator Joe. Go with God, carrying with you our deepest thanks for giving us the courage to carry on the fight.

[From the Omaha (Nebr.) World-Herald of May 8, 1957]

JOE McCARTHY'S NOTICES

If JOE McCARTHY could be here to read his obituary notices, he would get quite a kick out of what his enemies are saying about him.

Some edge close to saying that he was sincere though misguided. They dare not go quite that far, however, because for 7 years they have been saying he was insincere. And he obviously wasn't misguided because he took no guidance from anybody.

Another theme is that while McCARTHY was a demagogue, he nevertheless represented a sizable body of public opinion. That looks odd in print, too, because it is a slur on the millions of Americans who believe as JOE McCARTHY did on the Communist menace.

Another viewpoint of the perspiring editorialists is that JOE McCARTHY thought anticommunism justified the overriding of human rights basic to the American concepts of individual liberty. But whose rights were overridden? Owen Lattimore's? Those of Army Dentist Peress, or John Carter Vincent of the State Department? If any innocent soul was ruined, who was it?

Senator McCARTHY bruised a few feelings, but the main thing he did was to establish the fact that his mealymouthed targets wouldn't come clean about communism. There was a coverup in the Army and not nearly enough vigilance in the Defense Establishment and the State Department. JOE McCARTHY woke 'em up. It's never been quite as easy to be a Communist or a Communist sympathizer in America since he took out after them. Americans are in his debt for that.

[From the Chattanooga (Tenn.) News-Free Press of May 3, 1957]

DEATH OF A PATRIOT

Senator JOE McCARTHY is dead. America has lost a patriot.

He lived and did his valuable work in a period when, with some, patriotism was not popular. But popularity was not what JOE McCARTHY sought. A driving, determined fighter for his country, he sounded the alarm of the great danger of Communist subversion in our Nation at a time when Communist coddling was an accepted and protected practice.

While America sent off its young men to die on foreign battlefields against communism, those in high places in this country compromised the safety of the Nation and gave aid and comfort to the enemy in our midst by ignoring Communist subversion.

Senator McCARTHY's great value to America was in alerting the people to this perfidy in time to arouse public opinion with sufficient force to curb the internal Red menace.

In doing so, Senator McCARTHY sometimes used bad judgment. His sense of public relations was atrocious. He did not abide by all the cozy little rules of etiquette in fighting communism. But there was no question that he stood for America and against communism. There was great question as to where many of his critics stood.

When he chose the role of fighter against Communists, Senator McCARTHY certainly must have realized the personal risk he was taking, for every vigorous fighter against the Reds before him, and since, had been vilified and the object of attack. JOE McCARTHY, rather than being the exception, became the chief target of the Communists, the fellow travelers, the bleeding hearts, the misguided, the ignorant, and the vicious. The most destructive criticism of all did not come from Communists, but from those who mouthed the Red line.

No man in recent public life has been so slandered and abused as was Senator McCARTHY. His pious critics used the very tactics they falsely attributed to him. Hypocrisy was rampant, and so far as the goal of dimming JOE McCARTHY's rising star was concerned, hypocrisy prevailed.

In one of the most shameful scenes in American history, the United States Senate, under pressure and with simpering, posturing Senators taking the lead, censured JOE McCARTHY for his devoted Americanism.

That marked the eclipse of Senator McCarthy's effectiveness. "McCarthyism" had gone down in dictionaries as a bad word.

Joe McCarthy was beaten, but the cause for which he stood somehow won out. His sacrifice had served to waken America—perhaps just in time—and as a result of his fight the coddling of Communists is no longer the prevailing style.

At his death, we hail this American patriot.

[From the Longview (Tex.) Daily News of Tuesday, May 7, 1957]

Freedom's Watchman

(By Carl L. Estes)

The Honorable Joseph R. McCarthy, United States Senator from Wisconsin—a fearless watchman on the ramparts of freedom—has passed to his reward. In death, as in his busy life, he was the target of attacks and slights from both private and public figures, for there are many who seek to wreck and destroy as well as the few who strive to strengthen and secure the citadel of human freedom.

Methodist clergyman and Senate Chaplain Dr. Frederick Brown Harris spoke literally for the pages of history Monday when in solemn Senate services he declared: "This fallen warrior through death speaketh, calling a nation of freemen to be delivered from the complacency of a false security and from regarding those who loudly sound the trumpets of vigilance and alarm as mere disturbers of the peace."

In similar eulogy at a high pontifical funeral mass, Msgr. John J. Cartwright spoke for the records of time when he said of Senator McCarthy and his anti-Communist role: "No greater service could have been rendered to our country than was rendered by this watchman of the citadel who insisted upon a clear understanding by our people of the nature of this enemy and of its power not only to attack but to undermine our institutions of freedom."

Senator McCarthy leaves bright pages in the undying history of freemen. In the critical postwar period after he returned from service in the Pacific, he became America's No. 1 Communist hunter and exposer of spies and pinkos in Government, in the armed services, and in defense plants. The vigor of this vital service to the Nation aroused criticism and opposition that extended into the highest circles of officialdom. One of the sorriest pages ever written into the record was his snub by the White House, for it in effect gave aid and comfort to Joe Stalin and his ilk. We were sorry to see evidence that the old palace guard such as Hoffman and company still holds sway, for the White House had only an aid among the mourners.

While Senator McCarthy stood on the ramparts of freedom, there stood with him to plug the dikes against communism such stalwart patriots as the Mundts, Malones, Martins, Dirksens, Butlers, Magnusons, and Knowlands. But while these and a few others like them stood guard at the gates, the attack was being waged behind the scenes or openly by such as the Flanders, Tydings, Eleanor Roosevelt, Anna Rosenberg, Marshall, Acheson, Truman crowd and others of their kind. There will be less record in the pages of history for most of them.

One would have only to go into the hills of Wisconsin today to find out what the people there thought of Senator McCarthy who boldly and fearlessly battled the enemies without as well as the sympathizers within. He had the ability to recognize their strikes for the rattlesnakes they were, regardless of the cloak they sported. We confidently expect Senator Wiley, who thinks it too early to tell what McCarthy's place in history will be, will get the word from the folks back home on his next visit.

We had the keen personal pleasure to have known and worked with Joe McCarthy. While this writer is not a Catholic (and right here may we observe that many of his enemies were old "He Ku-Kluxers" who hated him on account of his religion) but a Protestant, we were happy to fight along with him under the same flag, for Senator McCarthy's flag was the Stars and Stripes and he never grew tired of holding it aloft to encourage free men everywhere. It was no hammer and sickle for him, and no waving of the pink bunting of sympathy for the Reds or their helpers.

As for unexpressed fears of Senator Mike Mansfield of Montana who said he hoped the difficulties which beset McCarthy on earth "will not be there to face him when he goes to meet his Maker," we can reassure you, Senator Mansfield, the forces of communism are the forces of anti-God and they will not be inside the gates when this gallant warrior is received. And as for the Communists, their agents, their sympathizers, and the pinkos, we predict the 400-page Alger Hiss book published Monday—nor even 4,000 pages by such as Hiss, or the Julius Rosenbergs or the Martin Sobels or the David Greenglasses and their kind—will be to no avail in covering up the dirty trails they have spread across the face of America.

As it was with Gen. Robert E. Lee, Senator McCarthy can "pass over the river and rest under the shade of the trees"—for the battle for free men is now behind him and he can rest among friends. The forces of anti-God will not be around in Heaven to bark and bite. Joe is now comfortably bivouaced with his good marine buddies who earlier fell in defense of their country at Iwo Jima, Peleliu, Saipan, Tinian, Okinawa and elsewhere.

We salute in admiring memory the Joseph McCarthy whom we knew—a true mid-twentieth century embodiment of Patrick Henry and Paul Revere of old and as bold a patriot and stanch a fighter for freedom and country as America has ever produced. Goodbye, Joe; may your spirit rest in peace as your name will be preserved in honor.

[From the Lawrence (Mass.) Sunday Sun of May 19, 1957.]

My Favorite Prayer—Submitted to the Laymen's National Committee

(By Gill Robb Wilson, editor and publisher, Flying Magazine)

Lord, be merciful to me, a sinner.

In retrospection

The tumult and the shouting over the death of Senator Joseph McCarthy have subsided but today, as he lies in his final rest, people still speak of him. Perhaps it is significant of his eminence in the thoughts of everyone during his career—and now—that, although the name Joseph McCarthy is by no means an uncommon one, whenever it was spoken everyone knew just which one was meant.

Senator "Joe" McCarthy was not just a political figure. He was a great American. Not only was he a combat veteran of World War II, but, after the war, he continued to fight with all his gifts and powers for his country.

He loved intensely all that was American. He hated with equal intensity any person or ideology designed to destroy America. Communists, pinks and fellow-travelers who infiltrated our Government and Armed Forces attracted his special wrath:

With the zeal of a crusader, he worked to pry them out from under their rocks. The entire Nation should be grateful to him today in memory for the degree of success he enjoyed in that effort in spite of the cloak-and-dagger atmosphere in high places which sought to, and in many instances did, prevent him from tearing the masks from enemies of this country.

The worth of Senator McCarthy's service to the United States cannot be adequately appraised even today. Only time and the accumulation of the tomes of history will accomplish that.

He made enemies. Anyone who fights for the right attracts the condemnation of those who are affected by his actions. His enemies were furtive and bitter. Abuses were piled upon him. He was constantly under attack and much of this malediction came not only from the Communists but their friends and protectors in high positions in Government.

Little wonder that, in his nerve-wracking struggle to protect his country and defend himself, his health was affected to the ultimate.

Joe McCarthy, as surely as any man who died on the battlefield, gave his life for the land he loved. He went down fighting for freedom and justice for every one of us.

It will take a long time to find a person equally as patriotic and militant to replace him. His life has ended, but the work he did so nobly should be perpetuated and the enemies of our country everywhere run down and ferreted out with the same sublime fervor as was applied to that task by this truly great American.

McCarthy Warning on Atom Pact Gains Support

(By Fulton Lewis, Jr.)

Washington, May 12.—The last formal speech the late Senator Joe McCarthy made outside the Senate floor was an attempt to focus some public attention on the dangers inherent in the proposed International Atomic Energy Agency Treaty.

The horrifying point is that he was absolutely right, under terms of the treaty, when he said:

"The International Atomic Energy Agency Treaty is a device by which the United States can be trapped into building up the atomic armament potential of our enemies. Of course, the administration does not intend it to be used for that purpose; the point is that it can be used, and most likely will be used, for that purpose under this treaty—our intentions notwithstanding. And I shall vote for no such treaty as that."

As other Senators come to a realization of the full implications of the treaty, and of just what it proposes, many are reaching the same conclusion—that they will vote for no such pact, either; enough, so that chances of it being ratified in its present form are becoming virtually nil.

More and more, they are awakening to the fact that we are promising to turn over to the contemplated international agency sufficient uranium 235 to make enough atomic bombs, in McCarthy's words, "to destroy every major city in the United States"; and that proclaimed safeguards are totally inadequate to prevent such use.

Questionable "safeguards"

President Eisenhower has promised to make available to the agency at least 5,000 kilograms of U-235, and up to 20,000 kilograms by matching other contributions. Soviet Russia has pledged 50 kilograms.

Ratification of the treaty is being urged on the thesis that all the nations receiving materials and other aid under this "atoms for peace" program, will use it for peaceful purposes; and that if they do not, their miscreancy will be detected readily.

This is a broader supposition than most Senators will accept, inasmuch as the Soviet Union and nine satellites signed the treaty. History has demonstrated clearly the utter foolishness of trusting any Communist nation to live up to a treaty.

United States has one vote in eighty

The treaty's so-called "safeguard" provisions set forth exact steps to be taken if a country is found to be using agency materials for missile purposes, and refuses to return the fissionable materials.

First, the incident is to be referred to the agency's 23-member board of governors (United States: 1 vote of 23), then to its every-member general conference (United States: 1 vote in 80, or whatever the number of members). The conference then can cite the culprit to the United Nations.

McCarthy did not believe this was the kind of setup into which the Senate should put the United States. He spoke, 3 months ago, the words which many of his recent colleagues now are echoing.

[From the Orlando (Fla.) Evening Star]

A Great American Passes

This Nation, from humble beginnings as far back as the Boston Tea Party, has become great only through the patriotic efforts of men who placed America first.

Our history has consisted of a procession of public sacrifices by individuals in private and public life who refused to permit foreign ideologies to have a part in our American way of life. Their efforts were misunderstood and calumniated by a fickle public that refused to believe stark facts.

The latest patriotic victim—the second in our decade—is the late Senator Joseph R. McCarthy of Wisconsin, whose passing in the prime of his courageous life leaves a vacuum in Americanism.

The other was the late Senator Robert Taft of Ohio, whose championship of America first led him almost to the Presidency. His death, too, removed from the political scene one of the greatest supporters of the administration from a standpoint of stemming the tide of foreign encroachment in our domestic affairs.

America can ill afford to lose such stalwart patriots as Messrs. McCarthy and Taft.

To our everlasting pride, these newspapers can point to many years of editorial support of the underlying principles that inspired the courageous fight of both Senators against communism and the involvement of our Nation in foreign entanglements, to say nothing of the sensational exposures brought about by the McCarthy investigations.

Suffice it to say that if there had been a Joe McCarthy in public life after World War I, there would never have been an Alger Hiss.

[From the Dixon (Ill.) Evening Telegraph of May 3, 1957]

America Loses a Defender

The death of Senator Joseph R. McCarthy of Wisconsin takes one of America's foremost and fiercest foes of communism and a forthright fighter against all un-American threats against freedom and our way of life.

The battle against the Red menace will proceed unabated, but even those who opposed the controversial Senator McCarthy and his methods will agree that he pointed the way and led the battle in a courageous and all-out manner.

The Telegraph has always been on record as believing Senator McCarthy to be sincere, fearless and right, and we subscribe to the McCarthy policy that the Reds fight rough and must be opposed with glove-off tactics.

We hope there will be others in Washington of similar caliber to follow in the footsteps of the late Wisconsin Senator.

[From the O'Neill (Nebr.) Frontier of Thursday, May 16, 1957]

Joe McCarthy Dared To Trod

Now that most of the eulogies have been offered in behalf of the late Senator Joseph McCarthy, Republican, of Wisconsin, the Frontier begs to offer its bit.

This newspaper was steadfast in backing McCarthy during and after the Senate investigation of subversives in Government. While some agreed with Joe in principle, they undermined his efforts by abhorring his tactics. Others simply hated McCarthy and said he was barking up a tree.

There were several big libel suits slapped against Joe, but none was made to stick. The liberals in Government, the do-gooding newswriters, television and radio commentators attacked Joe at every turn. They tried to disgrace him on income-tax matters, they assassinated his character, some even attacked his war record. The Communist organ, the Daily Worker, coined the word "McCarthyism" and the do-gooders took up the theme—precisely to Moscow's liking.

The liberals pounced on Joe with considerably more vindictiveness than Joe ever attacked anyone else.

Sure, Joe trimmed Major Peress down to size and Senator Joe was never proved wrong about Peress' subversive connections. Yet Peress was promoted and Senator Joe wondered why and by whom.

The decorated General Zwicker (we won't question his war record) certainly is unfit to wear the uniform if he protected higher authorities during a Senate investigation. The military must always be accountable fully and completely to the highest civilian authority.

Joe's greatest sin was that he dared to brave the trail in pursuit of the Communists and anti-anti-Communists.

The liberal publications, columnists, and tonsil artists on the air, by their relentless attacks during and after the Senate hearings, contributed to Joe's decline in spirit and in health. They rode herd on him to his Appleton, Wis., grave.

The Frontier, however, nominates the late Senator Joseph McCarthy as one of the brave patriots of all time. As far as America is concerned, he almost single-handedly opened the American front in the cold war against communism. Many important personages wanted to jump into the fight as an ally but few had the courage.

Joe will go down in history as the 20th century Paul Revere, for his awakening of the American people to the grip the enemy had on our own who occupied sensitive positions in Government. Joe spurred defense thinking, for which, actually, the Pentagon should now award him a posthumous medal.

Joe's demise poses new problems. Who is there on the same national scene who will wade in and sacrifice himself on the same altar?

Ironically a Nebraska woman, Mrs. Hazel Hempel Abel, was crowned the 1957 American mother in New York while Joe's casket was being lowered into the wooded lawn at Appleton.

At the height of the McCarthy feeling in the land Mrs. Abel was a short-term candidate for the United States Senate from Nebraska.

She allayed any fears she would censure McCarthy while campaigning in O'Neill. She told the Frontier she, personally, had helped to arrange for Joe's appearance before the Republican Woman's Club of San Diego, Calif. She indicated to us privately—not for publication—that she was in Joe's corner.

Mrs. Abel went to the Senate.

The get McCarthy crowd needed her vote when the condemnation matter came up. They needed it badly because her name began with "A"—a critical vote on the rollcall.

They got her vote which started Mr. McCarthy on the decline physically and spiritually.

Zwicker, a war hero, who permitted his person to be tainted by clamming up before a Senate investigation committee.

Mrs. Abel. No doubt a wonderful mother but way off base the moment she stepped into the political waters much too deep for her to fathom. She belatedly wishes the condemnation could be stricken from the records.

Joe McCarthy. A tombstone for the Appleton farm boy, an Irishman with guts who dared to probe where others feared to trod.

Historians write objectively. When all the extraneous pros and cons on Mr. McCarthy are torn away, there will stand a martyr * * * a man who single-handedly took on the Kremlin and opened a vital front in America's cold war * * * a 20th century Paul Revere.

[From the Essex Junction (Vt.) Suburban List of May 9, 1957]

Senator McCarthy's Death a Shock

The sudden death of Senator Joseph R. McCarthy of Wisconsin was a shock to all the Nation.

He became a national figure in his intensive investigation and attack on communism in this country. Some people may have thought that he went a little too far but the condition was so serious that it required strong-hand methods.

Senator McCarthy's investigation was largely leveled at teachers in colleges and schools who had tendencies toward communism. He recognized this was a serious threat to the stability of the Nation and he went after such communistic interests with a strong force. It took courage to do that but the Senator recognized it was necessary in order to clean up instruction in the schools and colleges which would be detrimental to the interest of American ideals.

It was always a source of satisfaction to me the way Senator McCarthy hammered at those under investigation who hid under the cloak of the fifth amendment and refused to tell of their connection with the Communist blocs.

He was attacked on the ground that his investigation was a threat to free speech. It is true that the Federal Constitution gives the people free speech but it does not give anyone the right to foment policies which might undermine and destroy the Government of the United States.

Senator McCarthy was a shining symbol of the fight against communism. He was a man of great courage and a patriot of the highest order. He was looked upon by thousands of people throughout the Nation as exemplifying and carrying out the highest type of Americanism. He never yielded an inch in his many and somewhat bitter encounters. No matter from whom criticism came it never deterred him in his fight to root out communism.

It has always been a regret to me that the United States Senate by a vote of 67 to 22 condemned his action. It is also a regret to me that a Vermont Senator let himself be used as a cat's paw to present those charges to the Senate.

Some of the high ranking Republicans made the charge that Senator McCarthy was doing his best to shatter the Republican Party. Let me ask if the Republican Party is of more importance to this country than the country's security and stability.

Some Communists and fellow-travelers were misled by propaganda. They may have felt that they were doing good for the country but no Communist activity could in any way bring about a better condition in this country. It has been said, "Right or wrong my country comes first." I will stand for that. If there are any influences which might be detrimental to the stability of the United States I am against them. That is about the position that Senator McCarthy took and I applaud him for it.

Monuments have been built to preserve the memory of patriots. No monument could be built which would adequately represent the patriotism of Senator McCarthy. His monument will be everlasting and it will be in the hearts of the American people who would destroy an influence that might bring about the destruction of the United States.

I don't believe there is a single man in the entire country who has done more to break down and destroy the influence of communism than Senator McCarthy. He stands at the top in defending American principles. And I never could understand why there was so much influence brought to bear against his strong investigation against communism.

Anyway, a good many professors in colleges were relieved of their positions on account of the McCarthy investigations. Many of them were discharged simply because they took refuge under the fifth amendment. If those professors were clean and above board and real Americans they could have nothing to fear. They were afraid to have their activities in the interest of communism laid bare.

One reason for criticism of McCarthy is that he went after the ones higher up. He tried to get at the foundation of communism in this country. He tried to get at traitors of the Government who sold secrets to the Russian Government.

Some of his investigations did not get to the final conclusion but he did show up that there was rotteness among employees of the Government and there was rottenness in some colleges and schools where the teachers taught the principle of overthrowing the Government.

Senator McCarthy may not have been in the good graces of high Republican leaders, but he would never cringe to their pleadings. He was for America and American principles first and last, and nothing could deter him from his attack on influences that might destroy this country.

As time goes on and history is recorded, Senator McCarthy will go down as one man who has done much to preserve the stability and endurance of the United States.

[From U. S. A. of May 24, 1957]

THE TRUTH ABOUT MCCARTHY

Finally the truth, the whole truth and nothing but the truth has been told about Senator JOSEPH R. MCCARTHY.

Once told, the truth cannot be untold.

It is sad that often in the course of human events, truth is heard only after the quiet of the grave has silenced the tumult and the shouting of strife. It is entirely fitting that the truth about Senator McCarthy was told between the time of death and burial, by his self-styled "friend and colleague" Senator WILLIAM F. KNOWLAND, a man of integrity.

In a speech made to the American Jewish League Against Communism, May 5, 1957, Senator KNOWLAND said he knows for a fact that in the struggle to rid the United States Government and America of Communist infiltration, Senator McCarthy "would have preferred to fight quietly."

Senator KNOWLAND revealed what some people know and deliberately ignore—the fact that long before Senator McCarthy made any public speech about such Communist infiltration, he tried his level best in face-to-face talks with White House, State Department, and Congressional leaders, to persuade them to clean house.

The behind-the-scenes efforts of the junior Senator from Wisconsin were unavailing. His soft-spoken pleas fell on the deaf ears of little men in high places who had made and were making grave mistakes.

Spurned and frustrated, JOE MCCARTHY quit fighting quietly and did it loudly.

His tragic mistake was that he failed to gage properly the force of the greatest secular power on earth, the almost unbreakable monopoly of men's vested interests in their own mistakes.

The reasons for the easy gain of this monopoly power lie in two phrases: It is human to err. Vanity, all is vanity.

On the subject of communism—as McCarthy understood—erring is much too costly. Even the most innocent mistake about communism can cost our Nation its freedom.

All of us can once again learn a lesson from the truth about Senator McCarthy: It is human to err; it is brave to confess; it is divine to forgive. Unhappily, this is a lesson that many men, to whom the junior Senator from Wisconsin talked quietly at first and then loudly, do not seem willing to learn.

Locked away in steel cabinets on Capitol Hill are files and files of credible testimony about the Communist subversion of America. This testimony was given by patriotic citizens to the elected representatives of all the people for the benefit and safety of all the people.

This locked-away testimony—given to Congressional committees in executive session—is evidence of the fact that many Americans, like JOE MCCARTHY, tried to fight quietly against communism. The quiet suppression of this evidence is also mute testimony to the fact that the fight cannot be fought and won quietly so long as some influential men wish to bury their own mistakes in secret.

The only right way to bury a mistake is to correct it. Uncorrected mistakes live on and on, haunting those who made them.

The tragedy of McCarthyism is that it was both unneeded and needed—unneeded because senior officers of our Government should have heeded the quiet warning and pleas of the junior Senator; needed because only his loud outcry could bestir men deafened by the sound of guilty conscience pounding on the drums of ears soft-stuffed with fatuousness and vanity.

Senator JOSEPH R. MCCARTHY would have preferred to fight quietly. That is the truth. Another truth is that many of those who decried his methods forced them upon him.

McCarthyism is a Communist-inspired slogan first coined in the Daily Worker. Resurrected and put to proper use by patriotic Americans, McCarthyism can be a wining weapon against communism. Such a kind of McCarthyism must be of the kind that McCarthy himself would have preferred—the kind of quiet, deadly fight that spells the end of communism through a victorious cold war, not the strident battle that brings communism to its inevitable end in a hot war that is hell.

Whereas Senator JOSEPH R. MCCARTHY departed from this world on May 2, 1957; and

Whereas in recognition of his forceful fight against communism and all principles of communism during his years in public office; and

Whereas in recognition of his outstanding record of maintaining and advocating the highest principles of Catholicity at all times during his distinguished career in public office: Be it

Resolved, That Star of the Sea Council No. 371, Knights of Columbus, Bayonne, N. J., at its regular meeting on May 6, 1957, stand in tribute and silent prayer for the happy repose of his soul, thereby honoring the memory and distinguished works of an outstanding American Catholic; and be it further

Resolved, That a copy of this resolution be sent to the bereaved family of the late Senator JOSEPH R. MCCARTHY.

Whereas the Honorable Senator JOSEPH MCCARTHY has distinguished himself as a great American; disdaining all thoughts of personal gain or glory, he fought his own and others for justice and the American way. He was a scourge to all those who sought to undermine our Nation by force or by will. He was always a steadfast foe of communism and declared his principles forthrightly against any attempt at political hypocrisy: Now, therefore, be it

Resolved, That in grateful memory of his unselfish service to our country and to his gracious friendship to Dover Council 807, Knights of Columbus, a Requiem High Mass shall be said for the repose of his soul; and be it further hereby

Resolved, That a record of this resolution be spread on the records of Dover Council 807, Knights of Columbus, and a copy hereof be sent to his widow, with whom we join in our prayers, deep sympathy, and our everlasting respect.

Whereas the late Senator JOSEPH MCCARTHY, while accused of ruthless tactics and of smearing innocent people in his courageous and vigorous fight to expose subversives in Government service, was himself the victim of one of the most ruthless and vicious smear campaigns to destroy a man's character and his effectiveness ever waged in this country; and

Whereas the voice of Senator McCarthy has been forever stilled in death, yet his gallant efforts to prevent the betrayal of his country will live in the memory of the American people long after the names of his critics have been lost in oblivion; and

Whereas the censure of Senator McCarthy by his Senate colleagues, although a heartbreaking experience for him, reflects greater discredit upon the dignity and honor of the Members of that august body than upon the good of the man whom they sought to publicly humiliate; and

Whereas Senator GEORGE MALONE has announced that he will seek to have expunged from the CONGRESSIONAL RECORD the whole censure proceedings, including all debate and discussion: Now, therefore, be it

Resolved, That the Dallas County Patriotic Council heartily approves the effort of Senator MALONE to have the Senate make partial amends for the grave injustice done to a great American patriot and also commends radio commentator, Fulton Lewis, Jr., for his sponsorship of the Joseph McCarthy Memorial Fund; and be it further

Resolved, That copy of this resolution with a contribution to the McCarthy fund we sent to Fulton Lewis, Jr., and that copies also be sent to Senator GEORGE MALONE, to our Texas Senators, LYNDON JOHNSON and RALPH YARBOROUGH, and to Mrs. Joseph McCarthy.

Mr. THURMOND. Mr. President, I join with my colleagues in paying tribute to Senator McCarthy—a man whom I considered to be a great American.

I did not know JOE MCCARTHY personally until I came to the Senate in 1955. He was friendly and cordial to me at all times, and soon a bond of fellowship grew up between us. I felt a personal loss in his death.

Senator McCarthy was an advocate of Americanism and a foe of everything smacking of un-Americanism. Just as he served in the Armed Forces during World War II with courage and patriotism, so did he serve his country for more than 10 years in the United States Senate with ability and distinction.

He probably did more to call the dangers of communism to the attention of the average American citizen than any other person in an official or unofficial capacity. He made Americans conscious of the fact that communism is not only a foreign ideology but that it is also a real and present threat to our Government and our way of life. He made them realize that subversion had been refined into a science of destruction by the Communists, and that eternal vigilance was the price Americans must continue to pay for the protection of this Nation.

Even while performing such a gigantic service on behalf of his country, Senator McCarthy was often subjected to attacks as vicious as were ever launched against a public official in this country. But he was faithful to his duty as he visualized it. The attacks did not deter his efforts to arouse America to fight against the evil of communism.

When I think of Senator McCarthy and the trials he endured to carry on the fight in which he believed, I cannot but recall the words of Christ which were recorded in the 11th and 12th verses of the 5th chapter of St. Matthew. In those verses, Christ said:

> Blessed are ye, when men shall revile you, and persecute you, and shall say all manner of evil against you falsely, for my sake.
>
> Rejoice, and be exceeding glad; for great is your reward in heaven: for so persecuted they the prophets which were before you.

Mr. President, Joe McCarthy was a young man when death ended his career in public life. But he will be long remembered, and the future will honor him more than he has been honored in the past or the present. History holds a place for dedicated public servants, and Joe McCarthy was devoted to a cause on behalf of the people of this Nation.

I cannot stop without saying a word of comfort to Senator McCarthy's lovely and devoted wife, Jean. I am sure that her love and devotion inspired him, and gave him comfort in his darkest moments, thus enabling him to continue to fight for his beliefs when things seemed worst.

Mrs. McCarthy should be comforted in her loss by the realization that her husband placed duty above all else. Joe McCarthy could have chosen other courses, but he chose the hard course of doing his duty as he saw it.

Mr. CURTIS. Mr. President, it is with sad hearts that we, the colleagues of the late Senator Joseph McCarthy, speak in memory of him.

Millions of Americans followed the career of Joe McCarthy. They said to themselves: "Here is a man with convictions, here is a man who believes in America and everything it stands for. Here is a man who hates his country's enemies. Here is a man who is a fighter for the things in which he believes."

Volumes have been written about the official acts of our late and beloved friend. His official acts were for the lasting good of our Republic. Today I wish to speak briefly on the personal side of the life of Senator McCarthy. Prior to my election to the Senate in 1954 I had a speaking acquaintance with Senator McCarthy, but it was not my privilege to know him. It was after I had the privilege of working with him that I became acquainted with Joe McCarthy, the man.

As a member of the Senate Committee on Rules and Administration, I worked closely with him. There I found him to be friendly, soft-spoken, kindly, and courteous. He had affection for his friends. He was interested in them, and he was interested in their families and their children. He wanted to be helpful to his colleagues. When the present Congress was organized, Senator McCarthy insisted that he give up his ranking minority place on the committee and that I take it. There was no reason why he should do this other than that he wanted to. He felt it would be of help to me.

One also learned to know the real Joe McCarthy by visiting him in his home. It was a thrill to see him take his little daughter, Tierney, in his arms and show her to his friends. Little Tierney was more than his pride and joy. She was a great part of his life. She was the center of his hopes and dreams and his plans for the future.

Our words of sympathy, encouragement, and praise go to Mrs. Jean McCarthy. Her interest, devotion, and loyalty were great factors in the effective work of our departed friend. She shared his joys and his sorrows, his triumphs and his disappointments. She shared his love and dreams for little Tierney. The invitation for little Tierney to come into their home and be a part of the McCarthy family is typical of Senator and Mrs. McCarthy. It speaks a praise far greater than I can put into mere words.

Our thought and our prayers go to Mrs. McCarthy and Tierney for all the days that lie ahead.

Mr. MARTIN of Pennsylvania. Mr. President——

The PRESIDING OFFICER (Mr. Purtell in the chair). The Chair recognizes the Senator from Pennsylvania.

Mr. MARTIN of Pennsylvania. Mr. President, when the record of these difficult times has gone into history and the ominous shadow of communism no longer darkens the world, the name of Senator Joseph R. McCarthy will be in scribed high on the list of those who fought for human dignity—for the sanctity and freedom of the individual.

Joe McCarthy will long be remembered as one whose first objective was to protect the American Republic and our free institutions from the poison spread by Communist conspirators within our midst.

More than any other man, in or out of official life, he alerted the American people to the dangers of the alien doctrine which seeks to undermine and destroy all we hold sacred here in the United States.

Of course he made enemies. Everyone who has been aggressive and militant against communism has been the victim of vicious and unrelenting attacks launched by followers of the Communist philosophy. Joe McCarthy was no exception, and I call it one of his great virtues that he fought on with all his strength, courage, and vigor.

Senator McCarthy was the youngest of a group of 17 Republicans who came to the United States Senate together in the 80th Congress. In point of years, I was the senior.

In this group were Raymond Baldwin, of Connecticut; Henry Cabot Lodge, of Massachusets; James Kem, of Missouri; Zales Ecton, of Montana; and Harry Cain, of Washington.

Others, who are still serving with distinction in this body, are Senators Ralph Flanders, of Vermont; Henry Dworshak, of Idaho; John Williams, of Delaware; William Jenner, of Indiana; Edward Thye, of Minnesota; George Malone, of Nevada; Irving Ives, of New York; John Bricker, of Ohio; Arthur Watkins, of Utah; and John Sherman Cooper, of Kentucky.

As a member of this closely associated group, I had my first contacts with Senator McCarthy. We met once a week, for lunch or dinner. In these meetings we debated proposed legislation and many other matters having to do with the welfare of our country. Some were not far removed from their service in the Armed Forces in World War II. In our discussions the rising menace of communism was the frequent subject of discussion.

In one of our early meetings, some of my colleagues were kind enough to comment favorably on some rather pointed remarks I had made to a meeting of war veterans who had been misled into the Communist Party. These remarks were inserted in the Congressional Record by my distinguished friend, the Senator from Kentucky [Mr. Cooper], and I can say in all modesty, that my lesson in Americanism, delivered to these misguided young men, attracted worldwide attention.

I hope you will pardon this personal reference, Mr. President, but I like to think that my words made a deep impression on Senator McCarthy and had a part—perhaps only a small part—in arousing the militant spirit which he sought to expose the evil workings of communism and to crush its destructive influence.

Joe McCarthy has been called by divine providence to eternal rest. We mourn his untimely passing. To his lovely and gracious wife, Charity and I extend our deepest sympathy, with our prayer that she may find solace in the honored memory of a patriotic American who served his country and the world with unsurpassed courage.

Mr. BYRD. Mr. President, few men in the history of this Nation have been criticized more harshly than our late colleague, Joseph R. McCarthy, even to the point of censure; but I have never heard his patriotism, his family devotion, or his religious faith questioned or challenged.

These, indeed, are qualities of man to be cherished and remembered as we participate in this memorial to one who was twice elected by the people of a great American State to represent them in the Senate of the United States.

I deeply regret his untimely death, before there was time historically to evaluate his deeds. Meanwhile, it should be our purpose to seek understanding.

In appraising mankind, we do not expect to find perfection. But this can be said: Men of action exercise influence, and history is made by men with fighting spirit. Joe McCarthy was both.

Who knows the ways of providence? The sequence of events often surprise us. Frequently history is made with a mixture of necessity and liberty. Could it be that the great objectives of his principal work required practices he deplored?

Life itself is full of contradictions. It creates and destroys. It gathers and scatters. It affirms and denies; and it exalts and humbles.

Certainly, no one among us is entitled to crush all others. Each of us has something to learn from them. But it is necessary for us to remain true to our ideals, and to fight for our convictions. In a nation such as ours, there is a place for all.

No one can deny that JOSEPH MCCARTHY made errors of judgment. But, by the same token, no one can deny that he had a sincerity of purpose in undertaking to expose Communists at a time when some of those in power were not so alert to the great dangers of communism as they should have been.

There is no doubt that he transgressed the rules of the United States Senate. But, on the other hand, many Senators had a personal affection, as well as an admiration, for him.

For myself, I shall always remember and treasure our association and friendship.

He was courageous; he was deeply sincere in his ultimate purposes; and he had a great loyalty to his friends.

We must always have dynamic men among us; there will always be a mass of passive men to provide the filter for their excesses. JOE MCCARTHY was such a dynamic man. I am certain that his objective was to prevent our enemy from becoming our master. He has surrendered his soul to the Author of his soul, and I wish to pay my respects to him as an American who fought to preserve in his fashion what he believed to be the true principles of Americanism.

Mr. SCHOEPPEL. Mr. President, today the Senate of the United States Senate has seen fit to lay aside its legislative duties and to pay tribute to the memory of the late Senator JOSEPH R. MCCARTHY, of Wisconsin.

Many things have been said about Joe. Running through all the comments, made in his time, is the inference that Senator MCCARTHY was a controversial man. It has been said that this is perhaps the most ingenious approach which his enemies used in attempting to destroy him.

Mr. President, if honesty is controversial, then in truth, Joe was controversial, because he told the truth as he saw it.

If love of country is controversial, again the Senator from Wisconsin was guilty, because he dearly loved America and he was willing to pay any price in its behalf.

If love of God and implacable, uncompromising opposition to atheistic international communism is controversial, then again the late Senator from Wisconsin erred.

If indomitable courage in the face of overwhelming odds is controversial, the Senator from Wisconsin deserves the title.

If a determination to expose and to remove from public offices of trust, persons disloyal to the United States is controversial, this, too, must be added to the mistakes of JOE MCCARTHY.

Yet, as we meet today in the Senate of the United States, perhaps it is more fitting that we reexamine the things for which JOE MCCARTHY fought and died, and decide whether on these basic issues there is any ground for compromise, appeasement, equivocation, or even tolerance. Perhaps on this occasion, it would be desirable for many Americans to decide to become "controversial" for the sake of our country.

The future will record the struggle against evil which Senator MCCARTHY fought.

Will it be so kind with each of us?

Consider the Scriptures:

> A righteous man, though he die before his time, shall be at rest. For honorable old age is not that which standeth in length of time, nor is its measure given by number of years: but understanding is gray hairs unto men, and an unspotted life is ripe old age. Being made perfect in a little while he fulfilled long years: for his soul was pleasing unto the Lord.

Mrs. Schoeppel joins me in conveying our deep sympathy to all the members of his family, and to the friends of JOE MCCARTHY in the great State of Wisconsin and throughout the Republic.

Mr. MCCLELLAN. Mr. President, I wish to associate myself with the observations which have been made with respect to the late Senator MCCARTHY by Senators who have preceded me. I join with them in paying tribute to one with whom it was my pleasure and my privilege to be very closely associated in the work of this body during the entire 10 years or more he served in the United States Senate.

It was not my privilege to know JOE MCCARTHY until he came to the Senate in January 1947, but we were both assigned to the same committee. The committee then was the Committee on Expenditures in the Executive Departments. During the course of those 10 years of service in the Senate, Mr. President, we both remained members of that committee, even though its name has since been changed to that of the Committee on Government Operations. During his 10 years of service on that committee and on the subcommittee known as the Permanent Subcommittee on Investigations we worked and labored together. I may be mistaken, but I believe possibly I worked with Senator MCCARTHY more constantly than did any other Member of the Senate. It was there, Mr. President, that I learned to know him and learned to appreciate some of the fine qualities Joe had, and perhaps also to understand some of his faults, as we all have faults. It is known that during the course of those years there were controversies. The committee had difficult tasks to undertake, both when he served as chairman of the committee and also during the time I have served as chairman of the committee. But, Mr. President, I can say truthfully that while we sometimes disagreed on a method of procedure, there was never a personal difference between JOE MCCARTHY and me during the years we labored together. I do not recall that I ever said one word about Senator MCCARTHY, anywhere or at any time, that was not spoken in friendship and out of respect for him and for the work he did.

It has been said here that he was not the first to call the country's attention to the dangers of the Communist conspiracy. Mr. President, he may not have been the first, but no one warned and alerted the people of this country more effectively than did JOE MCCARTHY during the time he had the opportunity to guide the Committee on Government Operations and the subcommittee thereof, the Permanent Investigating Subcommittee. I admired JOE MCCARTHY because of his courage. He was a man of courage. No enemy can ever say otherwise. I admired him, too, Mr. President, for his independence. He was not a rubber stamp. He would call attention to the evils or to the things which were wrong in his own party, just as quickly as he would point it out if the error was being made by a member of the Democratic Party. I admired him, too, because he had deep convictions. He did not change his mind easily. Once he became convinced, he fought for his convictions.

Mr. President, I felt close to JOE MCCARTHY; and the best evidence of my regard and respect for him, I think, is the action I took when the select committee was created this year to investigate improper practices in the labor-management field. It will be recalled that there was a delay in establishing the select committee. During that period of time, when it was anticipated that I would be a member of the committee—the leadership of this body and other Senators will bear me out—I thought enough of JOE MCCARTHY's work, his capacity, and his ability, and my being able to get along, and work with him, and to get a job done, that I urged he be appointed to serve with me on the select committee.

Mr. President, I had the privilege, too, on that sad day, of attending the funeral of JOE MCCARTHY in Wisconsin. I have never seen a finer tribute paid to anyone than the tribute the people of his State paid to Senator MCCARTHY on that occasion. It made one who had the privilege of working with him in the cause of our country, and trying to serve our people, realize that JOE MCCARTHY was one who had left an abiding influence on his countrymen.

Mrs. McClellan joins me in extending our deepest sympathy to his lovely wife and all the members of his family.

Mr. JENNER. Mr. President, the story of JOE MCCARTHY will be repeated wherever the history of our time is discussed. JOE MCCARTHY lived his political career in the very storm center of the most insidious danger which has ever faced our country and the world.

This is not the time or the place to go into the political controversies which rent our domestic life into warring factions.

Our purpose here is to pay tribute to a friend and fellow Senator.

A little episode will give the quality of the man. A visitor to Washington was busy at a party, denouncing JOE MCCARTHY and all his works. When he finished, the guest he was addressing put out his hand with a friendly smile, and said, "I am JOE MCCARTHY. Let's talk it over."

JOE MCCARTHY was human. He had weaknesses, like all of us. When he was cut with knives, he bled. But he had a fighting heart. He fought the enemies of his country to the best of his powers.

But when men he admired seemed to desert him, his heart broke.

JOE MCCARTHY loved his country. He loved the State he represented. Like so many men who have fought in battle, he felt a sense of love and protectiveness for the younger men sent into new wars. JOE MCCARTHY did not end his service to his country when he took off the uniform, nor end his loyalty to our fighting men when he left the Armed Forces. It was inconceivable to him that mere boys should be sent into battle to fight Communists in Asia, while men in high office were unwilling to fight Communists at home.

JOE MCCARTHY loved the Senate. He respected and admired his colleagues, especially the men who served for years before he began his service with the postwar class of 1946.

When he entered this Chamber, to take the oath to support the Constitution; when he sensed suddenly, in the midst of the daily trifles, that the Senate was molding the law by which our Nation lives; when he looked, at evening, toward the dome of the Capitol against the sky, he felt a kinship with all the men who have served in Congress, with all the men who have tried in their separate ways to make America strong and free.

He was proud that he, a farm boy, had been chosen by his own people in Wisconsin to represent them in the Senate of the United States. At moments he must have thought, as we all do, that, if his father and mother could look down and see him, they would be happy to note what their son had done.

If Senator JOE MCCARTHY had been a petty or a vengeful man, he could have used the vote of censure to tear the Senate of the United States into bitter factions. But he understood the Communist mentality too well. He knew that was what they wanted, and what they expected. He would not injure the Senate of the United States, to get a little personal revenge.

Once the vote was cast, he asked nothing of his supporters. He turned a smiling, friendly face to his traducers. No man in public life has been more shamefully maligned. For the first time in our history, I believe, the meanness of his enemies pursued a man beyond the grave.

We misunderstood his gentleness. We did not know his heart had broken. We did not know the mainspring was gone. Nothing could erase from his memory the fact that friends and colleagues, all patriots and men of good will, had voted to censure his conduct as a Senator. For what reason? Because he believed Communists should be driven from high places of honor and trust in the United States.

JOE MCCARTHY was vindicated again and again. Even the Internal Revenue Service proved the dishonesty of the petty personal charges brought against him, by returning taxes he had overpaid.

But when the months dragged by, with no effort by his colleagues to rescind the cruel misjudgment they had placed against him, his tired heart could bear no more.

There is only one service we can do now for JOE MCCARTHY, one recompense for what he suffered. We can each make a solemn vow to understand the danger that faces our country, and take up the burden that has fallen from his hands.

Senator MCCARTHY believed in what the Communists sarcastically call the conspiracy theory of history. We know well the evidence that the Communists are trying to conquer the world, by conspiracy if possible. Karl Marx turned his own venomous hatred of his own country into the doctrine that the proletariat of the world should make war on patriots of all countries and destroy all nations. Lenin remade Karl Marx's doctrine of open war into a plan for secret conspiratorial assault on the peaceful governments of other countries. Out of the hatred and frustration of the oppressed in Imperial Russia, Lenin fashioned his strategy for turning the discontented into a secret order, dedicated to destroying all peaceful nations by subversion.

Forty years have passed since the Russian Empire collapsed, but the Communists still use methods derived from the conspirators who fought the might of the czars and their secret police. Stalin consistently proclaimed his devotion to the same corrupt and poisoned doctrine, born in the garrets and Siberian prison camps of czarist Russia.

Khrushchev has said only recently that the Communists would adhere to that doctrine of violence and hate, until shrimps learned to whistle.

Why was it wrong for JOE MCCARTHY to believe Lenin and Stalin and Khrushchev? Can anyone offer one single bit of evidence to discredit the statements of these highest Communist authorities that they still intend to remake the world by secret conspiracy? Can any man, of even moderate intelligence, believe they intend to subvert the world, but spare the United States?

The active fight against communism has receded since Senator MCCARTHY was censured for daring to bring the fight to the people. But the danger is still as great as ever. Khrushchev himself has told us so.

The burden of postwar fatigue lies heavy on Americans, as it does on the people of the rest of the world, including Soviet Russia. Wars have become too heavy for mortals to bear. Nearly all nations have suffered a loss of political vitality.

We do not have the fresh confidence that JOE MCCARTHY had, when he came new to the struggle with communism. But battle fatigue does not mean political impotence.

We are not ready today for a new crusade against communism. But we can do something much simpler. We can each of us, as individuals, show utter contempt for the Benedict Arnolds who have betrayed us.

The American people know who are the men who have bowed to Communist pressure. We do not need any legal briefs or court procedures. We need only a healthy political instinct for survival.

Let us—each of us—here resolve that we shall never again have any dealings with any one in public life who has gained office or wealth or influence by catering to Communists or their well-disguised pressure groups.

Let us not smile at them or touch their hands or tell them of our thoughts or listen to theirs. Let us not do business with them. Let us include them in no act of fellowship.

No American is too busy or too tired to choose nonintercourse with all cynical collaborators with communism, as we would refuse our fellowship to Benedict Arnold if he were in our midst today.

I say that JOE MCCARTHY terrified the Communists because their hold was weak, not strong. I say the Communists, as such, have no real power to destroy our country, dangerous and destructive as they are. The alliance of the Communists with the ambitious and the timid is the only danger to America. If we break that alliance, if we end all the political advantages of collaboration, victory will be certain.

JOE MCCARTHY believed that no Communist, no pro-Communist, no person soft on communism, no one who had made a deal with communism has any right to a place in the American Government or in any position of trust or leadership over the American people. He believed there is no place for any pro-Communist anywhere in our Military Establishment, where he can betray our fighting men. He believed there is no place in either of our great political parties for the mean-spirited connivers and makers of deals, who were willing to see America destroyed, if they could gain a little political advantage.

We can best pay our debt to the memory of JOE MCCARTHY, to the other Americans who have suffered in the fight on communism here at home, and to the men who lost their lives in open war against communism in Korea, by cleansing America of every last remnant of unclean Communist thought and vicious Communist power, until our country shall achieve a new birth of freedom out of the fires of that conflict in which JOE MCCARTHY, of Wisconsin, laid down his life.

I know the American people will never give up the fight. There is no decadence in our people, only in our institutions. As the Chaplain of the Senate said, when we met here to hold the final services for Senator JOE MCCARTHY, the Members of Congress are the watchmen on the city walls, whose duty it is to warn the people before the danger strikes. One of the watchmen has fallen. The task falls on us, his colleagues, to stand guard until all danger to our country is ended.

Mr. REVERCOMB. Mr. President, the Senate lost one of its able Members and the Nation lost one of its great patriots in the untimely death of Senator JOSEPH MCCARTHY on May 2, 1957.

His passing removed from the Senate one of the most courageous men ever to sit in the halls of Congress, and from the American scene a man who, in my judgment, was motivated by a deep sense of patriotism and love of country.

It will remain for historians of the future to evaluate objectively the great service he performed. But certainly he, more than any one else, was responsible

for breaking down the doors behind which communism was hiding in our country. Certainly he did more than any one else to awaken the American people to the extensive spread of this insidious danger.

His bold and fierce campaign to expose Communist infiltration of our institutions brought him into controversy with his own countrymen, perhaps sometimes unnecessarily so. No one, however, can doubt the patriotic objective of his aggressive spirit or the effectiveness of his work. He was a patriot; he loved his country, and he constantly sought to protect it against a danger that, with all its subtleness, was far more real than most Americans imagined.

It is a well-established fact that the main controversy that raged around the name of JOSEPH MCCARTHY was the very nature of the international conspiracy he sought to expose. Communists and their sympathizers have missed no opportunity to defame those who seek to expose their subversive activities. Moreover, those who would overthrow our form of government and destroy the American way of life have long resorted to every means known to man to undermine our institutions. This being the nature of the menace with which Senator MCCARTHY came to grips in 1950, it is small wonder that he became the central figure of a controversy that was to stir all America.

Mr. President, is it not a fact that in the history of this world many, if not all, the great men who have achieved so much for mankind have lived in the storm of controversy?

Senator MCCARTHY came upon the scene at a time when communism was making its greatest advances toward world domination. He entered upon the national scene at a time when subversive influences in American institutions and even in the agencies of Government had reached dangerous proportions. It is my conviction that had it not been for JOSEPH MCCARTHY'S unrelenting campaign against this international conspiracy, communism would be in a far stronger position in this country today. This awakening of Americans to the danger within our borders was, in my judgment, as necessary to our security as the system of defenses we have provided to protect our country against enemy attacks from without. Many today recognize and more later, will recognize the treacherous nature of the menace he sought to expose and the difficulty in bringing into the light the activities of subversives. The extent to which Senator MCCARTHY succeeded in doing this is an achievement which will loom larger in the public mind as the nature of this evil force becomes better understood. The danger from international communism is by no means past. Indeed, its menace to the peace and security of free peoples everywhere is the greatest problem of the Free World today. But we are in a better position here in the United States to meet that danger because of the service performed by JOSEPH MCCARTHY.

Today I pray that every comfort and strength may come to his lovely and brave wife and to the members of his family.

I have spoken of the courage, boldness, and strength of JOSEPH MCCARTHY. Like others, I pay tribute to the gentleness of the man himself, which was known to those who have been in his home, as I have been.

My wife joins me as I express upon the floor of the Senate my sympathy to Mrs. McCarthy and to their daughter Tierney.

JOSEPH MCCARTHY now rests from his heroic labors. His patriotic spirit, however, will live in the hearts of his countrymen as long as they, too, shall defend this beloved country.

Mr. EASTLAND. Mr. President, JOSEPH R. MCCARTHY was a man possessed of great courage and deep and abiding convictions. He had for his country a passionate love—and devoted patriotism. This was coupled with stern determination to render service commensurate with these great driving forces.

He entered the scene of our national life at a time when the world became divided into two great camps of conflicting ideology. During World War II, Soviet Russia was engaged in combating some or all of the enemies that were alined against the Allied Powers. The great menace of modern communism was not apparent until after the end of hostilities.

The Free World full well realized the necessity and has met the responsibility of maintaining a Defense Establishment of sufficient strength to defend and protect against possible and potential Soviet military aggression. Did it then realize, and does it now realize, that the Trojan Horse, the secret weapon, in the Communist arsenal of aggression is infiltration within the free state, espionage, and the blinding and subversion of the minds of men? JOE MCCARTHY'S answer to this profound question was a resounding "Yes." He then devoted his life to the high purpose of exposing the internal manifestations of the Communist conspiracy in all of its ramifications.

No man in this decade has been the fulcrum of such controversy as that which swirled around the figure of our deceased colleague. Because his goal and purpose could never be subjected to valid criticism, his enemies and detractors concentrated on decrying his methods.

Mr. President, in my judgment, JOE MCCARTHY has made a real and lasting contribution toward the preservation and perpetuation of the Free World in his fight against the menace of internal subversion. His death was as much that of a soldier fighting in the ranks for human liberty and eternal truth as if it had occurred on the field of battle and been inflicted by bullet, bayonet, or shell.

He passed on in the prime of a vigorous and useful life. We who came into intimate contact with him can testify as to his great and generous heart, his affable nature, and his love and devotion to the principles he cherished.

To millions who mourn his death, JOE MCCARTHY'S life and works need no vindication and no justification before the bar of ultimate justice and the throne of his God. His heart was pure; his purpose was noble.

When the sound and the fury of the present and immediate past have faded into the recesses of time, history will write for him the final verdict, and his name will be blessed in the hearts and minds of free and liberty loving people as long as the light of Western civilization shines on this earth.

Mr. MARTIN of Iowa. Mr. President, throughout most of my adult lifetime I have observed the sinister efforts of some subversive interests to undermine, weaken, and destroy our great Government through infiltration or any other means.

As a Member of the House of Representatives in the 83d Congress, I followed with special interest the work of the Senate Permanent Subcommittee on Investigations, and during that period the dedicated devotion and service of its chairman, Senator JOSEPH MCCARTHY, was most impressive.

Senator MCCARTHY has done more than any other man in my time to arouse America through the exposure of these subversive elements. Long after his associates in the United States Senate have passed from public life, the work of Senator MCCARTHY will live on indelibly in the minds of all Americans. Because of his great service I am reassured of our better ability to stand alert and more firm against such destructive forces.

America will forever pay homage to the memory of Senator JOSEPH MCCARTHY.

Mr. DIRKSEN. Mr. President, as one grows older I think he becomes more acutely aware that the shadow of human, mortal dissolution is always walking with him. Therefore the passing of a friend becomes a rather sobering experience. It becomes an even more sobering experience when the one who passes is at his prime, and is still a young man.

Mr. President, it was a sobering experience for me when I stood on the hillside above the banks of the placid Fox River, with the wind whispering in the trees, the outdoors like a great cathedral, and there, with other Senators, paid the last tribute to our colleague, Senator MCCARTHY.

As I came away I thought, he was only 48 years old. On the plane returning to Washington there first came into my mind a line one frequently reads in Scriptures. It refers to an individual and the length of his days. Then I thought, What is the worth of a person's days? After all, the length of one's days is not so important. What is important is the worth of one's days, when he is here, measured in terms of achievement and what he has done for the enrichment of mankind.

I believe, first of all, that the events in the life of JOE MCCARTHY tell in a large measure the story. He was the youngest circuit judge ever elected in the State of Wisconsin. He left the bench to enter the Marine Corps. How many judges leave the bench to don the uniform and serve their country? He returned, after 3 years of military service, and his neighbors, those who knew him best, reelected him to the circuit bench.

He then engaged in a very spirited contest for the Republican nomination to the United States Senate. It was a spirited contest, because the principal contender against him was the son of a man who had come to Congress in 1885, and who had left his name and his record upon the parchment where is inscribed the history of this Republic.

JOE MCCARTHY was successful, and he was elected to the Senate. Then he was reelected by the people who knew him best, his countrymen in the State of Wisconsin. That speaks eloquently for JOE MCCARTHY, because I think therein is testimony to the qualities that shine and that have enshrined him in the hearts of so many Americans.

Certainly when the icy finger touched him, and all that was mortal came to an end, it was no morbid curiosity which brought those throngs to St. Matthew's Cathedral for high mass the morning of his funeral. It was no curiosity that filled the galleries of the Senate with people on the day when the Senate paid tribute to him. It was no curiosity which made people line the streets and highways as the senatorial contingent motored from the airport to Appleton, particularly as it passed through Grand Chute, the little village where JOE MCCARTHY was born. Certainly it was no curiosity which filled the town of Appleton with people from everywhere to pay honor and tribute to a great American.

There had to be something to explain these outpourings. There had to be something impelling, and there was something impelling. The Senator from South Dakota [Mr. MUNDT] referred to the first of the attributes which characterized JOE MCCARTHY, which was the attribute of loyalty and devotion.

JOE MCCARTHY held up his hand twice, before he became a judge, when he took the oath to defend the Constitution and uphold the laws of the country, and swore allegiance. He had to hold his hand up twice in the Senate to take the oath to uphold and defend the Constitution against all enemies, foreign and domestic. That is the oath we take, Mr. President. It is a solemn oath, indeed, to support and defend the Constitution of the United States against all enemies, foreign and domestic.

Perhaps those are mere words to some people. They were not so to JOE MCCARTHY. To him the oath constituted something more than a mere form. He accepted it as a doctrine. He accepted it as prescribing a duty to be performed. He accepted it as a direction.

Probably no other Senator in the last 50 years more literally, more definitely, and more affirmatively articulated the oath we find in the Senate rules than did the distinguished former Senator from Wisconsin, JOE MCCARTHY.

Why was that so? It was because of his loyalty. When I was a student at college I read the great commencement address by Josiah Royce, professor of philosophy at Harvard. The title was "Loyalty." I have not examined that speech for 20 years, but I know he defined loyalty as a thoroughgoing voluntary enthusiasm for a cause.

JOE MCCARTHY had a cause. The cause was this Republic and its perpetuity. That was what impelled him onward. What he did was voluntary; he did not have to do it. He did not have to accept "The slings and arrows of outrageous fortune," as Shakespeare has put it. He could have coasted; he could have been a conformist; he could have kept his eye always on his constituency and the next election. But he was not impelled to do that. What he did was of his own volition.

Is there anyone who will deny that he was thoroughgoing? Exclusive of everything else, he devoted himself to the business of finding the enemies, foreign and domestic, who were threatening the perpetuity and the life of this Republic. His was an enthusiastic devotion to the cause.

I knew him intimately. I lived with him in those quiet hours and in those days when he referred to me as his advocate and his lawyer. I knew him, and I knew the loyalty which was in his heart.

When we spent 7 weeks under the lights in the Army controversy, almost every evening he would come to my office and would say, "You are my lawyer. What do I do?" Then often I would scold him—kindly, of course—for any mistake which might have been made or for something which had transpired that day.

But over and above everything else, as I knew him so intimately, I discovered in him that shining loyalty which carried him on. He sensed a drift in the world. He sensed conspiratorial influences in our own country. He sensed the relentless drive of the enemies of his country and the skill with which they carry on. So he alerted his country and warned the people of the United States. It was dramatic, in a way; yet the ordinary daily work was so frightfully undramatic. It was hard business amassing evidence and testimony which might be presented to the committee, so that those who were the enemies of the country might be brought into the light.

What was his reward for this loyalty? Oh, the contumely which was heaped upon him, the imprecations which were hurled against him; the vindictive fury which was unleashed against him; the vilification with all its bitterness which was poured upon him. Yet there was a humility about him.

Never, in all the days I knew JOE MCCARTHY, did I hear him scold or point a finger of accusation against a single Member of the Senate after the censure resolution was approved. I remember the night when I tried to defend him in my humble way.

I thought that perhaps even in the humblest person what had happened might excite in him some unkind feelings toward his colleagues. But I never heard JOE MCCARTHY complain or protest against a single Member of the Senate, including those who initiated the action which eventuated in the censure resolution.

So what was the constant force which carried him on? It had to be loyalty, because there has to be some inner drive, some strong voice, to make the most rugged and robust person stand up under such difficulties. Certainly harsh criticism was heaped upon his head in those days. So loyalty was the word of his day.

Then there was that other attribute to which the Senator from South Dakota [Mr. MUNDT] referred—courage. There is the heroism of the battlefield and bravery in the face of danger. Then there is the courage of the commonplace, which is the most important attribute of all. It is the courage in daily life, in the rather neurotic existence through which we pass, when we meet the problems which arise, and meet them courageously.

It takes courage to pursue the enemies of the Republic. It takes courage to probe in dark places. It takes courage for a man to stand up with his chin in the air, when he knows there is an organized effort to destroy what he is trying to do in the interest of the Republic. That is the courage of the commonplace. That is the courage by which we shall be measured.

I have often wondered whether I would have done what JOE MCCARTHY did. I have some doubt about it. I think in moments I would have quailed. I am afraid that in moments when the load became so heavy and the fury so great, I might have faltered. He did not falter under any attack. He did not falter under any assault of character which was made upon him, day after day. He had the courage to withstand the attacks. He excelled in the human attributes of loyalty and devotion to his country, and had the courage to express and articulate his devotion in every day life. That is the courage of the commonplace which marked the public service of JOE MCCARTHY.

Finally, when we say a man is a fighter, we say much. In The Revelation it is written—and it is a great line—

> I know thy works, that thou art neither cold nor hot: I would thou wert cold or hot.
>
> So then because thou art lukewarm, and neither cold nor hot, I will spue thee out of my mouth.

That is what St. John the Divine wrote in The Revelation on the little island of Patmos centuries ago. There it is. Be either hot or cold. JOE MCCARTHY was affirmatively on the side of the Republic. There was no neutrality about him. He was positive, and he was combative.

When he was in the hospital while the censure resolution was before the Senate, and he had his arm in a cast, I visited him several nights. But I remember the night in the hospital, after I had spent hours drafting the text of three different letters addressed to the President of the Senate, letters which I thought would be helpful. That is what a defense counsel does as a part of the defense. So I sat with JOE MCCARTHY in the hospital, and he had his arm propped up.

I said, "Joe, make it a little easier, because this is a rough go, as you know. I will do the best I can. But look. I have a letter. I am going to read it to you. I want you to sign it. I think it will make the job a little easier."

We visited after I read it to him.

"No," he said; "I guess not."

I read the second draft. I read the third draft. Finally he looked at me with that interesting little twinkle and little smile which he had and said, "No, Ev, I can't sign it. They might think I am going to crawl."

That was his language.

So we can see that in the face of impending danger he did not quail. He resisted every persuasive effort I made to get him to sign the letter, so I could use it in his defense and read one of the letters to the Senate. But he would not do it.

He said, "I will never let them think I would ever crawl."

That is the heart of a fighter. That was loyalty to the course he was pursuing. That is the courage to follow through, to ask no quarter, and to give no quarter.

Mr. President, if you wonder why throughout this broad land he is enshrined—and he is enshrined—I think 250,000 letters came to my office when he was sitting under the lights in that controversy. There were 150,000 which my staff could not even answer.

I know of the telegrams and I know of the letters that came from people in every State of the Union. At all hours of the day, from early in the morning until late at night, my telephone was ringing with calls from New Mexico, from Texas, from Connecticut, from Illinois, from Wisconsin, and from California, as long-distance telephone calls on this subject came from people who were interested, people who were evaluating a fighter with a loyal heart, with consummate courage, and with a great and consuming devotion to the public.

Mr. President, what is the monument to him? It is not in the feeble words we utter, which will pass on the afternoon breeze. But, rather, it is in the living, pulsing shrine of hundreds of thousands of hearts in America, as attested to by the letters and other expressions. No such pulsing monument, no such living shrine, will ever be erected in the slightest degree to those who hurled their vindictive shafts at him when he was still alive.

So, Mr. President, today we testify to a great fighter, a man of devotion, a man of courage, who was so untimely taken from the public and from this body—JOE MCCARTHY.

As for Jeanie, with the same militant courage she stood by his side and bled with him. Some of the snide articles which were written would make many persons quail. But she never quailed, and neither did he. So she keeps the vigil to his memory, in the interest of this Republic.

Mr. President, a great servant has gone.

As the wind caresses the trees in the great cathedral over the placid waters of the Fox River, I believe it will waken living memories of a man who served his country well—as a judge, as a marine, and as a public servant—fighting for the perpetuity of this Republic.

Mr. ANDERSON. Mr. President, no Member of the Senate will fail to recognize that in the passing of the junior Senator from Wisconsin, JOSEPH R. MCCARTHY, the Senate has lost one of its strong figures.

JOE MCCARTHY was a man of unalterable convictions, to which he clung tenaciously, and which he expressed in picturesque prose in public and in private discussion, as freely off the floor of the Senate as on it.

Generally, I neither agreed with his manner of expression nor subscribed to his selection of sentiments. But I never failed to understand where he stood; and that steadfast quality of heart and mind is, I believe, of some value in this Chamber and to the American people.

To me, it is a matter of regret that he should pass away early in his career, at an age where he could more completely have devoted his energies to the problems of his State and to his particular interests in the greater welfare of the Nation.

Mr. President, the junior Senator from New Mexico had seen him many times when his relationships with his colleagues were more cordial than they were in his later years; and therefore the Senator from New Mexico can testify to JOE MCCARTHY's joy in friendly association with his fellow Senators, and can say to his wife, Jean, to his family, and to his friends that his absence from this body will be lamented through the years which lie ahead.

Mr. COTTON. Mr. President, during the 2 short years I served in this body with the late Senator MCCARTHY, of Wisconsin, I conceived a warm regard for him as a man, and a sincere respect for him as a fearless and fighting Senator.

With all the other Members of the Senate, I mourn his loss, and I feel the deepest sympathy for his family.

However, my brief association with Senator MCCARTHY might not have justified my participation in this memorial service, except to be present and to give my respectful and reverent attention, were it not for the fact that it is my privilege to read to the Senate the statement of one of Senator MCCARTHY's closest and most loyal friends, my colleague, the senior Senator from New Hampshire [Mr. BRIDGES].

Senator BRIDGES is unable to be present, because of illness. However, he was not content simply to have his statement inserted in the CONGRESSIONAL RECORD. Instead, he wanted it to be read at this time.

Therefore, Mr. President, I now have the privilege of reading to the Senate the tribute of Senator STYLES BRIDGES, of New Hampshire, to his friend, JOE MCCARTHY.

STATEMENT BY SENATOR BRIDGES

Millions of Americans from all walks of life bowed their heads in prayer and sorrow when Senator JOSEPH MCCARTHY, of Wisconsin, passed on unexpectedly on May 2, 1957.

In the 10 years that he represented the State of Wisconsin in the United States Senate, he did more than any other person in this country to bring about a public awareness of the dangers of communism and the spread of communism within our borders. He waged a long fight, terminated only by his sudden death, to preserve the freedoms which our Founding Fathers gave us and which are being threatened by the hostile and insidious efforts of an unfriendly nation to undermine them.

JOE MCCARTHY was a fighter and a great American. He fought hard for what he believed in and for what he believed to be right. He placed the welfare of his country above all, and the courage and loyalty that he demonstrated to protect our American way of life and our republican form of government will be greatly missed.

By spearheading the alert to our Nation of the grave menace of the Communist conspiracy, JOE MCCARTHY performed an invaluable service. His stature will grow with the passing of time; and, like other great Americans who preceded him, his patriotic endeavors will become more truly realized and appreciated as the years go by.

During his 10 years here in the Senate, Senator MCCARTHY demonstrated the same ability and determination which marked his entire life. Although his parents provided him with a good home, he refused financial assistance from them while in college and law school, supporting himself every cent of the way. Four years after graduation, the people of Wisconsin elected him to a judicial post. In 1942, he voluntarily enlisted in the United States Marine Corps, where his ability was recognized by elevation to commissioned rank. Such was the forceful ambition and determination of this man.

I had a great deal of contact with JOE MCCARTHY during his service here in Washington, and had ample opportunity to assess him, both as a legislator and public servant and as a man. He measured up on both counts, and I shall always be proud to have known him as a close friend.

Warmhearted and generous to a fault, he was at the same time a relentless fighter, firm in his belief that all Communists within our shores were traitors. Though his enemies—and they were many—sought to pervert and disgrace his motives, he never permitted these attacks to deter him. I doubt that any other man in modern times has been more admired and more vilified at the same time. But neither slander nor scorn, prestige nor influence could make JOE MCCARTHY swerve in the least. His unexpected death has lost to this Nation a great champion of liberty and the American way of life.

As do others, I still find it difficult to accept the fact that JOE MCCARTHY is no longer with us, to come to the realization that he has been called to rest. Many fine articles have been written and many prayers uttered since his death, but the words which touched me perhaps the most were contained in a prayer delivered by the Reverend Donovan Palmquist before a joint assembly of the Wisconsin Legislature. Reverend Palmquist said, in part:

We thank God for the life of Senator MCCARTHY and for his contribution to the American way of life. We thank Thee for him as a fighter of communism, defender of free speech, and as one who was concerned about the needs of people—not only in Wisconsin but throughout the Nation and the world.

No more simple and yet eloquent epitaph could be written about Senator JOSEPH R. MCCARTHY.

Mrs. Bridges joins me in expressing once again our deepest sympathy to his widow, Jean McCarthy; to their daughter, Tierney Elizabeth; and to all the other members of the McCarthy family.

Mr. STENNIS. Mr. President, I came to the Senate in November 1947, less than 1 year after JOE MCCARTHY arrived here as a new Member of this body.

One of the very first things I remember about him was that I recognized him as a man of tremendous energy. In the short period of time he then had been here, he had already well worked his way into the program and the activities of the Senate, and he was tremendously interested in what he was doing. I recognized in him a very fine capacity for work and for understanding and for wrestling with public problems; and I saw in him, too, as I came to know him better, a man who had no sense of fear, a man of great courage and very sincere convictions.

In his later years I was attracted to him through his intense interest in humanity and his consistent and unvarying kindness, not only toward his colleagues, but toward everyone, not merely toward those who could mean something to him, so to speak, but he seemed to me to have a consistent kindness toward everyone—a fine human trait. I was very much interested in seeing an expression of that quality in the decision made by him and his devoted wife to adopt a little girl, Tierney Elizabeth, who meant so much to him and to her. In one of our last conversations—all our conversations were pleasant—I had an opportunity to talk to him in a personal way, it was about that little girl, to whom he was so devoted.

I served on the Appropriations Committee with Joe. As someone has said, everybody liked to call him Joe and to hear his genial and fine response. We sat opposite each other for a good long while across the Appropriations Committee table. However we may have differed on matters there or elsewhere in the Senate, that never made the slightest difference in his cordial and sincere greeting to me. He showed a broad, big nature, and a very fine attitude toward his own public duties and toward what others might consider their public duties. I genuinely appreciated such an attitude, and was always very glad to see him. I think every member of the Appropriations Committee was glad when Joe arrived at a meeting. When he came into the committee room he always had under his arm or in his hand a memorandum, and he always had something to say that was lively and to the point. He was always well prepared on his subject matter. I think he made a very fine contribution to the Senate and to the country.

In his very sincere and very devoted fight on communism, a fight for what he believed in, he was fighting primarily for Americanism. We have all read of the many activities in which he was engaged and of the matters brought out in the investigations which he conducted. I know he was devoted to the cause of Americanism and to his duty, and I know he repulsed those who might come to him, in a friendly way, and suggest side journeys. He would always turn such suggestions aside and keep his eye on his mission. He felt that was his cause, and he represented it well. I commend his memory for that striking and outstanding trait.

Along with what I believe is the sentiment of every Member of this body, certainly of those who served with him, I sincerely mourn the passing of JOE MCCARTHY from our midst and from the active work he was doing. I sincerely appreciate the fine contribution he made. I extend my heartfelt sympathy to his wife and his family.

Mr. BARRETT. Mr. President, I again wish to express to his wife Jeanie and to the family of JOSEPH R. MCCARTHY my deepest sympathy at his untimely passing. No man can question JOE MCCARTHY'S patriotism and his intense loyalty to his beloved country; and when the verdict of history is rendered it will be recorded that JOE MCCARTHY'S burning desire was the welfare of his country.

He fought with vehemence those who would destroy the institutions which we love and cherish. He was a man who acquired and held strong and fast friendships, and who at the same time incurred bitter enmities. He was a fine and loyal friend, a great and devoted patriot, a fearless and courageous fighter, and a great American. His memory will be enshrined in the hearts of all true Americans.

Mr. PASTORE. Mr. President, it was not my privilege to know intimately the late Senator JOSEPH R. MCCARTHY. Our political parties and our Senate duties often traveled in different paths, but surely no one could serve here and not come to recognize the firm convictions which were his and which distinguished him in the minds and the hearts of untold millions in our land.

His church and its hierarchy paid him great tribute on the occasion of his funeral when many high dignitaries of the Roman Catholic Church attended the requiem mass and prayed for the repose of the soul of our late departed colleague.

The courage of his convictions has left its imprint on the American political scene, but, most important of all, is the devotion and the love that he was able to inspire in his own household. I do not know Mrs. McCarthy. I have never had the honor and the privilege of meeting her, but, in my humble opinion, Mrs. McCarthy exemplified in its truest and finest form the devotion of a good wife and good mother.

I extend to her and to all the members of the McCarthy family my deepest sympathy, and, finally, for JOE MCCARTHY, may his soul rest in peace.

Mr. CASE of South Dakota. Mr. President, when one thinks of a man's life, he thinks of its total impact. I recall hearing, some years ago, a minister deliver a sermon in which he used the illustration of a river moving to the sea. He said that as one stood on the banks above the river, he could look down at a piece of driftwood on the surface of the water. At times the driftwood might be tossed about. At times it might be pulled into the swirling eddies of the stream or move in the current drift of the stream. But when one raised his eyes and followed the course of the stream, he noticed then that the inevitable force of the stream was to move toward the sea.

So I believe when one thinks of a man's life, one feels the impact of it by noting the total trend of it. Certainly the life of JOE MCCARTHY was one of devoted loyalty and of rugged fighting for the country which he loved.

As I have sat in the Senate today and heard the many tributes offered by Members of the Senate, some of whom knew him closely, some of whom did not know him so intimately, it has seemed to me that the spirit and the personality of JOE were practically recreated here for us.

As I listened to the eloquent Senator from Illinois speak of the many, many people who walked in the line of the funeral cortege, and the many, many people who came to the church, I was reminded of the evening I visited the funeral parlor downtown, when I was impressed by the many-blocks-long queue of people who came, not out of morbid curiosity, as the Senator from Illinois so well stated, but out of respect for the personality of a man who impressed himself upon our times as few other men have or ever will.

I suppose it is inevitable that today and during his lifetime the commentators on the life of JOE MCCARTHY should seek to interpret everything which happened with reference to him in the light of his dominant passion or the thing which dominated his life—and certainly his fight for his country and his fight against subversive elements dominated his life.

When historians examine the record, however, I hope they will note that when the Senate itself, by circumstances which are certainly not the choice of very many of us, was forced to consider incidents in his life, the resolution which was finally brought to the Senate eliminated every count which was based upon or related to Senator MCCARTHY'S fight against communism. The action of the Senate was not anything which anyone connected with it welcomed but, such as it was, it did not relate to and was not based upon any criticism of JOE MCCARTHY'S rugged and unrelenting war on communism.

As has been previously stated, it was difficult for Joe to retreat. In fact, he never did retreat. For that reason it was difficult for those of us who liked Joe and admired his basic work to help him in some of the trying spots in which he was placed.

I am not surprised, although I had not heard the story, to hear of the three times Joe refused to sign the letter which his so-called counsel had prepared for him. It is not difficult for me to realize that Joe would say that he could not do anything which would make it seem that he was crawling. I can understand why Joe took that position. I know I myself tried in my feeble way to straighten out some things, and I know the difficulty I encountered. I

think I respected Joe for the very fact that, true to his character and true to his methods, he felt he could not say something which would be interpreted as a retreat.

So his life went on. The total impact of it on our generation can never be obliterated. His name and the memory of his work will remain when most of us have been completely forgotten.

In addition to the impact of his life, I like to think of JOE MCCARTHY because of his personality. I doubt if there has been or is any Member of the Senate I have known or now know whom visitors to the Senate possessed such a great desire to see and to meet. No Member of the Senate has ever been more generous, within my knowledge, of his time and strength in meeting people who wanted to meet him. He was particularly tender when a child wanted to meet him or shake his hand. He always had a winning smile, and somehow the warmth and intensity of his personality seemed to be communicated to those who met him.

Personally, I shall always appreciate his generous understanding of the technical position in which Members of the Senate may have found themselves upon various occasions, but I shall not remember him primarily for that. I shall remember him primarily for his great devotion to his country, for his uncompromising fight for his country as he saw the situation. He made a great contribution to the Republic in which he lived. That will be his real monument.

Mr. HICKENLOOPER. Mr. President, I served with JOE MCCARTHY in the Senate for about 10 years. In that time I came to know him rather intimately. During that period I developed a tremendous admiration for his courage, the intensity with which he defended his convictions, and the vigor with which he met the onslaughts of his detractors and those who would destroy him.

I do not know that the matter has been referred to in the statements which have been made this afternoon, Mr. President, but in any event for a moment, because I had some connection with them, I wish to review some facts of history, which, strangely enough, the channels of publicity have never explored fully or developed completely, although the facts have been known.

One might say JOE MCCARTHY first sprang into the limelight of national attention, perhaps, in his fight against subversion and subversives in this country, with a speech I believe he made in West Virginia, in which he made reference to the fact that there were subversive elements in at least one of our great departments of Government. It was a speech which received a great deal of attention and one which caused much apprehension and concern on the part both of those who loved our country and those who felt, on the other hand, that they might be exposed for their subversive activities. It was given sufficient attention to lead to the designation of a special committee of the Senate to examine into the question of investigating that particular department of our Government.

I cannot say it was a pleasure, but I had the duty of serving as one of the two Republican members of that committee. Senator MCCARTHY never mentioned a name in the speech which triggered this operation. About the time the special committee was created to look into the matter, he made a speech on the floor of the Senate, standing about two aisles to my right, and for all of 1 day certain Members of the Senate rose from time to time and demanded that Senator MCCARTHY name the names of the people who might be suspected. All of that particular day and part of the next day he stood on the floor of the Senate and refused to name names. He said, "I will not bring into public discussion the names of the people unless a committee of the Congress after due consideration and after looking over the evidence decides that it is in the public interest to make public their names in public hearings. Otherwise I will refuse to do it." It was demanded of him time and time again on the floor. I know that, because I was present and heard the demands. He refused to name any names.

A special committee was created. I have said this on this floor on previous occasions, so I am saying nothing new. The then Senator from Massachusetts, Senator Henry Lodge, was the other Republican member of that special committee.

At our first meeting a motion was made in the committee that we accede to Senator MCCARTHY's suggestion and ask him to come before our committee in executive session to discuss the names of suspected people, or those against whom he thought accusation should be made. The proposal was that such discussion be in secret, without making the names public unless our committee considered it to be in the public interest to do so.

Senator Lodge and I were voted down. The special committee said, "No; we will hold our first hearings in public. We will compel the Senator to come before the committee. We will subpena him. We will place him under oath, and we will make him name the names in public."

That is exactly was was done. JOE MCCARTHY has been accused of recklessly scattering names about. It was not JOE MCCARTHY who scattered the names about. It was done in public under the compulsion of a committee subpena. During all the first day he was on the witness stand before the committee, he constantly refused to name the names in public, and he kept constantly saying to the chairman of the committee, "Mr. Chairman, I will give you the names in private. I will give you what information I have in private, and it will be your responsibility if the names are published."

Finally the committee, by committee action, demanded the names and ordered him to give them. Bear in mind, he was under subpena, and he was placed under oath. It was under the compulsion and upon the demand of the committee that he made public the names before a committee conducting a hearing.

That is the history of the publicity given to names by JOE MCCARTHY. We never read that history in certain segments of the press. JOE MCCARTHY was castigated throughout the country for the loose use of names, but we never see any emphasis placed upon the fact that he was under subpena, under oath, and under the compulsion of a committee, which compelled him to make public certain names to which he referred.

So much for that part of the history of this situation—that part of the history of the beginning of the great crescendo of destruction which started against JOE MCCARTHY because he dared to touch the sensitive nerves of certain people when he began to expose subversive activities in areas which previously had not been given a great deal of attention.

It became his consuming and controlling interest—because he got into it so deeply—to attempt in his own way, and as best he could, to purge the United States of those elements which would secretly destroy it; and, of course, in doing so he ran into many of those elements.

Senator MCCARTHY was like a dentist who starts drilling on one's tooth. Every once in a while he strikes a sensitive nerve, and the patient jumps. That is exactly what many of the fellow travelers and sympathizers did when Senator MCCARTHY began to get a little too close to their activities.

It has been said on this floor that JOE MCCARTHY was a man of courage. He was a man of courage. He was a man who determined what his objectives would be, and then drove toward those objectives. He would not compromise with what he thought to be the necessities of the situation in carrying out the purposes he wanted to accomplish for the good of his country.

On occasion, I found myself in disagreement with Senator MCCARTHY. On other occasions, I found myself in agreement with him. But either in agreement or disagreement, no one could say that he was not a man of deep convictions, with the courage necessary to carry out his convictions.

I think we might paraphrase an old saying by noting that a man can be measured in many respects by the enemies he makes. I think if we put in the balance the enemies JOE MCCARTHY made in his crusade for his country, we can be proud that most of us believe in the same principles in which JOE MCCARTHY believed. Certainly the most powerful enemies he made were people who, in the judgment of many of us, did not always work for the best interests of the United States.

Mrs. Hickenlooper and I are deeply grieved at JOE MCCARTHY's death. We convey our sympathy to his widow Jean, and to their little girl, as well as to his family.

Whether I always agreed with JOE MCCARTHY in every particular or not makes little difference. However, I believe that the security of this country, and the awareness and fuller understanding of the people of the fact that there are constantly termite-like elements within our own midst which are trying to destroy the American system, have been advanced significantly because

of the work, effort, and contribution of JOE MCCARTHY.

I am glad I knew him. He was a benefactor of the patriotic efforts of people everywhere to preserve America as the land of human dignity, individual responsibility, and freedom that it is, and that we are all determined to keep it.

Mr. PURTELL. Mr. President, the untimely death of Senator JOSEPH R. MCCARTHY removed from the American scene and from this body a man who was a fighter to the last for a cause in which he believed deeply.

The depth and courage of his convictions were such that he would not be, could not be, dissuaded in his efforts to carry them out to their fullest extent, regardless of personal consequences. He pursued them even to the impairment of his own physical well-being.

Senator MCCARTHY's great ability was early recognized by the people of Wisconsin in his selection as the youngest circuit court judge ever to so serve on the bench in that State. He was elected and reelected to the Senate of the United States by the people of Wisconsin.

Today we have properly set aside this memorial period as a tribute to our former colleague as an American and as a friend.

JOSEPH MCCARTHY was a fighter. He sparked differing reactions throughout this country and throughout the world. In a few short years, he became one of the most controversial figures of our time. History's appraisal of him will be far more accurate than the emotional estimates of the many who were in turn affected deeply by what he was trying to do and do the way he felt it should be done.

No one can question his courage or his determination to follow what he accepted as his compelling mission and his duty.

Our prayers and thoughts today are for his wife, Jean, and his daughter, Tierney Elizabeth, whom he cherished and to whom he was devoted.

JOE MCCARTHY will not be forgotten as a man, as a Senator, or as a public figure.

Today, during this period, we collectively express our grief at his passing and our sense of loss that this body will no longer list him as one of its Members.

His final eulogy will be carried in the hearts and minds of those to whom he was a symbol of flaming courage.

Mr. GOLDWATER. Mr. President, this is a very difficult assignment for any man to undertake. It is difficult because one does not know which avenue to follow in trying to appraise for his colleagues the friendship one has for JOE MCCARTHY.

I could well relate the experiences I have had with him in my native State of Arizona, which he visited often because he was troubled with asthma. I could refer to the friendship that existed between us for many years, a friendship of which I was proud then and of which I am prouder now. I could refer to the times we have spent fishing or playing poker. I must say that he was not good at either one. I could refer to the times I have eaten his cooking. I must say as to that the same as I said about his fishing and poker.

I could refer to the times we spent campaigning across the country in the various States, and I could tell the American people and my colleagues of the great affection manifested toward him at every place MCCARTHY went. Whenever the plane stopped or the train stopped or the car stopped, there were always crowds of people who looked on this man as their particular defender. Those men and women stand today in the multitude they did then.

I could add my words about the hospital to those of the distinguished Senator from Illinois, because I, too, was confronted with his stern adherence to what he termed his principle when his lawyer, Mr. Williams, and I visited the hospital late one night and tried to get him to sign certain letters. He relieved himself of our company by declining on the same ground that we heard stated by the Senator from Illinois [Mr. DIRKSEN].

Once before on the floor, Mr. President, at this very spot, it was my occasion, and my proud occasion, to rise to defend this man. I did not defend him that night as a personal friend. I do not think friendship entered into the determination of any of us who voted against censure on that day. I rose as an American to defend another American who, I felt, was doing something good for his country. I said that night, at the conclusion of my speech: "Over the earth today, the strong winds of destiny are blowing." Those winds are still blowing. They may possibly be blowing stronger today because of the passing of JOE MCCARTHY, or they may not be. I think only history can tell as to that.

Mr. President, I will not dwell long this day on the political side of JOE MCCARTHY, for many of our ablest editors and journalists across the country have done that better than I can. I should like, however, to sum up, with the words of a few of these writers, what I believe to be the universally accepted appraisal of JOE MCCARTHY, the Senator. For example, the Cincinnati Enquirer said:

> Senator JOSEPH R. MCCARTHY was a man of many facets, and people saw in him many different things. To some, he was a cynical, ruthless destroyer of reputations, interested only in the furtherance of his own political welfare. To many, many others he was a man of singular courage and determination, willing to sacrifice in a crusade against the machinations of the Communist conspiracy.
>
> History will judge wherein his greatness lay—as a patriot, or as a politician.

I should like to read from a newspaper in another part of the country, from the Fort Lauderdale Daily News of Fort Lauderdale, Fla.

> We don't know how the God who Senator MCCARTHY worshiped will judge him, but we have always been firmly convinced that he did what he honestly felt had to be done, knowing full well that in carrying out the task he had set for himself he might be the major victim. He was no angel, nor did he use the tactics of angels in fighting what he believed to be the great menace of our times. He was one of those who used fire to fight fire.

Now let us go to the great State of Texas, to the Houston Chronicle, which said:

> MCCARTHY's enemies succeeded in making him relatively ineffective after the famous Army-McCarthy hearings and condemnation by his Senate colleagues. But they have not succeeded in erasing from the minds of Americans the stimulation of thoughtfulness which MCCARTHY evoked.

I read from the editorial published in the Illinois State Journal:

> When time's healing balm wipes away all of the ill feelings, all the stark emotionalism, all the fanaticism that swirled around the political career of Senator JOSEPH R. MCCARTHY, he may gain recognition as one of the truly great Senators of the 20th century. But any assessment will have to come from objective historians, not from writers of our day who all seem to be subjective.
>
> At any rate, Senator MCCARTHY was undoubtedly the most controversial political figure of this half century. His foes accused him of witch-hunting and of using guilt-by-association tactics to malign honorable people. His admirers were at the opposite pole in their attitude. They said he was justified in using extreme methods in exposing the machinations of communism and its danger to our country.

Mr. President, these and many more editorials and columns, which I shall make a part of my remarks, show the place this man held and holds in the minds and hearts of Americans. MCCARTHY was controversial, yes, but let me remind Senators that any person who stands on his own feet, who lets the world know what his position is, who speaks his mind and his conscience has always been and always will be controversial.

America has not been made great by the weaklings, but by the strong; and in the current history of our country MCCARTHY's presence came as a welcome breath of strength amidst the abundance of vacillation and weakness which has characterized our times.

In the area of politics he will be judged by history, and that is as it should be, for the impact of a politician will be felt in what happens years ahead of the cause to which he has given himself. I believe that when history has been written, MCCARTHY will occupy a niche above those who so loudly condemned him.

Whence came his strength? I believe it wise to recognize its sources, so that young Americans can associate their own strength with them, and themselves judge how they measure up to them. In my mind, JOE MCCARTHY's strength was built on the firm and tested bases of religion, love of country, love of family, and confidence in his own abilities.

It is interesting to observe that even the most dedicated character assassins, who assigned themselves the task of destroying this man, never doubted that he stood firm on these rocks of character. No, the strange thing that has been revealed thus far is that no sound objections have been offered against the character or the work of this man. Only those who for political reasons opposed him attempted to stain his record and his life and his family with the foul venom of distortion.

History will judge JOE MCCARTHY; and history will, I believe, be kind and generous in its judgment.

In conclusion, although Peggy and I have already expressed our heartfelt sympathy to Jean and her family, I want Jean to know that as this history of her husband is being written, we want to walk arm in arm with her down the path of the future and the path of memories, helping in any way we can to ease her burden.

Mr. President, I ask unanimous consent that there may be printed in the RECORD at this point numerous editorials and columns from newspapers all over the United States.

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

[From the Methodist Challenge of July 1957]

JOE MCCARTHY

(By the editor)

I have little in common with Senator JOSEPH MCCARTHY and yet I have much. Our bringing up was far apart. Our training was very different. I doubt if we would have been too comfortable together. He was a Roman Catholic and I am a Protestant. And yet we both loved America.

Therefore I must say a word, now that he is dead, a trophy to the hate and venom of the Communist conspiracy in his native land. I read the gloating of the Russian Communists, through their official organ. I read the vicious hate lines, emitted from the red press of France, England, and Italy. I read the more cautious expressions of almost fiendish glee fom the so-called Liberals, the New Dealers, and Modern Republicans of America. They had killed him. JOE MCCARTHY had been as certainly mobbed as a greater Man than he was mobbed on a hilltop outside the city nearly 2,000 years ago.

But JOE MCCARTHY was a soldier. He was a casualty. He died without a word of complaint. And, strange as it may seem, when he was safely dead, the timid, shivering, quaking patriots of our great Nation proclaimed him the hero that he was. From the beginning, men have gone to their tombs and history has been written, not by leftwing journalists but by the facts that would not be crushed to death. Then the heroes of the centuries have become known and their measurements taken.

Alive, JOE MCCARTHY was a lonely man, repudiated by his own comrades. Then he died and overnight, he became a tall giant, flashing his sword in the face of treason and perfidy. For this man had alerted America to the eminent peril she faced as subversive communism began to integrate her Government and her institutions. Be it said of him: He did not know how to retreat.

The fault in JOE MCCARTHY that could not be forgiven was that he never learned to speak softly to the enemy of God and country. He was not even friendly with those who plotted the wreckage and ruin of the free country that he loved. At times he was almost brutal in dealing with traitors. For that, they killed him.

But other days will dawn and time will steadily progress, while history tells its story. It told its story of Mitchell, of Lincoln, of Nathan Hale. It will tell its story of Lindbergh, hated by the so-called Liberals almost as much as MCCARTHY. For our children will no doubt see a mammoth monument on the Capitol grounds at Washington. Men like JOE MCCARTHY do not die.

"They led him as a lamb to the slaughter." And yet it is not fair to quote this immortal passage here. There was nothing lamb-like about this "watchman of the citadel." His coat was not of wool. He had bristles all over him when "good old Joe" of Moscow and the agrarian reformers were fouling the atmosphere.

Old lop-eared Fife, who used to sleep and snap at flies behind the cabin where I was born, did not have a better nose for a red fox than JOE MCCARTHY had for a Russian Communist or an American traitor.

[From the Patchogue (N. Y.) Main Street Press of May 8, 1957]

UNITED STATES SENATOR JOSEPH MCCARTHY

Senator MCCARTHY will be missed from the American scene by those who love this glorious Nation of ours.

As one newspaper described this illustrious nephew of Uncle Sam, he was "loved by millions, and hated by millions."

We were among the millions who loved Senator MCCARTHY. With every smear that was given him, our admiration and respect for him rose higher.

Like a skillful surgeon, he probed to rout out a cancerous growth on the Star-Spangled Banner, an infection that had been fully diagnosed by such specialists as J. Edgar Hoover and many other Americans who love America.

We firmly believe that the MCCARTHY career will serve as an inspiration for many young Americans to follow in his ne'er-to-be-forgotten footsteps. The war on the Commie rats that infested our Government is not yet over.

Senator MCCARTHY can now take a long-deserved rest, because there are no Reds in Heaven. They don't believe in God.

[From the Paterson (N. J.) Morning Call of May 4, 1957]

A GREAT AMERICAN PATRIOT

The man who fought the valiant fight against communism—and at times it almost seemed that he fought alone—is dead. In the afterlight of Senator JOSEPH R. MCCARTHY'S phenomenal career in public life no finer testimonial comes to mind than that he was probably more hated by the Communists than any other American of our time.

The Wisconsin Senator was unparalleled in his drive to rid the Government and our institutions of the putrid, antireligious thing we know as communism; he was without equal in his drive to awaken the American people to the insidious force that threatened from within as well as from the outside.

And yet, in the midst of his bold and courageous fight against the enemies of all those things we hold so sacred, he was sometimes denounced. No greater injustice was ever leveled against a patriotic citizen.

Notwithstanding, MCCARTHY had the courage to stand firm in the face of violent criticism; he refused to compromise or play politics, and in so doing performed a service of incalculable value against the greatest danger of our recent history.

Indeed, it often appeared that the fight he made was a personal war, and he pressed it with such fervor and resourcefulness that his name became a symbol and gave a word—McCarthyism—to the dictionary. McCarthyism came to mean different things to different men, however, but now, after the fog of postwar propaganda has dissipated, we know it represented blazing courage and fearless determination to expose and destroy the menace of communism.

JOE MCCARTHY, his close friends frequently said, would be willing to give his life for a cause in which he truly believed. Surely he gave all within his strength and power for the cause of American freedom; and no finer epitaph than that can be written.

[From the Sarasota (Fla.) Herald-Tribune]

A GREAT AMERICAN

Senator JOSEPH R. MCCARTHY, soldier and statesman, will be buried Tuesday at Appleton, Wis., after services Monday in the Senate Chamber. The Nation's loss will become more apparent as the years pass and his work emerges to take its true place in history.

The Sarasota Herald-Tribune takes pride in the fact that it has never joined the chorus that "didn't argue with MCCARTHY'S objectives, but deplored his methods." JOE MCCARTHY'S methods were the only ones that could have effectively focused America's attention on insidious Communist infiltration in time to save the Nation from even greater disasters than those of China, Korea, and Eastern Europe.

Opponents and enemies have pictured JOE MCCARTHY as a rabid, self-seeking rabble-rouser. Those who heard MCCARTHY speak know the absurdity of this claim. The Senator from Wisconsin was a poor public speaker, stumbling over his words and phrases. The successes he won came from his sincerity and stubborn, hardheaded willingness to battle any odds for the benefit of his country. And let there be no mistake—MCCARTHY did win. His rough-and-tumble onslaught brought the Reds in the United States a greater setback than they had ever before experienced—setbacks which daintier methods could never have achieved. The victory may not have been all that Joe hoped, but in the scales of success the balance was well on his side.

The measure of the man is in the manner in which he stood up to the vilification and slurs heaped upon him by leftists, frightened Reds, and deluded or fastidious national leaders. MCCARTHY died at 47, worn out by the unceasing attack he had brought upon himself by his efforts on behalf of his country. Looking back, President Eisenhower himself may feel ill at ease in remembering his unwarranted slap at a loyal American, ailing even then, when he pointedly omitted Senator MCCARTHY from the White House invitations.

During the rites for Senator JOE MCCARTHY today, someone is certain to use the hackneyed phrase "a great American."

This time it fits.

[From the Savannah Evening Press of May 3, 1957]

SENATOR MCCARTHY

Death has closed the career of United States Senator JOSEPH R. MCCARTHY, of Wisconsin, at an early age, 47, but few men, however long their years, made their presence felt in the national arena as did he.

We regard Senator MCCARTHY as a man who fought the good fight, fought it with the zealousness of a man dedicated to a crusade in which he most deeply believed. It was a tough battle in which he was engaged and he fought it as such. Probably, in retrospect, he himself might have modified some of his actions, but we do believe that at the time when he acted he acted in the full conviction that he was right. The sinister force he was fighting gave no quarter, Senator MCCARTHY asked for none, and the issues once joined were inevitably provocative of relentless defense and attack. Just as inevitably, they bred controversy, but, in our view, they also bred a senatorial figure of great stature.

If Senator MCCARTHY'S case stood alone as to the difficulties that arise to plague those who actively seek to expose and to rout out the subversive forces that would mold this country to the Communist image, we would have to examine the situation to see whether the fault lay with him. But it is demonstrable that fighters who move forward with investigations into the evils to which we refer, become the targets of vile abuse.

We call attention, for two instances, to the attacks that were made upon Congressman MARTIN DIES of Texas when he headed the first House Committee on Un-American Activities, and to the disdain that some liberal sources have to this day for Vice President NIXON because of his actions that exposed Alger Hiss.

Senator MCCARTHY, active and aggressive as he was, was the target for abuse far beyond anything the country had seen. If he fought roughly, the forces that did not want an exposé that might have uncovered the subversive influences with devastating clarity, were such that hard-hitting tactics were called for. Any probe into Communist or other subversive influences by whomsoever conducted, always runs into evasiveness, into abuse, into efforts to frustrate the inquiry. Bear that in mind before criticizing Senator MCCARTHY for what we regard as a bold, unafraid demonstration of courageous Americanism.

Senator MCCARTHY endured the personal abuse and the slings and arrows of ill-advised attempts to ostracize him from high places with a fortitude that was remarkable. From the days when the Senate, under a procedure that was dubious at best, criticized him, through the distressing White House tactics in what were to be the last days of his life, Senator MCCARTHY bore himself in a manner that made him the final victor. He enters his long rest with the thanks of millions of his countrymen for having fought so valiantly as an American who cherished the heritage that is ours and who was resolved to defend it, come what might.

[From the Seattle (Wash.) Northwest Progress]

It was highly fitting that United States marines should carry Senator MCCARTHY'S flag-draped casket before the altar of St. Matthew's Cathedral and into the United States Senate Chamber for his funeral services. The Marine motto, Semper Fidelis, might well be his epitaph. He was uncompromisingly and courageously faithful to God and country.

JOE MCCARTHY was nurtured in faith and patriotism in his Catholic home, and in Catholic schools. These virtues were battle-tempered in his soul in the Marine Corps. His service in World War II included 13 months as combat officer for a Marine dive-bombing squadron. * * *

MCCARTHY was endowed with a fighting heart, and a clear mind; he had a clean record and was an able lawyer. Had he lacked any of this equipment, they would have got him in a libel suit or perhaps on an income tax charge, or some frameup.

Because of his sheer courage and ability, Senator MCCARTHY was able to awaken the American people from a somnolence which permitted officials of our State Department to picture Chinese Communists as harmless "agrarian reformers." He served his country well; and every American is forever in his debt.

May God give him eternal rest.

[From the Seattle Post Intelligencer of May 3, 1957]

GOOD MARINE, SAYS EX-CO OF MCCARTHY

LOS ANGELES, May 3.—A marine who was the late Senator JOSEPH R. MCCARTHY'S commanding officer in the South Pacific recalled him today, not as a politician or a Communist hunter, but as "a jovial Irishman and a good marine."

Lt. Col. Glenn Todd, now special services officer at nearby El Toro Marine Air Station, was Major Todd of Squadron VMSB 235, a scout bomber outfit, when the Senator was Captain MCCARTHY, squadron intelligence officer, in the World War II Solomons campaign.

The squadron, formed at El Centro, Calif., early in 1943, saw service at Guadalcanal, Munda, Bougainville, Midway.

"Joe was good guy to us," Todd said in an interview today. "He did things that he needn't have done and wasn't expected to do, particularly flying on missions. That wasn't part of his duties.

"But he flew missions, anyway, 27 in all, I believe. He used as an excuse an argument that, as intelligence officer, he needed to see the areas firsthand in order properly to correlate reports from pilots which ofttimes conflicted.

"Then, too, he would lug along a movie camera and say he had to go out (on missions) to get reconnaissance pictures.

"I believe the record shows that Joe got a Distinguished Flying Cross and five Air Medals. He deserved every one of them. He volunteered to go on the roughest flights. He got no flight pay for it."

[From the Milwaukee Sentinel of May 7, 1957]

REST, JOE

You're home now.

Your 7 years' war has ended.

But in this which we mortals call death you stand not alone, as all too frequently you did in that which we call life.

As you now have found confirmed, JOE, death is not the end.

It is but the beginning.

For you, it must be particularly comforting to be so suddenly removed from physical pain, from mental anguish.

And as you look back upon us, JOE, remember that the shrill, piercing voice of a siren is never a popular sound.

It is, instead, eerie, ominous, disturbing and uncomfortable.

It is even more so to him whom it awakens from deep slumber, and from the escapement of reality which slumber brings.

Yet, as you know, even he who chooses to resent that siren's cry will praise it, will be grateful for it, upon learning that it warns him of a raging holocaust whose flaming tentacles reach out, bent toward his destruction.

The arsonist who sets the fire, and the pyromaniac who stands by in perverse glee to witness the destruction, of course, will resent the siren and its sound.

They will despise it, and they will struggle to destroy it, however possible, that their efforts may continue while their victims sleep their final sleep.

The Communist arsonists have known all too well the blows which you have dealt them, Joe, in your self-imposed role of the siren which has awakened this Nation to the mighty holocaust which they have set against us.

Their fellow-traveling pyromaniacs have long been severely frustrated by your prevention of the flaming engulfment of our way of life, to which they looked in such eager anticipation.

Naturally, therefore, you have been despised by these, who found such reason to struggle to silence your warning cries.

And this morning others who, so self-destructively, have found the wail of the siren more unwelcome than the silence of the flames against which it has warned, suddenly demonstrate tragically belated admission of how suicidal their thinking has been, and of how important your warning which alerted them.

They vow no more to slumber in the presence of flame.

And the rest of us are determined that the echoes of that siren which you first sounded will keep us alert and save this Nation from Kremlin-planned ruin.

So, rest well, Joe.

And pray for us in your new-found light of Him who pleaded:

"Father, forgive them, for they know not what they do."

[From the Milwaukee Sentinel of May 8, 1957]

THE TORCH

The Reverend A. M. Grill said it, as a mighty challenge, in his eulogy to the late Senator JOSEPH R. MCCARTHY Tuesday:

"If the torch dropped by his dying hand is not picked up and held aloft, then God help our beloved land."

To that he added, as a fearsome warning:

"Woe upon those who do not make our country safer for Tierney McCarthy and the millions of other children like her in our country."

This challenge, this warning, we commend to the conscience of every man whose name is being suggested as a possible successor to the seat which JOE MCCARTHY has vacated only in death.

This challenge, this warning, we commend to the conscience of every Wisconsin citizen, and certainly to every eligible Wisconsin voter.

It is a challenge, it is a warning, which every would-be candidate, every citizen and certainly every eligible voter is conscience-bound to ponder long and well, and then act according to the dictates of his soul.

And, in so doing, each would-be successor, each citizen, each voter, must ask himself this one great, burning, basic question:

Can those who opposed and vilified that now-stilled hand when it held that torch be entrusted with the gigantic task of picking it up?

Yet, as Father Grill properly cautioned, someone must.

If not, as he warned, woe upon those who fail, and God help our beloved land.

[From the Laguna Beach (Calif.) South Coast News of May 7, 1957]

WITHOUT FEAR

The late Senator JOE MCCARTHY did not understand that sacred cows could exist in these United States and that because of rank or position they could only with the greatest difficulty be touched or questioned.

So he questioned them, as was his duty, and it made no whit of difference to him if they were Washington brass or common red clay.

He had no fear for those who thought they could fraternize with Reds without having some of the dye rubbed off.

There are those who declared they approved of MCCARTHY'S cause, but disapproved of his methods. But we have yet to hear of one citizen investigated by the McCarthy committee whose character was injured, if it did not deserve to be.

Pundits and commentators glibly referred to him as "controversial." The unthinking failed to understand that black is black and white is white so far as loyalty to one's nation is concerned. There was no gray in Senator Joe's vocabulary.

There was nothing controversial about MCCARTHY. He was a plain-spoken, fighting American whose methods are the only ones that Communists fear.

The News was for him, first, last, and always.

He is dead, but the spirit and fire America needs if it is to survive was rekindled by Senator JOE.

[From the Syracuse (N. Y.) Spotlight of June 1957]

A PROFILE OF PATRIOTISM

"I shall continue to expose every type of dishonesty or treason that I consider a threat to this Nation." These words were spoken by the most courageous and dedicated American who ever lived—Senator JOSEPH R. MCCARTHY. He said and he thought what he did because to him it seemed the only thing to think, to say, and to do.

For this, JOE MCCARTHY was "tarred and feathered," as Mr. William S. Schlam says,

"by gracious ladies of the women voters clubs, genteel Ivy leaguers and by noble princes of the press."

JOE MCCARTHY became the center of the country's most scandalous fracas. JOE MCCARTHY's destruction was brought about by his great crime of arousing the conscience of the American people so that they became acutely aware of the dragon of communism that was and still is bent on destroying their way of life.

Here was a man who had vision beyond the times in which he lived. He became a martyr at the early age of 48. In 5 years he did more than most men do in a lifetime.

When did he acquire this great love of God and country? Not overnight. He began as a youth to form habits of right thinking. Other youths of his day, for example the Rosenbergs and Alger Hiss, acquired habits of thinking—habits that were dedicated to the destruction of this great country.

If today's youths follow MCCARTHY's profile of patriotism we can look forward to great leadership in our country.

I am proud to be a McCarthyite. I dread his fate but hope and pray that if it comes to me I will be able to face it as he did. God bless him.

(EDITOR'S NOTE.—The above was awarded a first prize in an essay contest held at Most Holy Rosary High School, Syracuse, N. Y. The contest was based on quotations from the lives of great men. The author of the above, Terrance Hoffmann, a freshman, was presented an award by the Syracuse Readers Forum.)

[From the New Bedford (Mass.) Standard-Times of July 2, 1957]

HOMAGE TO JOE MCCARTHY

By praiseworthy coincidence, stirring tributes were paid to the late Senator MCCARTHY of Wisconsin, at meetings in New Bedford and New York City within a period of less than 24 hours last Friday and Saturday.

The American Legion, in convention at New Bedford High School auditorium, passed a resolution calling on the United States Senate to "strike from its record the condemnation of the late Senator JOSEPH R. MCCARTHY and replace it with a commendation for his courageous fight against the spread of the Communist subversion within this Nation."

More than 300 friends and admirers of the late Senator assembled at the Waldorf-Astoria Hotel in New York to present to his widow a scroll as evidence of their gratitude for his tireless crusade against communism.

The citation lauded Senator MCCARTHY as "a valiant American, an arden patriot, a learned statesman, brilliant and fearless legislator, a courageous warrior who made the supreme sacrifice in zealous defense of his country, civilization and Christianity against the ever-growing menace of the evil and diabolical forces of communism."

There was no connection between these two events—some 200 miles apart—but both groups were bound together in common spirit and appreciation for the noble work of Senator MCCARTHY in behalf of his country and countrymen.

The resolution adopted by Massachusetts Legionnaires, and the scroll presented to Mrs. McCarthy, voiced the feelings of millions of Americans. The Senate should pay heed to these expressions of public sentiment.

[From the Sunday Visitor]

FATHER CONROY TALKING—MAY HE REST IN PEACE

Some 4 years ago I attended a dinner meeting in Rochester, N. Y., at which a very dynamic personality was the principal speaker. The occasion was the national meeting of the Catholic Press Association.

I remember the talk so very well and for a number of reasons. One was the personal courage of the speaker. He talked about communism and its threat to this country. Now a lot of speakers do that, of course. But this was not the usual "I'm agin' it and we gotta do something * * *" stuff.

It was a straightforward attack on the enemies of our country and it came from a man who, as a former marine flier had already put his life on the line for his country. Names were named in this talk and all of us present could sense that here was an unusual man, a far cry from the doubletalking politician so commonly heard on occasions such as this.

Anyway, this man went on from there to conduct a furious, absolutely uncompromising attack on the Red enemies of our country both in and out of Government.

Many who had assured him of support in the beginning began dropping away into the night. The man apparently meant business and the fight was approaching a stage where as they say in Ireland, "This is where they separate the men from the boys." Soon this man was practically alone. Fair weather friends and other lesser lights grew afraid to support him any longer.

They "agreed with his objectives but not his methods," as the phrase became known. Finally the fight exploded all over the front pages and crackled from every radio and television set. This was war to the death.

And to the death it was. The man died a few days ago in Washington. It was the end of a long trail of bitter persecution, climaxed by a form of crucifixion known in the marbled Halls of the Senate as censure. By now you know that I am talking about Senator JOSEPH MCCARTHY who, as I write this, is being laid to a hero's rest in the typically American small town of Appleton, Wis.

But back to that talk in Rochester. After it was over I made my way (with purpose) to the speaker's rostrum. MCCARTHY was chatting with a few hangers-on.

Soon he turned to me, cool and collected. I shook hands with him and congratulated him on his talk. His handshake was warm and strong. There was courage in his eye and sincerity in every line of his face. The voice was well modulated—not the screaming, hysterical noise the papers wanted us to believe it was.

I like to think back on that meeting now—but there is one particular reason why it sticks in my mind. My parting remark to Senator MCCARTHY was, "I'll pray for you—you'll need it." He did not comment. The slight smile disappeared, the brow thickened, the eyes fixed right into mine. The hand gripped mine even more strongly. All this for a second. Then the smile came back, the face eased expression, and the eyes again lit up. That was all. I saw him no more, except on television just like the rest of you saw him on television.

I recall all this because I think we have a man who is an eternal example to our youth. We look for men who in these times have the courage of their convictions, men who can't be bought, men who will not compromise even when death is the price. Here was one.

Moreover, as Catholics in public life, we look for men who are proud of their faith and its contribution to the history of this country. Senator MCCARTHY—"Senator JOE"—takes his place with the greatest of these. May he rest in peace.

[From the Tablet of May 18, 1957]

DEATH OF PATRIOT IS FLYNN TOPIC—BROADCASTER CITES THE PARTISANSHIP OF NEW YORK TIMES

(By John T. Flynn)

(Address recorded on May 9 and delivered over Mutual network of radio stations last Sunday afternoon.)

Last Tuesday I looked in my New York Times for the account of the funeral of Senator JOSEPH MCCARTHY. The New York Herald Tribune had it where it belonged—on page 1. But I could not find it in the New York Times until I got back to page 35. I was, I must say, surprised at this treatment of the dead Senator. And I was doubly surprised when I found a story about a new book by the convicted Communist Alger Hiss—its purpose being to prove he was not justly dealt with—right on page 1, while on an inside page there was a report of at least 6½ columns of type quoting Hiss' attempts to clear himself. The senatorial funeral service of JOE MCCARTHY, mourned by millions of people who loved him, was on page 35 in the Times in a single column. The convicted Alger Hiss' defense of his dark infamy got page 1 and 6½ columns on an inside page.

I mention this because I have never been able to understand why a man who dedicated himself—at dreadful personal risk—to combatting treason in his Government, should have been made the target for persecution by so many powerful American leaders, politicians, and publishers. Several weeks ago the President of the United States provided a conspicuous insult to the Senator and his wife when their names were omitted from the invitations to the White House reception of all Members of Congress and their wives. Ninety-five Senators and 435 Congressmen and their wives were all cordially invited. One Senator and his wife were pointedly omitted.

WHAT WAS HIS CRIME?

Now in the sad days following Senator MCCARTHY's death, I cannot help repeating what I have said many times—what was MCCARTHY's crime? He assigned himself to the task of fighting the most dangerous, the most insidious collection of enemies of his country—the Communist conspiracy. These men were not the enemies of JOE MCCARTHY. They were the enemies of every American citizen from the President down to the humblest child. President Roosevelt never understood and President Truman and President Eisenhower still do not understand the nature of this dark assault on our country. During Roosevelt's regime a whole flock of young Reds had a free entry into the White House.

And for several years—we have only just learned—Earl Browder, the Communist leader in America, was a frequent guest in the White House. President Roosevelt took a great fancy to Stalin—"good old Joe," as he called him. He said Stalin was not a Communist; he was just an old-fashioned Russian patriot. One can understand this only on the theory that the President at the time did not understand the nature of the Communist conspiracy. When President Roosevelt went to the Yalta Conference, the man at his elbow as adviser was this same Alger Hiss who, after serving a term in jail, now gets a two-thirds-page boost for his book in the New York Times while JOE MCCARTHY is dusted off with a one-column funeral notice on page 35. Slight as this is, it is by no means trivial. It is not trivial in its understanding of the values involved.

It was the advice of Hiss and some others that led this Government to turn over to Stalin practically all of Asia and almost all of Europe. One result is that we still have armies all over the world and the American people struggle under the appalling burden of taxes—for what? To defend this country against Russian communism.

NOTHING MYSTERIOUS ABOUT SENATOR M'CARTHY

There was nothing devious or mysterious about JOE MCCARTHY. Everyone knew just where he stood—what he was for and what he was against. And if he is in his grave today, it is because he undertook the most dangerous job any man in political life can accept. JOE MCCARTHY apparently had yet to learn what those in Washington had already

learned—that the most dangerous job in Washington is to take on an attack on the Communist conspiracy. I confess I still do not understand this. There is no point in attacking the known Reds—the Browders and their like. It must be remembered that there are two kinds of Communists—open party Communists and the other underground Communists. It would be very easy to name scores of these underground operators who have now been identified.

Now as to these underground Communists. I think I know something about this type of Red. How does an American, a young teacher or lawyer or writer, become a Red? And why? Well, it is not dangerous, if he operates underground—that is, does not reveal his Red associations. In that case it is difficult to identify him, while he can get all sorts of help—including money and advancement—through the influence of the Communist leaders and their wealthy dupes. And furthermore, if the young Red is in the underground he cannot be identified. He can be recognized and exposed only by investigation and with the necessary powers for summoning and questioning. Yet it is fair to say that the Communist conspiracy in America has done its deadliest work with these masked Red teachers, writers, journalists, artists, diplomats, and even some businessmen who apparently get a kick out of the heady draught of conspiracy. This is no small matter and I suggest that almost all the troubles we are in today—the shocking taxes, the appalling debt, the frightful distortion of our political system, and our entrapment in scores of countries all over the world is due to the Communists—to their underground agents—to that large army of dupes who have carried on the work of Russia and her satellites so successfully in this country.

PLOT TO GET HIS SCALP

I wonder how many persons remember clearly the incident which set the White House on the dead hunt for Senator McCarthy's scalp. The FBI had warned the Army of some 33 cases of Communists or fellow travelers at Fort Monmouth. The FBI reported these cases, but could not act. The cases reported by the FBI were suspended by General Lawton, commanding officer at Fort Monmouth. His action was confirmed by the local loyalty board. When the cases got to the Pentagon every one of them except two were cleared.

It was this outrage which aroused Senator McCarthy. When he questioned a soldier before his committee, the soldier refused to answer on the ground his answer might incriminate him. The lower loyalty board suspended him, but the Pentagon board restored him—and promoted him. It was in the Pentagon that the McCarthy investigation was stopped dead. And it was at this point the Senator himself was subjected to an investigation. It is merely necessary to add that all this was approved by the White House.

Let me remind you that every man who has lifted his sword against the Communist conspiracy—or nearly every man—has been subjected to this same persecution. The first of many to feel its wrath was Congressman Martin Dies, who headed the first full-scale investigation of Reds. He was called a character-assassin.

The tragedy of this whole episode can be seen in the case of a brilliant young former State Department official—Lawrence Duggan—who was named as a Communist and who seemingly took refuge in suicide. There was another poor wretch—Abraham Feller—who was identified as a Communist and fled from the disgrace through the window of a high building. There was Alger Hiss who served a term in the penitentiary and who is now getting a warming hand, in his effort to rejuvenate himself from the same papers that persecuted Joe McCarthy. I could list scores of others who were exposed—some of whom vanished, while others marched boldly out into the open Communist Party. The injury these men inflicted on their country is beyond measure. Take the case of Harry Dexter White, Assistant Secretary of the Treasury of the United States—a subcabinet post—who worked with an underground Red cell in Washington and got for Russia the copper plates with which United States occupation currency was printed, thus enabling the Russians to print United States money to their heart's content. When he was called for investigation, he was stricken with a heart attack.

Well, now Joe McCarthy is in his grave and his lovely young wife survives him. He is beyond the reach of the calumniators. But those of us who knew him, knew of the strong faith and courage which sustained him from these angry assaults—even from the White House.

[From the Dallas (Tex.) Catholic]

It is our guess that Senator Joseph McCarthy has had more prayers offered for the repose of his soul than any other layman in American history.

[From the Norristown (Pa.) Times Herald of May 4, 1957]

DEATH OF A STATESMAN

It is always grimly bemusing to read what the bitter foes of a statesman in life say of him when he is dead.

The once caterwauling chorus, led by President Eisenhower himself, who singled out Senator Joseph McCarthy to bar him from White House social jamborees, now babbles about Mr. McCarthy as sincere and courageous and energetic.

Of course, he was all that and even more.

Sneered at as too radical, he was a brave and devoted knight in the armor of the right, his voice calling in a wilderness of wolves against treason and indifference and incompetence in Government.

He led the way against such creatures as gave the atom bomb to Russia, if he did nothing else. And he did plenty else.

In this mess of sickening adulation now that his passing is this country's real loss, we have the melancholy satisfaction of recalling that this newspaper never faltered in its approval of Joe McCarthy. We were with him all the way.

Everybody but a coward loves, or should love, a fighter. Most Americans admire and respect a statesman who has firm convictions and is not afraid to stand up and be counted for them and refuse compromises—as shown by Senator McCarthy's overwhelming elections in his home State. He was a protagonist who could not oppose subtlety in kind.

The whole story of Communist infiltration has not yet been told. When it is, the memory of Joseph McCarthy will be warmer than ever in the hearts and minds of the American people.

[From the Tulsa Tribune of May 3, 1957]

SENATOR McCARTHY

(By Richard Lloyd Jones)

Flags droop at half mast over the Senate Chamber of our Capitol. A great Senator lies dead. Abused and maligned for his heroic patriotism, Joseph R. McCarthy will loom larger in the perspective of time. He was a crusader in the defense of our Government. He worked himself to death for you and me and for all our common countrymen. He was a victim of subversive persecution and influence.

By the Senate's own committee of appraisal of those who have stood on the United States Senate floor among the five names greatest for courage were Webster, Clay, Calhoun, La Follette and Taft. They were men who stood uncompromisingly for their convictions. And each in turn was persecuted in his time and place, yet they loom as giants today.

La Follette went to the Senate from the same State that sent McCarthy there. Half a century ago the Senators hazed La Follette. They walked out of the Chamber when he rose to speak. The public press gave him the thunder of silence. Today the very men who traduced him recognize his heroism and do him honor.

So it will be with Joseph R. McCarthy. He ferreted out the agencies of subversion. He named the operators of treason and sabotage. For these patriotic devotions his own colleagues voted censure on his head. Even the President of the United States, a member of McCarthy's own political party, engaged in a cabal to ruin him.

Joseph R. McCarthy cannot be ruined. When next the United States contemplates those who have stood upon its floor to exhibit matchless courage it will name among them Joseph R. McCarthy of Wisconsin. No soldier ever battled more bravely for our country than did this cruelly maligned Senator who was hurt unto death in his youthful year of 48.

[From the Fort Worth (Tex.) Southern Conservative of May 1957]

McCARTHYISM WILL LIVE FOREVER AS A SHINING SYMBOL OF LOYALTY

The American flag was permanently lowered to half mast in the hearts of patriotic Americans when the angel of death tapped Joe McCarthy and summoned him home.

And among the rank and file forces of subversion, disloyalty and fifth-amendment Americanism, there is widespread rejoicing that this country's No. 1 enemy of communism has been cut down in the heyday of life.

Like pygmies dancing on the grave of a giant, they are making wassail and revelling in the joyous hope for an easier and earlier victory of the Soviet conspiracy against the United States.

Understandably, it is humanly impossible for the stunned and sorrowing millions of Joe McCarthy's friends and followers throughout the Nation to accept the thesis that, in the mysterious ways of providence, all things happen for the best.

But there is the dawning and consoling realization on their part that, in death, he may secure for his beloved country the measure of safety and security its enemies prevented him from achieving in life.

His strong voice has been silenced forever, but the insistent voice of a guilty conscience will disturb his traducers for a long time to come. And if there is any shred of honest concern for the security of the Republic on the part of Lilliputian leaders who professed sympathy with his objectives while denouncing his methods, the time is now here for them to prove their point and thereby reestablish their right to look loyal Americans in the eye once again. If they will develop a better method and take up the relentless fight which cost McCarthy his life, partial atonement will have been made.

Every charge he brought against those he knew to be engaging in un-American activities has been substantiated by the unfolding events of time.

While many involved persons' reputations may have suffered by his disclosures, it was because of their own disloyal acts against the internal security of the United States and not because McCarthy lifted the curtain which exposed their treasonable behavior to public view.

In not one single case was an innocent person accused by him and the written record in Washington, set in cold and impartial type, will—unless mysteriously removed from the public archives—bear eternal and incontrovertible witness to this fact.

Some of his detractors in the Senate have already publicly apologized for their injus-

tice and inhumanity to this great American and have expressed regret for their shameful part in the shabby and despicable frameup against him—a frameup engineered and financed by a shrivelled-souled renegade whose soiled record of collusion with subversive cliques and projects would bring a blush of shame to the cheeks of a Digger Indian.

Some of those he accused of disloyal action have been whitewashed and even promoted to higher station but the black stain of their guilt remains unerased and if there is any validity to the belief that truth will prevail in the end, their part in protecting proved traitors will yet be brought to light.

Regardless of the medical term for the disease which took him away, JOE MCCARTHY was slowly tortured to death by the pimps of the Kremlin who operate unremittingly in every capital of the world, from Moscow to Washington, and whose concentrated hatred and fury were centered on him.

His death was hastened by the human hyenas in the Truman and Eisenhower administrations who incessantly snarled at his heels and who were able to embarrass him but who could never quite humble him, deflect him from his course, or make him afraid.

It was aided and abetted by calculated social snubs administered to him by little men in high posts officially possessed of the power to humiliate him and wound his pride but who were personally devoid of those qualities which would restrain persons of innate culture, good breeding, and exalted stature from converting a social function into a weapon for attacking a political foe.

It was accelerated by the cowardly jackals of that craven portion of the American press which defers to heavy advertising accounts, and who obeyed orders to smear and slander him and to slant every written line involving his magnificent fight to break communism's lethal hold on the institutions of the country he loved and served.

Even in death, they reverted instinctively to the smear pot and spattered their editorials with venomous reference to his "methods," to his "censure" by pro-Reds in the Senate, and to his "rise and fall" in popularity, deliberately flaunting the now obvious fact that in the hearts and minds of unintimidated and worthwhile Americans, he never toppled but held his enduring place in their respect, confidence, and affection until fate rang down the curtain on his glorious but tragically brief career.

In an age when the twin specters of international conspiracy and domestic collaboration stalk the councils of the mighty, when known traitors have been permitted to serve as American Presidential aides in time of war and when a spirit of unswerving national allegiance is brushed off as the maudlin sentiment of weaklings and fools, it was inevitable, perhaps, that JOE MCCARTHY should walk alone and stand as a solitary sentinel against the forces of darkness sworn to destroy American defense.

But when his unslanted record is sent down on the pages of history and stripped of the smear and slander which trailed him to the grave, "McCarthyism" will emerge as the synonym for patriotic service and the radiant symbol of undivided loyalty to country which, in the final analysis, is the supreme test of fitness for citizenship in this Christian Republic and the ultimate factor which determines a man's moral right to the protection of the American flag.

[From the Houston Chronicle of May 5, 1957]

MCCARTHY DESERVED BETTER TREATMENT FROM COUNTRY

(By Bascom N. Timmons)

It was a curious result that in the spin of the wheel of history, Robert M. La Follette was chosen along with Daniel Webster, Henry Clay, John C. Calhoun, and Robert A. Taft as the 5 outstanding Senators in American history just 24 hours before JOSEPH MCCARTHY died. La Follette and MCCARTHY, both Senators from Wisconsin, were the two most controversial Senators in that body in this century.

As a political writer in Wisconsin and in Washington, this writer knew Robert M. La Follette intimately for many years. My acquaintance with MCCARTHY was for a number of years, though fewer than with La Follette. To me the choice of La Follette was astounding, as I think it was to most people who remember back to World War I.

The greatest charge against La Follette was that he was disloyal to his country in an hour of great peril. The great charge against MCCARTHY was that he "smeared" individuals. La Follette voted against declaration of war on the Central Powers. But others did that. It was concurrent actions that brought down the wrath of his countrymen on him. Others of those who voted against war supported it once we were in. La Follette absented himself from the Senate, made speeches such as the one in St. Paul, Minn., denouncing the motives of this Government and continued to question the sincerity of the Government when American troops were dying on the battlefield.

CALLED A TRAITOR

Although La Follette was a Republican, the Wisconsin Republican State Central Committee adopted a resolution censuring him for "treasonable and seditious utterances." The Wisconsin State Council of Defense and 71 county councils called on him to resign and on the Senate to expel him if he did not. Both houses of the Wisconsin Legislature condemned him for speeches tending to incite sedition. He was burned in effigy in a half hundred Wisconsin cities and towns.

In May 1917, the feeling against La Follette was at its height. Forty years later the Senate orders him enshrined.

No one ever accused JOE MCCARTHY of giving aid and comfort to the enemy. His worst crime was that he was an aggressive American. He came to understand Communist infiltration in this country better than any other man and did more than any other man to dredge it out. He was unduly harsh in some of his judgments. He was accused of going off the track quite often. Even Thomas J. Walsh, presiding over the Teapot Dome inquiry, went off the track sometimes before he pushed it to a conclusion. Like Walsh, MCCARTHY was an able, resourceful, and determined battler.

In the miasma of irreconcilable contradictions it is difficult to tell how many Commies imbedded in the woodwork of Government were pried from their hiding places. He did force something of a house cleaning. There is no doubt that but for the steam his investigation generated Congress would never have passed the law which labeled the Communist Party in the United States a criminal conspiracy.

It probably will be difficult for the historian of the future to understand why the Senate and the Eisenhower administration ever bought the idea which had been advanced in the diatribes of FLANDERS, of Vermont, representing the leftwing fringe of Republicanism, and the obtuse and years-weary Lehman, of New York, the Democratic prototype of FLANDERS, to censure MCCARTHY, which furnished a spectacle more of lynch law than orderly parliamentary proceedings.

SANG BY EAR

The higher echelon of the Eisenhower administration threw aside its sheet music and sang by ear its hymn of hate of MCCARTHY. Perhaps the thing that hurt MCCARTHY most was the fact that the White House announced that it had invited every other Senator and Representative to last winter's White House social affairs except MCCARTHY. But MCCARTHY was already a sick man when that occurred and it seemed to him the White House was making war on his wife because of its dislike for him.

Perhaps the stirring of the venomous hate against him is too recent an event for a kindly reception to words spoken in praise of his efforts. But this can be said: Of course, not everyone who hated MCCARTHY was a Communist, but every Communist hated MCCARTHY. He was the arch enemy of communism.

JOE MCCARTHY may or may not come to be an American Dreyfus. The country may or may not build monuments to him.

But JOE MCCARTHY deserved better of his country than it has lately treated him. "McCarthyism" may come to mean the exact opposite to what his enemies would have it mean.

[From the Colorado Springs Gazette]

JOSEPH R. MCCARTHY

JOSEPH R. MCCARTHY, Senator from Wisconsin, is dead. He passed from the scene as one of the most controversial figures in American history on the evening of May 2, 1957, following a bout with hepatitis. He was 47.

We are too close to the Senator to obtain a totally objective view. In another hundred years or so, historians will have a better opportunity to evaluate his works. Unquestionably, however, he was loved and hated, trusted and feared as few men in their time ever are.

We can be counted among those who loved him. We did not fear him. Nor did we trust him entirely. Those who hold public office come under a cloak of suspicion from the very beginning, so far as we are concerned.

Yet, we can say this: In the area where he was justly famous, namely, in the business of exposing Communists and awakening the American public to the dangers in our very midst, there we trusted him. There he earned his spurs, and were we not so far gone in degeneracy and dependancy on government, he would have won immortality in every quarter of the globe beyond a reasonable doubt.

That so many voices were raised against him, is the proof of the decline of the American Republic. No man, in so short a time, has ever been so viciously and so continuously smeared. Not that he was necessarily above reproach in all that he did.

But, it can be said, and the record will bear us out, that the calumnous and libelous things which caused a wide public reaction against him, were for the most part twistings of truth and outright lies.

For example, it was often claimed that he injured those he sought to question. The claim is false. The persons under his investigation had already harmed themselves irreparably by Red-tinted connections and questionable conduct. And as for his methods in his famous Un-American Activities Committee, no man was ever more gentle and considerate, albeit always determined and persevering. If this is still in doubt, we challenge the doubter to check the record.

A man is not only known by the company he keeps but by the enemies he makes. And while it has often been said that MCCARTHY attacked others on the basis of association, it is also true that his detractors attacked many soundly American patriots, by charging them with McCarthyism and thus performing the act of attributing guilt by association to those who loved their country. And if MCCARTHY was known for his associates, he was also known in every quarter as a man hated by every Communist on either side of either ocean. Here was one man on which the turns and twisting of the Communist line could unite. The year in which the United States Senate censored

McCarthy was the same year in which the official Communist program had as one of its major objectives the getting of McCarthy.

In the McCarthy lexicon there were no neutrals. You were either against communism or in some way you were for communism. There was never a question as to where McCarthy stood. He opposed communism. He exposed Communists. He ripped into the sanctified halls of Congress, trodding on toes, kicking up a fuss, whenever he felt that someone in a high position was protecting a person whose loyalty could be questioned. The guilty and the confused and fearful joined ranks against him.

McCarthy didn't fail, although the plotting of the political manipulators saw to it that he didn't get the credit for what he did. Others picked up the battle and carried it forward to such an extent that today there is a widespread movement against communism in this country both within and without the Government. McCarthy caused that movement to jell.

He also saw to it that the public came to realize that there were many things going on in the Government behind closed doors which should, by all the precepts of representative government, have been made public information. Again, others picked up the pieces and acted on the evidence produced by McCarthy.

Whatever anyone can say of McCarthy's judgment, no one can ever impugn either his loyalty to America, nor his courage.

Now he is gone. America has lost one of her truly great men.

THE SENATOR IS DEAD

By tragic coincidence, only several hours after the editorial on controversy above was written, one of the most controversial figures of this decade, Senator JOSEPH McCARTHY, died.

The Wisconsin Senator's death should be the occasion of thoughtful meditation for the Nation. His health gradually gave way under the frightening burden and almost unbearable pressure of responsibility placed on the shoulders of a United States Senator who fearlessly undertook his duties of office. Few political figures on the national scene today care to be controversial. As a consequence, they contribute little or nothing to the future of this Nation. History shows that all statesmen were controversial in their day. Only politicians are noncontroversial. Many Senators are mere politicians swayed by fads popular at the moment. Their guiding principle is one of political expediency. They will change their course in midstream should an ill wind brush against their political fortunes. They vote with an eye on the next election. Senator McCarthy can never be accused of such a perversion of high office.

Senator McCarthy's death reemphasizes what thinking people in America have known for some time: Any prominent figure who dares to be courageous and fearless in fighting communism will be crucified and crushed. In this respect Senator McCarthy and Representative MARTIN DIES are classic examples. Few men have been crucified as viciously as was Senator McCarthy.

There will be multitudes of hypocrites who will come forward after Senator McCarthy's death with platitudinous praise. We are concerned here not with the late Senator's voting record, but with his stand on atheistic communism and his approach to this sinister menace in our midst. On this we believe he was dead right. This we have consistently held even when it was unpopular to take such a stand. We have followed his activities at close range and have had many personal conferences with him. We feel qualified to evaluate his program of anticommunism. We do not agree with those who say "his intention was right, but his methods were wrong." We have carefully studied his methods over the past years and have not found them to be wrong; at times he may have erred in judgment but who dares to cast the first stone? The greatest error in our age is silence and in that Senator McCarthy never erred.

He did make mistakes as all men do, but these were rather tactical errors than mistakes of principle. Senator McCarthy was always sincere in his objectives. As a former marine he fought tenaciously and bravely for that objective—to weed Communist-inspired-and-led termites out of the framework of American Government.

History may well prove that the silencing of Senator McCarthy by powerful forces in and out of Government following the Senate-Army hearings in 1954 to be the turning point of victory in the United States for the subversive menace of world communism. It is our conviction that he was throttled because he had reached "pay dirt" at the top. His investigations brought him to the front doorsteps of men of high rank in the United States.

The world, the Nation, and particularly the State of Wisconsin, mourn the death of the courageous Senator. It will be many years before Wisconsin or any other State sends to Washington a statesman with Senator McCarthy's courage, conviction, and ability. We cherished him as a friend in life; we grieve at his death. Few have served their country more totally, unselfishly, and effectively. His death is a severe loss to the Nation—a loss greater than most now realize. Long after his worst opponents—who frequently in their criticism didn't even bother to study the record—have passed into oblivion, Senator McCarthy's memory and contribution to the Nation and the world will remain. Few are entitled more rightly to the title that is his of being a stanch, loyal Christian American statesman. Perhaps his utter fearless action was sufficient to stop the advance of communism in the land he loved; perhaps his voice was choked out too soon. Perhaps his wife and associate should be a candidate for the seat he leaves vacant.

A man of controversy—yes—but also a man of history—that is Senator McCarthy. May his soul rest in peace.

]From the Chatham Courier of May 9, 1957]

A GREAT WARRIOR HAS FALLEN

A great American passed away last week when Senator JOSEPH A. McCARTHY died in Washington where he had carried on his battle against communism for so long.

Senator McCarthy, by his very nature, was a controversial figure. He fought for what he believed was right which, in his judgment, meant the saving of America from infiltration, no matter whether in Government or industry, by those who would destroy our country.

No man can deny that when he commenced his crusade, the ugly and insidious followers of the Kremlin were slowly but surely eating their way into the very heart of America. Into many of the branches of Government, they were to be found. Into important and sensitive industrial plants, they had found their way. Into other fields, they had crept like termites, waiting only for the collapse of the structure. Theirs was to do the bidding of a foreign power whose admitted enemy was the United States of America.

When Senator McCarthy commenced his exposure, they and their followers struck back by the only means they know, by attempting to destroy by calumny or evil suggestion him who would expose them.

Many good people believed their tales and saw in Senator McCarthy one who would pull down the very foundations of the Constitution and set himself up as a dictator or who, by his words and acts, would destroy the names and character of those whom he suspected of treasonable actions.

So far did this propaganda reach that the Senator from Wisconsin was condemned for his actions by the Senate of the United States. Yet there were millions of people who stood beside him, and saw the frailties of the man but recognized that his cause was a holy one and that for it, he must suffer.

This has been the lot of all in America who fought communism in the halls of Congress . . . Martin Dies of Texas, Hamilton Fish of New York, Joseph McCarthy of Wisconsin and today, Senator James Eastland of Mississippi. All of these men have felt the whiplash of the Communists and each has had his character and reputation smeared by them and their followers. Such is the way of the Communists and such it will continue to be against those who hold their philosophy and their methods of operation as opposed to Almighty God and the blessings of a free America.

Recently, the President of the United States dispatched the 6th Fleet into waters where Communist infiltration was likely and with apparent successful results.

Here, in this country, JOSEPH McCARTHY carried on a warfare against those who would strike us from within. This form of destruction is much more insidious, much more destructive than outward action. It eats away and destroys the whole framework, and unless the bright light of publicity is cast upon it, it may, in the end, win its ultimate objective.

Time, we predict, will elevate Senator McCarthy to the great illustrious of the Senate of the United States, and the good works and deeds he did will long remain after many of his traducers have gone to their final rest and their opinions forgotten.

He fought the good fight. He has finished the course and he kept the faith.

[From the New York Catholic News]

Senator McCarthy is dead, and the Communists and fellow travelers are vehement in their denunciations of him. Their glee over his death is obvious. In the United States there is a widespread realization that communism has lost its most effective foe. Senator STYLES BRIDGES of New Hampshire said: "His courage and sincerity in battling against all subversive elements were great contributions to the protection of our American way of life. History will record him as one of our outstanding American patriots."

Dead at the age of 48, Senator McCarthy contributed an important chapter to the history of the Nation at a critical time. To say that he made mistakes is to say what we can say of nearly any man in public life except those who do nothing. He made the United States conscious of the Communist infiltration at a time when many in high places were ignoring it and denying it existed. It is unfortunate that Canada and England did not have a JOE McCARTHY to shock them out of their complacency on communism. The prayers of millions will be offered for the eternal repose of this courageous foe of his country's foes.

[From the Camden (N. J.) Star Herald]

Senator McCarthy is dead. A public figure who skyrocketed to fame and misfortune in less than a decade of arduous labor that made him perhaps the most controverted personality in the leading capitals of the world.

Loved and admired by many; hated by others, Senator McCarthy relentlessly pursued communism, attacking the Soviet bear in its lair and ruthlessly exposing every form of the greatest sham ever foisted on men from parlor pinks to implacable Stalins, Chou-en-lais and Tito.

Censured by our august senatorial body, who were the frequent targets of his violent denunciations of all things communistic;

branded as a witch hunter, before and after death, by the public press of many countries, and dying at an early age of interminable conflict with the forces of evil assembled to destroy a modern David in his death struggle with Goliath—only the impartial verdict of history will decide the true merits of Senator McCarthy to the immortal remembrance of our Nation.

One truth is abundantly clear in the passing of Senator McCarthy from the American scene: That whereas only an insignificant few hundreds grasped the actual meaning of communism as the deadliest foe of all religion and all freedom then, now millions at home and abroad know and accept this Frankenstein monster for what it really is and no one is deceived, except the Communist leaders wherever they are and the unhappy enslaved peoples who are the pawns in the desperately mad bid for one Red world.

In this sense, which is perfectly orthodox, Senator McCarthy is the watchman of the citadel, who risked his name, his political future, his health, and even his life to save the American Ship of State and the peace and the world from that communism that believes neither in the divinity of God nor in the humanity of man.

[From the Ashland (Ky.) Daily Independent of May 3, 1957]

JOSEPH R. MCCARTHY

Death came suddenly yesterday to Senator Joe McCarthy, of Wisconsin, at the age of 47. For many months he had been in poor health and unable to play the vigorous part in national affairs which had made him both one of the most admired and most intensely hated men in American public life.

Whatever may have been his faults, his loyalty to the United States of America and his determination to fight the Communist conspiracy which would overthrow our form of government were unquestionable.

If ever the Communist apparatus, aided by its host of fellow travelers, pinkos, and anti-anti-Communists, was successful in getting its man, it certainly earned its Stalinist medals destroying Senator McCarthy. By every trick of the publicist's art, it succeeded well in creating a byword and a term of opprobrium, "McCarthyism." Too many people accepted it as such without thought or analysis. To its victim, it brought ultimate death.

What Joe McCarthy really stood for was the defense of his country against Communist infiltration and destruction by the method he knew best, direct and fearless action.

We met Joe McCarthy first in the Marine barracks at Quantico, Va., in the late summer of 1942. He was there to defend his country then. And that was the goal of his life until the end. It is our conviction that the slow judgment of history will fully vindicate this estimate of the man.

[From the Albany (N. Y.) Evangelist]

Only the most callow and unconcerned with the preservation of Christian democracy can fail to be saddened and feel a sense of loss in the death of the late Senator from Wisconsin, the Honorable Joseph R. McCarthy. His passing removed from the national scene a sincere, stalwart warrior who recklessly and relentlessly spent himself in warring against the wiles and intrigues of atheistic communism.

He was no ordinary political crusader. The evil against which he devoted his every talent and effort was not commonplace. It thrived on confusion, compromise, and half measures. It could only be challenged by a clearsighted understanding of its essential immorality and a fearless and forthright exposé of its propagators and the alarming number of sycophants, liberals, and starry-eyed optimists who were willing to temporize with it and to hope for the best from it, content to believe that it was kindred in some way to the basic principles of democracy. Because this was the popular view and because the ruthless forces of atheistic communism were strongly entrenched, extraordinary courage was demanded of him who would stand almost alone among his peers in his insistence that communism is an unmixed evil that could not be tolerated.

Senator McCarthy well knew the tactics of the enemy and appreciated the hazards that such combat held for him. Prestige, career, even bodily health, he willingly spent to expose the venom that threatened the lifestream of the Nation.

Because of the late Senator from Wisconsin, millions throughout the Nation today have a better appreciation of the viciousness of communism and the titanic battle that must be fought unceasingly to stem its tide. May the palm of victory be his eternal adornment.

[From the Aiken (S. C.) Standard-Review of May 6, 1957]

SENATOR MCCARTHY

A rugged individualist has departed from the American scene of statesmanship with the untimely death of Senator Joseph R. McCarthy, of Wisconsin, perhaps the most controversial figure of the era in political circles.

There are those who sided with the fearless Senator, those who opposed him, and a third group who watched his every move with appreciation of expected—and were never disappointed—amusement in his showmanship manner as he strode boldly into conflict with the enemy—especially where suspected communism was to be ferreted out and exposed.

The liberals, the pinks, the admitted Communists feared and hated the gentleman from Wisconsin, who zealously, without partisanship or regard as where the chips fell, wielded the ax which dealt a mortal blow to subversive moves by people in this Nation of the disloyal group.

Say what you will, think how you please, but with Senator McCarthy's appearance and sojourn in the Senate, the American people had a champion to defend them from all acts of disloyalty; and to others, whose loyalty to this Nation was questionable, a foe was he—dreaded, hated, and feared.

Not too many men of Senator McCarthy's caliber pass through the Halls of Congress and leave behind a record such as his. Perhaps they are too few.

The people of America will miss Mr. McCarthy and his rugged, never-ending, deeply conscientious struggle against communism, except those who had a right to fear his attack and those who could not stand unflinchingly under the penetrating light of his questioning.

He served his country well.

[From the Los Angeles Herald Express]

DEATH OF SENATOR MCCARTHY

(By William Randolph Hearst)

The passing of Senator Joseph McCarthy, critically ill only a matter of days, comes as a shock to the Nation and his millions of followers.

Veteran of World War II, he went to the forefront and became a bitter, relentless fighter against communism, centering his attack upon the Communists who were infiltrating Government official life.

Because of this he became a controversial figure berated by Communists, leftists, and many liberal groups.

Nevertheless, he continued his unbending struggle to root out home-grown communism and Communist fronts wherever he could find them.

Many will remember him as a beacon of warning at a period in our history when tolerance of Communists and their followers in many high places in public life posed a grave threat to our national security.

Senator McCarthy has passed from among us, but he will not be forgotten, and there will be others who will follow in his footsteps to continue as leaders in what seems to be a never-ending struggle to preserve our great Nation from dangerous subversive invasion.

[From the Cincinnati Enquirer of May 4, 1957]

JOSEPH R. MCCARTHY

Senator Joseph R. McCarthy was a man of many facets, and people saw in him many different things. To some, he was a cynical, ruthless destroyer of reputations, interested only in the furtherance of his own political welfare. To many, many others he was a man of singular courage and determination, willing to sacrifice himself in a crusade against the machinations of the Communist conspiracy.

History will judge wherein his greatness lay—as a patriot, or as a politician.

Let it be recorded now, though, that he was no ordinary man. He was a battler, and one with extraordinary talent. He didn't hesitate even at "taking on the champ," which is what it amounted to when he forced an issue with the Eisenhower administration at the peak of the President's popularity.

As the observers have noted, the Wisconsin Senator's meteoric career swept almost into obscurity after that—after, with the administration's weight thrown against him, he was censured by the Senate. It would be assuming too much, however, to say that his political life was done. McCarthy was a 2-to-1 choice for reelection to the Senate from Wisconsin next year, and in view of his remarkable political vitality, he may again have become a power to deal with in the Republican Party. His death was a shock to friend and foe alike. That much we can say, and leave the rest to speculation.

The Enquirer was a defender of Senator McCarthy, and we were wont to remind critics of his "methods" that the man was fighting an artfully entrenched and fiendishly clever opposition. "McCarthyism" was coined as a smear word, and it was taken to mean a wholly vicious and unprincipled attack upon people innocent of all wrongdoing, or a modern version of witch-hunting.

Yet there were no witches in Salem, and there were Communists in Washington. We hope that historians will be mindful of that when they pass judgment on Joe McCarthy. We hope they will not lose the thread of proof that Communists did infiltrate our Government, did connive to deprive this Nation of allies and did steal vital defense secrets. "McCarthyism" found a spearhead in Joe McCarthy, but in main essence it was the wrath of a people betrayed. We can only hope that the final curtain for Senator McCarthy does not usher in another era of undue softness on communism in America.

[From the Fort Lauderdale Daily News of May 4, 1957]

JOSEPH R. MCCARTHY

Senator Joseph R. McCarthy, a man admired and respected by many and hated and reviled by as many more, is dead.

We don't know how the God who Senator McCarthy worshiped will judge him, but we have always been firmly convinced that he did what he honestly felt had to be done, knowing full well that in carrying out the task he had set for himself he might be the major victim.

He was no angel, nor did he use the tactics of angels in fighting what he believed to be the great menace of our times. He was one of those who used fire to fight fire.

He was "a man of strong convictions," in the view of Senator McCLELLAN, of Arkansas, with whom he worked on many investigations. In the opinion of Senator BRIDGES, of New Hampshire, he "literally gave his life to preserve freedom for all Americans."

There is little doubt about Senator McCARTHY's patriotic zeal. For in sharp contrast to many of his enemies who successfully avoided military service, he volunteered when he could have stayed home.

When he returned from war, he realized his country was just beginning its greatest fight, and he set for himself the task of awakening an otherwise sleeping Nation.

In the columns of Pravda, he is reviled as an arrant reactionary who sowed an atmosphere of fear and anti-Communist hysteria throughout the United States.

Senator McCARTHY did succeed in his mission. He awakened the American people to the fearsome peril posed by international communism. He focused a merciless light on the huge Federal bureaucracy which has proved a comfortable hiding place for Communists.

But there never was any hysteria except in the columns of the liberal press or on the lips of the apologists for communism and its helpers. During all the years when Senator McCARTHY reportedly was conducting a "witch hunt"—when liberals were supposed to be silenced by fear—there were tens of millions of words written or uttered by his very victims.

Yes; there was hysteria on their part; for they feared the results of any investigation into the Communists' past infiltration of our Government. Directly or indirectly, Senator McCARTHY was responsible for the jailing of a large number of enemies of our Nation.

Because of his fight, he was subjected to the greatest concentrated campaign of abuse ever directed at anyone on the American political scene.

This abuse, spearheaded by the Communists and their liberal dupes, never was allowed to slacken. Senator McCARTHY knew all along what was in store for him—he knew the nature of the enemy—but he never wavered.

He succeeded in his immediate goal, but he paid the ultimate price.

His death is a loss to the Nation he loved and served. It is a loss which will be felt keenly by many of our citizens who shared Senator JOE McCARTHY's belief that the internationalist Communist conspiracy could not be fought with kid gloves under Marquis of Queensberry rules.

Senator McCARTHY didn't fight like a gentleman because he wasn't fighting gentlemen and none knew this better than he.

[From the Houston Chronicle of May 4, 1957]

HISTORY WILL BE MORE INTERESTED IN McCARTHY'S AIMS THAN METHODS

Few figures in American history have made such an impact as Senator JOSEPH R. McCARTHY, of Wisconsin, during the 10 years he was in the United States Senate. The vital part of his career was concentrated into 4 years, between 1950 and 1954. So strong a character was McCARTHY that he aroused violent feelings, for and against him. Only the objectivity of history can give McCARTHY his proper place in this era. It is probable that historians, remote from the vitriolic smears made on McCARTHY by the liberal propaganda brigade, will credit him with being a catalytic force in alerting Americans to the subversion of their Government.

McCARTHY's enemies succeeded in making him relatively ineffective after the famous Army-McCarthy hearings and condemnation by his Senate colleagues. But they have not succeeded in erasing from the minds of Americans the stimulation of thoughtfulness which McCARTHY evoked.

McCARTHY accused a small clique in the Federal Government, chiefly in the State Department, of causing 600 million Chinese to be subjugated by the Communists. The targets of McCARTHY's attack blamed it all on Chiang Kai-shek, while some of their defenders admitted their blunders but claimed the errors were made through bad judgment. McCARTHY convinced millions of Americans there was more than stupidity involved in the loss of China to the Communists.

When McCARTHY, after the famous speech at Wheeling, W. Va., centered his fire on the State Department and began naming names, the uproar started. It was then that the liberals set out to destroy him, as they have tried to destroy other vigorous anti-Communists, like MARTIN DIES. The liberals have never found anything to like or praise in any anti-Communist.

Senator STYLES BRIDGES, of New Hampshire, said of McCARTHY, "He literally gave his life to preserve freedom for all Americans." Vice President NIXON said, "Years will pass before the results of his work can be evaluated objectively, but his friends and many of his critics will not question his devotion to what he considered to be the best interests of his country. * * *" Senator JOHN McCLELLAN, of Arkansas, who often clashed with McCARTHY on the investigating committee, said, "I found him to be a man of strong convictions and on occasions when I may have disagreed with him I am happy to say there were never any personalities involved."

Taken together, the statements give a good evaluation of McCARTHY. His sincerity was not questioned. McCARTHY's detractors used the clever approach, "We like his objectives, but not his methods." History probably will be more concerned with his objectives and what they accomplished, than with his methods.

[From the Illinois State Journal of May 4, 1957]

SENATOR JOSEPH R. McCARTHY: CONTROVERSIAL AND COURAGEOUS

When time's healing balm wipes away all the ill feelings, all the stark emotionalism, all the fanaticism that swirled around the political career of Senate JOSEPH R. McCARTHY, he may gain recognition as one of the truly great Senators of the 20th century. But any assessment will have to come from objective historians, not from writers of our day who all seem to be subjective.

At any rate, Senator McCARTHY was undoubtedly the most controversial political figure of this half century. His foes accused him of witch-hunting and of using guilt by association tactics to malign honorable people. His admirers were at the opposite pole in their attitude. They said he was justified in using extreme methods in exposing the machinations of communism and its danger to our country.

Whether or not his tactics were ethical or justified, we believe McCARTHY did a great service for his country in dramatizing the evil of communism. The American people went through the twenties, the thirties, and a large part of the forties without being aware of the cancerous growth of communism that was eating at the vitals of American freedoms.

Sir Winston Churchill first called attention to the dangers of the era in an historic speech at Fulton, Mo. He bluntly pointed out that Stalin had doublecrossed his allies. Then came the exposure of the atom spies, the Rosenbergs, and the shocking realization that Russia had the secret of the atom bomb. Next followed the Hiss case.

But not until McCARTHY launched his compaign against communism did the American people wake up. The general attitude prior to that time was that all those headlines from Washington were politics. The Republicans were investigating the Democrats. President Harry Truman's attitude was typical of many: The Hiss case was a "red herring."

McCARTHY, in reality, exposed the laxity of Government officials toward communism, rather than Communists themselves. But in doing this he stirred up a great enmity, for when a high Government official's reputation is at stake he doesn't take it sitting down, especially if he is still in office.

McCARTHY, in final analysis, was a prosecutor of the people's cause. He may have been wrong in some of his charges, but prosecutors for the people rarely prove all they allege. The inductive method of prosecution is common in our courts, but when McCARTHY used it he stirred up the worst political storm of the century.

Was he right or wrong? History will tell.

Mr. BRICKER. Mr. President, it is very difficult for me to express my feelings at this time. JOE McCARTHY was my friend. He sat here by my side for many, many years. Oftentimes of a night, in his loneliness, he would call me; and I felt better, and I hope he did, as a result of our having talked together.

We came to the Senate of the United States at the same time. Whereas I had devoted most of my life to politics, Senator McCARTHY's political career was just beginning. During the first few months of our association I wondered how a man so young and so inexperienced had climbed so high on the political ladder.

Certainly he had none of the shrewdness, cynicism, or guile that are so often ingredients of political success. His chief political asset, I thought, was a disarming innocence and a boundless capacity for friendship. No man seemed less capable of bearing personal malice.

Membership in this body may temper a man's faults and virtues, but it does not transform his character. JOE McCARTHY came to us in 1947 with a burning desire to be a good Senator, with a profound loyalty to his country, and with the most open invitation to friendship a man has ever worn. JOE McCARTHY was the same man at the time of his death in 1957.

It is indeed a pity that the official records of Senate proceedings can never accurately reflect the personality and character of a departed colleague. In Senator McCARTHY's case, for example, the popular portrait has been badly distorted by the exaggerations of his enemies and of some of his admirers.

I know I have not been alone in reflecting upon what might have been done to ward off the unhappy event which climaxed Senator McCARTHY's crusade against communism. Here was a man who was hated and vilified, not for his faults, but for his virtues. Nevertheless, he insisted on standing the savage ordeal alone. He did not want his friends to be tarred and feathered by the brush that was being prepared for him.

If I could characterize Senator McCARTHY in but one single way, it would be that he was a man of exceptional courage. Bravery was indicated by his distinguished war record and was no doubt discerned by the people of Wisconsin in the campaign of 1946. However, it was not until several years after I met JOE that I realized how indomitable and how unlimited his courage really was.

As Senator McCARTHY so often said, we are at war with communism—a war

that will not end except by victory or defeat for Western civilization. This war has many battlefields. The intellectual case against communism is ironclad. America's intellectual leaders in all areas of human activitity have drawn up the most damning indictment in recorded history. However, these intellectual exertions are futile unless the nature of the life and death struggle with communism can be presented to the general public in a simple, clear, and dramatic frame of reference.

JOE MCCARTHY alerted the American people concerning the essential nature of the Communist conspiracy by words and deeds that no one could fail to understand. He dramatized the issue as no one else had done or was capable of doing. He became the prime symbol of vigorous anticommunism. As the passions of the recent past subside, I hope that both the man and the symbol will be universally accorded the respect they deserve.

Senator MCCARTHY's turbulent career in the Senate of the United States had many elements of high tragedy. This was sensed most clearly on the day of his death. One great writer, Mr. William S. Schlamm, expressed this feeling of tragedy when he wrote in National Review:

> Yet there was a weird feeling in the air on that day, a tremor of urgency throughout the Nation, a sudden fearsome shock. This, somehow, was an unnatural death. A man had died in bed, but the country felt that he had been stoned unto death. This, in spite of its slick communicators and ruling hucksters, is an inarticulate nation. Too often it expresses its truest feelings by reflexes rather than in orderly prose. And, last Friday, I felt violent shocks contort the well-fed body of the Nation.

Close to the heart of this tragedy is the paradox of freedom and authority on issues of survival in an atomic age. Senator MCCARTHY was impaled on the horns of a dilemma which he did not create and which has not yet been resolved. He could not accept the proposition that a free people must tolerate unorthodox views likely to destroy freedom. Many who opposed him could not accept the proposition that it is necessary for a free people to agree on certain basic values calculated to insure survival.

Senator MCCARTHY may not have died in vain if from his tragic experience we have learned to approach this paradox of freedom and authority at its most crucial level in a more temperate and humble spirit.

Mr. HRUSKA. Mr. President, as we now can view events in retrospect, the immediately past World War II years brought to the surface and into clear sight the wide hold and activity of Communist conspiracy, subversion, and espionage. As this stark fact was increasingly perceived, it also became obvious that there were many ways in which those dangers could be met and fought.

Many patriotic, clear-thinking, hard-hitting Americans tried their hand at it, with a variety of approaches. It was not an easy task, for at least two reasons. First, there were many Communists, Red sympathizers, and misled so-called liberals and leftwingers, many of whom were located and situated in high places in many fields of endeavor—in the Government, in industry, in the press, in the professions, and in business. Second, there was public indifference and apathy concerning a situation of clear, present, and pressing danger.

These two things resulted in a climate of uncertainty and confusion. There was talk of witch hunts, red herrings, and book burning. A host of obstacles was placed in the way of those who undertook to do something about the situation.

Among those who ventured forth was Senator JOE MCCARTHY. He went ahead in the ways he knew and with the attributes of which he was possessed. These characteristics became well known as he proceeded in his fight: his bulldog courage, persistence, energy, and endurance; his unfaltering loyalty and sincerity; his unquestioned patriotism.

He devoted himself unstintingly to the cause of exposing the things he saw as menaces to his country and its freedoms and liberties. He sought in every way he knew how to awaken the people to the dangers which confronted the Nation.

We are too close to the career of our late departed colleague to evaluate it properly in a dispassionate, objective, and fair way. But we know that great progress has been made in the battle in which he was engaged. We know also that in large measure much of that progress was due to the years and struggles which JOE MCCARTHY devoted so vigorously, dramatically, and effectively, to the cause.

The awareness and consciousness of the American people to the real meaning and evil of communism and its real implications are a part of the heritage which this man of action leaves to those who survive.

As we pause to engage in today's memorial services, we can only hope that America's appreciation of that heritage will continue alive and meaningful into the long years ahead. We are reminded only too often of its great importance and value. Even in recent days we have learned of newly discovered episodes of substantial acts by enemies of our country as they are brought to light by some of the same law-enforcing governmental agencies and persons with whom Senator MCCARTHY worked so hard and so selflessly, and with great dedication.

An instance of one of these recent events, the case of the Russian colonel, Rudolf Abel, was the subject of a recent editorial published in the Omaha World Herald. Its message is so appropriate here that I ask unanimous consent that it be printed in the RECORD at this point in my remarks.

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

[From the Omaha-World Herald of August 9, 1957]

IMAGINE THAT, A SPY!

As the whole world knows:

There never were such things as Russian spies.

They existed only in the diseased mind of the late JOE MCCARTHY.

The Russian leaders are confused men of good will, bumbling their way out of the fog of dictatorship into the pure light of democracy.

Our leaders and theirs are now talking about a plan to send American planes over Russia and Russian planes over the United States of America to make sure that neither side is fudging about disarmament.

So what happens?

The FBI arrests on American soil a man named Rudolf Ivanovich Abel. He is said to be a colonel of Russian intelligence. While posing as an obscure Brooklyn photographer, says the FBI, he has been running the Soviet atomic espionage apparatus in the United States.

Just before he was to be deported to Mexico, while he was in fact in Texas on his way there, the FBI caught up with him and clapped him in jail.

Abel is no small fry. The FBI says he reported directly to the head of the American section of the NKVD in Moscow. He is the most important Red spy suspect ever captured in the United States.

The Abel arrest comes as a shock because official Washington, outside of the Department of Justice, has been trying to pretend for years that Soviet espionage doesn't amount to much. The general attitude has been one of complacency.

But it turns out there are such things as spies after all. JOE MCCARTHY wasn't completely wrong. And the Soviets are not to be trusted.

Surprising? Not very.

Mr. HRUSKA. Mr. President, on behalf of Mrs. Hruska and myself, the deepest of sympathy is extended to Jean Kerr McCarthy and to Tierney McCarthy, who have suffered a much too premature grievious loss, as have the people of Wisconsin and the entire Nation.

Mr. POTTER. Mr. President, I served with the late Senator JOSEPH MCCARTHY as a member of the Senate Committee on Government Operations and as a member of the Senate Committee on Appropriations. At times I disagreed with him; and at times I disagreed with him violently.

Senator MCCARTHY was an exceptional man. He had great courage; he was resourceful; he had outstanding ability; and he was a tireless worker.

I admire and respect JOE MCCARTHY as a fighting marine. As has been stated by some of my colleagues, he left the bench in Wisconsin, and volunteered for service in the fighting military unit known as the United States Marines, where he served with great distinction.

Then, Mr. President, I admire and respect the late JOSEPH MCCARTHY as a man. No man had any warmer feeling or was more loyal to his friends and his associates than was the late Senator JOSEPH MCCARTHY.

Those who had the opportunity to be with the late Senator on social occasions or when chatting with him in his office or in committee knew that, regardless of differences which might have existed on political or other issues, Joe was not vindictive. He was a warm, human, and an exceptionally delightful and charming person.

Mr. President, I like to think of Senator MCCARTHY also as a Senator. Certainly no person who has ever served in this body had a greater impact than did he upon the American people. The name JOE MCCARTHY was on the lips

of all Americans. He inspired passionate love and devotion on the part of millions of our people, at the same time that he inflamed the hearts of others to hatred.

In any case, his name became a household word. He became a public personality and one of the most widely known men in the United States.

Even the severest critic of Senator McCarthy would say that he—more than any other person in this country—did one very valuable thing: He awakened the American people to the dangers of communism. I believe, Mr. President, that if it had not been for the efforts of Senator McCarthy and the fight he made against communism, the American people would not have awakened in the manner in which they did to its menace. The dramatic efforts made by the late Senator were invaluable. As a result of that awakening on the part of the American people, today the country is much more aware of the sinister aspirations of international communism.

Mr. President, Joseph McCarthy is missed from the United States Senate.

Mrs. Potter would join me in extending to his widow, Jean, and their little daughter, and to the Senator's many, many friends, our condolences on his passing.

Mr. KUCHEL. Mr. President, following the untimely passing of the late Joseph R. McCarthy, the widow, the family, and the friends of the late Senator can derive in very great measure their solace from his patriotism, in the Marine Corps in World War II and in the Congress, his demonstrated revulsion at the slave system of international communism, and his continuing dedication to the cause of its complete extirpation here in the United States.

His years of service in the United States Senate were given over very largely to fighting a menace which, alas, continues to plague free America and the Free World.

Mr. President, these moments in the Senate Chamber have been set aside as a memorial service to our late colleague, who sat on this side of the aisle. They provide a time for the recollection by the Senate, and by its individual Members, of both the political life and the personal life of a Senator with whom most of us served.

His entire political life in the Senate was one of tumultous controversies, regarding which I must observe that many times I found myself on the other side.

He was vigorous, as he saw the light, in pursuing his cause. None will disagree with the goal he set, and none will gainsay that goal—the preservation of free America and the rooting out of Communist infiltration in Government and in other groups.

But his methods, his techniques, and his modes of operation themselves resulted in the strongest kind of turmoil, and in inflamed passions, pro and con, all across the Nation.

Mr. President, at this memorial service for the late Senator McCarthy, those of us who served with him have an opportunity to recall him as a Senator and as a man. This is not a moment for judgment. He has been judged by many in the days gone by; and others, surely, together with history, will judge him in the future. Let it be said here, Mr. President—simply, and I believe, with unanimity of opinion among the Members of the Senate—that Joe McCarthy was the most unyielding kind of fighter in the seemingly never-ending struggle against communism.

For myself, Mr. President, I wish to extend to all his family the sympathy of one who served with him and, in four years of that service, saw him in his seat a little farther to the front than my own, and always knew him as one who was unflinching in his advocacy of the cause which motivated his political life as a United States Senator.

Mr. BEALL. Mr. President, as one who had the privilege of knowing Senator McCarthy as a friend, I take this opportunity to make a few comments about his service in this body and his untimely death.

Joe McCarthy was a determined man with strong convictions. As such, he gained the deep devotion of thousands of Americans and, as is the case whenever strong men act, a certain amount of opposition.

Joe McCarthy gained a position of prominence throughout the entire world, but he was never too busy to discuss various issues with his friends. It was my good fortune to be able to enjoy numerous conversations of this type with Joe, and I always found his views to be highly interesting. His untimely death was a shock to all of us, and we again offer our sincere condolences to his wife and baby daughter.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that permission be given to any Senator who is unable to be present today to have inserted in the Record hereafter any remarks in tribute to the late Senator McCarthy that he may care to submit, and that they may be included in the permanent Record along with the memorial addresses delivered today.

The PRESIDING OFFICER (Mr. Purtell in the chair). Without objection, it is so ordered.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. Stennis in the chair) laid before the Senate messages from the President of the United States submitting several nominations, and withdrawing the nomination of William M. Toland, to be postmaster at Browning, Ill., 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. 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 House to the bill (S. 2130) to amend further the Mutual Security Act of 1954, as amended, and for other purposes.

The message also announced that the House had agreed to the amendment of the Senate to each of the following bills of the House:

H. R. 5168. An act for the relief of William Henry Diment, Mrs. Mary Ellen Diment, and Mrs. Gladys Everingham; and

H. R. 5707. An act for the relief of the A. C. Israel Commodity Co., Inc.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H. R. 232) to amend the Internal Revenue Code of 1954 with respect to the readjustment of tax in the case of certain amounts received for breach of contract.

ENROLLED BILLS SIGNED

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

S. 2130. An act to amend further the Mutual Security Act of 1954, as amended, and for other purposes;

H. R. 1562. An act for the relief of Maj. John P. Ruppert; and

H. R. 8090. An act making appropriations for civil functions administered by the Department of the Army and certain agencies of the Department of the Interior, for the fiscal year ending June 30, 1958, and for other purposes.

NOMINATION OF JEROME K. KUYKENDALL TO BE A MEMBER OF FEDERAL POWER COMMISSION

Mr. KNOWLAND. Mr. President, the memorial services have been concluded. May I propound a parliamentary inquiry?

The PRESIDING OFFICER. The Senator may state it.

Mr. KNOWLAND. Under the parliamentary situation, is the Senate now in executive session?

The PRESIDING OFFICER. Yes; the Senator is correct. The Senate will now, under the agreement heretofore made, resume the consideration of executive business, and the question before the Senate is, Will the Senate advise and consent to the nomination of Jerome K. Kuykendall, of Washington, to be a member of the Federal Power Commission?

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. Scott in the chair). Without objection, it is so ordered.

THE LIFE STORY OF LON CHANEY

Mr. KNOWLAND. Mr. President, as in legislative session, at the request of the senior Senator from Colorado [Mr. Allott], I ask that there be printed in the body of the Record a statement which the Senator from Colorado pre-

pared relative to the motion picture "Man of a Thousand Faces," which portrays the life story of Lon Chaney.

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

STATEMENT BY SENATOR ALLOTT

Tomorrow night the motion picture industry and Universal-International Pictures will premier, here in Washington, a motion picture called Man of a Thousand Faces. It is the life story of Lon Chaney.

Although I have not seen the picture as yet, if it follows the life of Lon Chaney closely, it should be a great picture. I believe it is particularly fortunate that Universal chose Jim Cagney to play the role. He should do it justice.

Colorado has a particular interest in this picture, because it has a particular interest in Lon Chaney. He was born in Colorado Springs, Colo., on April Fool's Day, 1883. His early schooling was in the public schools of that city, but he had to give up school at an early age to begin making his own way by conducting tourists along the trails of our famous and beloved Pike's Peak.

Lon Chaney's first contact with the theater came in Colorado. Again, it was Colorado Springs, in its opera house, where he got a job as a property boy. He made his first stage appearance in that city at the age of 17, when he and his brother, then a theater manager, wrote and presented a play entitled "The Little Tycoon." Lon and his brother follow this with a cycle of Gilbert and Sullivan in their home city, but had to give it up when they ran out of funds while taking this first venture on a road tour. By this time Lon was quite an accomplished comedian and dancer and moved on to Chicago to continue what turned out to be a pathway to fame, but one studded with tragedy and pathos.

Chaney was the second of four children born to deaf and dumb parents. His father, an immigrant from Ireland, owned a barber shop in Colorado Springs. When Lon was nine and in the fourth grade in school, his mother became permanently helpless from inflammatory rheumatism. For more than 3 years Lon spent most of his time nursing her. He had to exchange thoughts with his parents by means of his hands in sign language. This use of his hands and facial expression is considered to have been the groundwork of Chaney's ability as an actor and for his unusually expressive gestures. Today his accomplishments are legendary. His pictures, too numerous to mention, are milestones of personal achievement and many of them mark the epochs of technological progress of one of America's great native industries.

It is said that he was exceedingly fond of a quip that sprang up about him during the time that he was making one successful picture after another. It was a sign that someone supposedly posted on the studio wall which read: "Don't step on it, it may be Lon Chaney."

In a few days it will be exactly 27 years since Lon Chaney died. I hope this biographical picture, which is being released as a part of the motion picture industry's 50th year of production in Hollywood, will do two things in particular: (1) Serve as a tribute to a man who persistently developed his skills in the true American way, who rose from the humble home of an immigrant barber in Colorado to world fame and great fortune, but was ever mindful of the opportunities that are available to industrious young people in this country; (2) serve to remind many of the producers of motion pictures today that his pictures were successes because they had good stories that depended on acting skill rather than expensive exploitation and cheap suggestive appeals such as we have witnessed in and around Washington and the Capitol of late.

I particularly wish to point out this contrast to the motion picture industry and take this opportunity to echo the sentiments of my distinguished colleague, the senior Senator from Connecticut [Mr. BUSH] and others as well, regarding the use of the Senate galleries for these promotion stunts.

I have attached to my statement the text of a testimonial resolution from Mr. Eric Johnston, president of the Motion Picture Association of America, commending the "Man of a Thousand Faces" as a due honor to our famous Coloradan, Lon Chaney, so that it may be printed in the body of the RECORD immediately following my remarks.

A TESTIMONIAL

Whereas Universal-International has designated Man of a Thousand Faces, starring James Cagney, Dorothy Malone, and Jane Greer, as its golden jubilee film, commemorating 50 years of motion picture production in Hollywood; and

Whereas the film portrays the life story of Lon Chaney, one of the immortals of the motion-picture industry:

The Motion Picture Association of America hereby commends Universal-International on the production's subject matter and on the naming of this outstanding film as its golden jubilee selection.

ERIC JOHNSTON,
President, Motion Picture Association of America.

CIVIL RIGHTS

Mr. JOHNSON of Texas. Mr. President, the value of the Senate rules on debate was fully illustrated during the course of the discussion on the civil-rights bill. The measure was subjected to searching scrutiny. It was examined from every viewpoint. And in the course of the debate many facts emerged which changed minds and altered opinions.

Unfortunately, one aspect did not emerge until it was too late for action. It was the fact that the bill might, under some interpretations, carry a strong threat to the traditional freedom of the press.

The parliamentary situation is such that nothing can be done as far as the present bill is concerned. Both Houses have acted, and the technical language is not in dispute.

However, the situation can be handled easily by a concurrent resolution. I have asked that one be prepared, and have forwarded it to interested parties in the House and have presented it to interested Members of the Senate.

I intend to sponsor such a resolution in the Senate, when the differences in the civil-rights bill are finally resolved.

The intention of Congress, of course, was simply to protect the integrity of executive hearings from Commission employees who might act through malice. There was no intention to interfere with legitimate news gathering.

It would be a travesty to cast a cloud upon a basic right—freedom of the press—in a bill intended to promote rights. Therefore, I want my colleagues to know that there will be immediate—and I believe successful—action to remedy the situation, once the differences between the two Houses are resolved.

The concurrent resolution to which I refer reads as follows:

Resolved by the Senate (the House of Representatives concurring), that the Clerk of the House of Representatives, in the enrollment of the bill (H. R. 6127), entitled "To provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States," is authorized and directed to make the following correction:

In section 102, strike out paragraph (g) and insert in lieu thereof the following:

"(g) No evidence or testimony taken in executive session may be released or used in public sessions without the consent of the Commission. Whoever releases in public without the consent of the Commission evidence or testimony taken in executive session shall be fined not more than $1,000, or imprisoned for not more than 1 year."

CERTAIN CONSTRUCTION AT MILITARY INSTALLATIONS

Mr. STENNIS. Mr. President, as in legislative session, I ask that the Chair lay before the Senate a message from the House of Representatives pertaining to H. R. 8240, the military construction bill.

The PRESIDING OFFICER (Mr. SCOTT in the chair) laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 8240) to authorize certain construction at military installations, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. STENNIS. I move that the Senate insist upon its amendment, agree to the request of the House for a conference and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. RUSSELL, Mr. STENNIS, Mr. JACKSON, Mr. SALTONSTALL, and Mr. CASE of South Dakota conferees on the part of the Senate.

CONSTRUCTION OF A STADIUM IN THE DISTRICT OF COLUMBIA

Mr. BIBLE. Mr. President, as in legislative session, I ask that the Chair lay before the Senate a mesage from the House of Representatives pertaining to H. R. 1937, to authorize the construction, maintenance, and operation by the Armory Board of the District of Columbia of a stadium in the District of Columbia, and for other purposes.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 1937) to authorize the consruction, maintenance, and operation by the Armory Board of the District of Columbia of a stadium in the District of Columbia, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BIBLE. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. BIBLE, Mr. FREAR, and Mr. BEALL conferees on the part of the Senate.

ATOMIC ENERGY AUTHORIZATION BILL

Mr. POTTER. Mr. President, because the Senate members of the Joint Committee on Atomic Energy have not signed separate views to accompany the report of the committee on S. 2674, the atomic energy authorization bill, and four Members of the House have signed a separate statement of views, on H. R. 8996, the House version, I ask unanimous consent, as in legislative session, that the separate statement of the views of the four House Members be printed in the body of the RECORD, so that the Members of the Senate will have the benefit of these views when they consider the bill.

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

SEPARATE STATEMENT

SECTIONS OPPOSED

We are opposed to the following sections of the authorization bill: 101 (b) (8): Project 58 (b) (8); 101 (e) (14): Project 58 (e) (14); 101 (e) (15): Project 58 (e) (15); 110 (a), (b), and (c); 111 (a) (1), (2), and (3).

Although wholly in accord with providing authorization for appropriation of the funds necessary to maintain an energetic atomic energy program both for military and peaceful purposes, we feel compelled to state separate views as to certain changes made by the majority to the authorization bill while it was before the Joint Committee.

In general, we feel that the modifications will result in expensive and unnecessary Government reactor construction, involving the expenditure of $58 million, neither requested by the Atomic Energy Commission nor approved by the Bureau of the Budget. They are designed to promote the growth of public power and to hinder development of atomic power by our traditional resources of private industry.

There are other ways of fostering the atomic industry without having the Government enter into all of the expensive construction and operations envisaged by this bill. There are other ways which appear to foster more reactor technology for the taxpayer's dollar. The alternates should have been thoroughly studied at a time when Congress is most interested in economy. They were not. The result is that under this bill the encouragement which was given to private industry by the Atomic Energy Act of 1954 to begin entering the atomic energy field in cooperation with the Government is now almost completely wiped out.

HISTORY

On March 1, 1957, the Atomic Energy Commission wrote to the Congress requesting authorizations for its construction program in accordance with section 261 of the Atomic Energy Act of 1954. On March 12, Mr. Durham introduced the bill (H. R. 5889) in the House of Representatives. Hearings on the bill which disposed of all of the matters in the authorizing legislation except for the reactor program were held by the Subcommittee on Legislation on April 10 and 16. On April 16, the chairman of the House Appropriations Committee, Mr. CANNON, made a speech on the floor of the House condemning the methods used in authorizing and appropriating moneys for the reactor program of the Atomic Energy Commission. The Subcommittee on Legislation then held special hearings on May 23 and June 10 after which a new bill amending section 261 was introduced (S. 2243 and H. R. 7992). Although there was disagreement with every point of law raised by Mr. CANNON, those who did disagree went along with the amendment to section 261 even though it required Congressional approval of the Commission's participation in cooperative programs in the new atomic energy industry.

Mr. CANNON's main objective, however, was not limited to mere technicalities of authorization or appropriation law. His main position was in opposition to privately owned reactor facilities and in favor of publicly owned reactors. Mr. CANNON's closing remarks were:

"It is my firm conviction that the Federal Government should immediately initiate construction at existing atomic-energy sites of full-scale atomic electric powerplants."

The modifications now made by the majority of the committee to the authorization bill start the Commission down this path.

PROVISIONS OBJECTED TO

Let us look at the provisions:

"SEC. 101 (b).— * * *

"8. Project 58-b-8, production reactor for special nuclear materials; development, design, and engineering only, $3 million. The Commission shall proceed with sufficient design work, together with appropriate engineering and development work, necessary for the Commission to begin construction as soon as practicable after authorization by the Congress, of a large-scale single- or dual-purpose reactor for the production of special nuclear materials. The Commission shall submit to the Joint Committee on Atomic Energy a report on its design for this project, including cost estimates and schedule of construction, not later than April 1, 1958.

"SEC. 101 (e).— * * *

"14. Project 58-e-14, natural uranium, graphite-moderated, gas-cooled, power reactor prototype designed for the production of approximately 40,000 electrical kilowatts, $40 million.

"15. Project 58-e-15, plutonium recycle experimental reactor designed for the production of 15,000 electrical kilowatt equivalent, $15 million.

"SEC. 110. Prototype power reactor facilities: (a) The Commission shall proceed with the design engineering, and construction under contract, as soon as practicable, of the prototype power reactor facilities authorized by section 101 for project 58-e-14 and project 58-e-15 at installations operated by or on behalf of the Commission and the electric energy generated shall be used by the Commission in connection with the operation of such installations.

"(b) In the conduct of the work under this section the Commission is authorized to obtain the participation of private, cooperative, or public power organizations to the fullest extent consistent with Commission direction of the project, ownership of the reactor, and utilization of the electric energy generated.

"(e) Each prototype power reactor facility constructed under this section shall be operated by, or under contract with, the Commission for such period of time as the Commission determines to be advisable for research and development purposes and for such additional periods as the Commission may determine to be necessary for national defense purposes and for the purposes of subsection (a) of this section. Upon the expiration of the prototype reactor operations as determined by the Commission in accordance with this subsection, the Commission shall dismantle the reactor and its appurtenances.

"SEC. 111. Cooperative power reactor demonstration program: (a) There is hereby authorized to be appropriated to the Atomic Energy Commission, in accordance with the provisions of section 261 a. (2) of the Atomic Energy Act of 1954, as amended, the sum of $129,915,000 for use in a program not to exceed $149,915,000, subject to the following conditions:

"(1) Arrangements for projects sponsored by cooperatives and publicly owned agencies shall be carried on by direct contract between the Commission and the equipment manufacturer or engineering organization with respect to the development, design, and construction of the reactor and related facilities, and by direct contract between the Commission and the cooperative or publicly owned organization with respect to the provision of a site and conventional turbogenerating facilities, the operation of the entire plant including training of personnel, the sale by the Commission of steam from the reactor complex to the cooperative or publicly owned organization, and other relevant matters. Sale of steam by the Commission under contract with the cooperative or publicly owned organization shall be at rates based upon the present cost of, or the projected cost of, comparable steam from a plant using conventional fuels at such locations.

"(2) Funds in the amount of $1,500,000 may be expended for additional general research and development in Commission laboratories to advance the technology of the fast breeder reactor concept.

"(3) The date for approving proposals under the third round of the power demonstration reactor program shall be no later than December 31, 1958, and no funds authorized for the third round shall be expended on projects approved under the first or second rounds of such program or on other nuclear power projects already under construction."

PUBLIC POWER FAVORITISM

When all of these amendments are gathered into one place, the main purpose they serve becomes obvious. Separated and scattered throughout the authorization bill they appear to be no more than regular projects in the bill. Together they are, in an even more objectionable form, the substance of the Gore-Holifield bill of last year. While the Gore-Holifield bill provided general lines for the acceleration of the atomic energy reactor program, this bill would set forth specific projects which section 110 (a) would make it mandatory that the Commission build. This does not even leave it to the discretion of the Commission to fit the statutory requirements into the program of the Commission—technically, administratively, or legally. This is public power advocacy run rampant.

Moreover, subsection 111 (a) (1) would call for complete Federal ownership of 5 reactors submitted by public power groups (a large-scale reactor in the first round, and 4 smaller scale reactors in the second round). These would be Federal projects, with all risk to the utility operator removed. In effect, therefore, the Joint Committee has added 3 Federal reactor projects under section 101 and 5 more Federal atomic power projects under section 111.

To try to add these amendments to the program of the Commission is an attempt, in fact, to blackjack the Commission into accepting the public power theories of these portions of the bill merely in order to obtain enactment of the balance of the bill which is essential to the national defense and security. This is the first time that public power advocacy has arisen in any way within the Joint Committee in connection with the funding of the Commission's operations. Of course, there have been differences of opinion in the Joint Committee before, and we expect that there will be such long after this. However, the place to resolve those differences of political opinion is not in connection with the legislation respecting the funding of the Commission's operations, but in connection with substantive legislation.

DISTORTIONS IN MAJORITY REPORT

Paragraph 10 of the section entitled "Committee Observations" and the entire section entitled "Conclusions and Recommendations on Cooperative Program" exhibit a strong bias in favor of public power, Government

ownership, and socialism. In our opinion, the majority of the committee should not have endorsed these sections of the report.

FAVORITISM

One of the main objections to the approach suggested by the projects of the majority is that this is improper favoritism and rank discrimination by legislative fiat.

It is the stated intent of the majority that the gas-cooled reactor be built in order to permit Admiral Rickover and the Westinghouse Co., to have a project on which their staff can work. We want to say at the outset that we have only the highest regard for both Admiral Rickover and Westinghouse. Our objection to the method of handling is directed to the approach and policy of specifying the technical aspects of the projects in the law.

Admiral Rickover has testified before the joint committee that he wears three hats. He is Chief of Naval Reactors Branch of the Atomic Energy Commission. This is his primary duty. He is also Assistant Chief of the Bureau of Ships for Nuclear Propulsion and he also wears the third hat—industry. Admiral Rickover has testified before the committee that he does not consider a gas-cooled reactor to be practicable for a ship and it is impracticable for a warship where space is limited:

"My personal opinion is that it will take a number of years before there is a sufficient degree of reliability to permit us to go ahead with a closed cycle gas-cooled plant in a naval vessel."

Therefore, the proposal to have Admiral Rickover run an experiment on a gas-cooled reactor is not for him wearing his AEC hat or for his naval hat. It can only be for him wearing his industry hat.

It is abolutely improper for this committee to shop around for a project to award to one industrial group merely to keep the group together. We doubt that the same majority members of the joint committee will be as ambitious for the technical staff of the Power Reactor Development Co.

Furthermore, in the light of the need for at least 2 more years' work on the Shippingport reactor, the plea to save Rickover's group is quite premature. There is much experimental and design work to be done on that reactor—including the design of new cores.

Admiral Rickover himself has indicated that he has more than enough work to do in the growing naval-reactor program and the Shippingport project. See hearings on naval-reactor program and Shippingport project, pages 29, 90–91.

In his testimony before the joint committee, Admiral Rickover often stressed his pride in having obtained competitive bidding for most of that portion of the atomic program for which he is responsible. If, as, when, and where, the Commission decides that it should, as part of its program, construct another gas-cooled reactor, it should to the extent possible do it on competitive bidding, if not on negotiation, after giving all others interested an opportunity to present their proposals. We believe Admiral Rickover would be the first to be embarrassed by this form of industrial favoritism as proposed in the committee amendment.

Rather than turning to the Congress, we think the Westinghouse people should draft their own proposals and submit them to the Commission and to others interested in the industry to see whether or not there might be persons interested in sponsoring the further use of their organization.

In the same way there have been many statements made by members of the majority that the natural uranium heavy water project is being proposed by them "in order to help Zinn." It was only last year that Dr. Zinn was a consultant to the joint committee. While engaged in that capacity he rendered great service to the committee. We think he would be the first to object to a form of favoritism such as proposed in the gas-cooled natural uranium reactor. Here, again, we believe that the project should be one for which the Commission, after deciding it wants to go ahead, should seek proposals and, if desirable, competitive bids.

We cannot pass this moment by without observing that the groups in the Congress who are seeking to write into the law projects which would automatically be given to General Electric and Westinghouse are the very groups which have often belabored the fact that there are monopolies in the atomic-energy program because of the entrenched position of the very large companies in the field. If these projects are accepted by the Congress, we prophesy now that within a short period of time these same groups will be pointing to these companies in these projects as further examples of this monopolistic tendency.

ROLE OF JOINT COMMITTEE

By these amendments, the joint committee puts itself in the place of the Commission in the making of arrangements and the letting of contracts and the pricing of proposals. In addition, it would replace the judgment of the Commission—the authority so designated by the Atomic Energy Act of 1954—with its own judgment as to the needs of the types of reactors to be built in the atomic energy program. By this action it would also, on its own motion, and without any substantial supporting testimony, overrule the advice given to the Commission not only by the statutory General Advisory Committee—the scientific committee established by law to give the Commission advice on technical and scientific matters—but also the special committee of scientific advisers convened last summer by the Commission to help it decide whether there were any important omissions or flaws in its reactor program. The joint committee's action overrules the recommendations of both of these advisory groups—and without any record to support the action.

There have been times when the joint committee has moved the Commission's program along—both with respect to the construction of the hydrogen bomb and with respect to the crash program to have materials available for the construction of hydrogen weapons available in greater numbers. However, in both of these instances the joint committee by verbal persuasion helped those responsible for the operation of the program to reach broad policy decisions, and left the implementation of those decisions to the Commission. Now the Joint Committee is specifying the implementation of certain policy decisions, and the broad policy questions are being decided by assumption rather than by impartial study and express conclusion. The actions of the Joint Committee are not based on any study or any conclusions therefrom showing wherein the Commission's present operations are deficient.

PRODUCTION REACTOR DESIGN STUDY

The bill authorizes, in project 58–b–8, $3 million for a design study of a production reactor for special nuclear materials. This is completely unnecessary because of the authority of the Commission under section 103 of this bill to undertake advance planning, construction design, and architectural services. It is thus not only a wasted $3 million authorization, but also provides the initial steps which will involve an eventual expenditure of $100 million.

Moreover, the language requires the Commission to submit a report on its design for this project to the Joint Committee by April 1, 1958. In the light of the history of this project, and the past statements of certain members of the committee, and the language in the majority report, it seems obvious that heavy pressure will be brought to bear upon the Commission to make the design one for a dual-purpose reactor. We believe that, if more plutonium is required, the decision as to the design of the reactor should be left to the Commission, free from Joint Committee pressures.

At this time, however, the Atomic Energy Commission has concluded that there is little technology incentive and no economic incentive to construct this kind of reactor. If it is desired to purchase additional plutonium production capacity, economic studies favor a plutonium production reactor over a Hanford water-graphite dual-purpose reactor for most situations. If it is desired to stimulate power reactor technology development, economic studies favor emphasis on other reactor types than a Hanford water-graphite dual-purpose reactor for most situations.

If more plutonium is required, and such a determination may be made by the responsible authorities, economic studies favor construction of additional plutonium producing capacity at Hanford, or at Savannah River, depending on specific conditions. For instance, testimony before the committee suggests that an investment of $100 million will buy, starting in 3 years from authorization, over 3 times as much additional plutonium capacity via a Hanford plutonium production reactor, as the same investment will buy starting in 4½ years from authorization via a Hanford water-graphite dual-purpose reactor. Although the testimony showed that at 3.5 mills per kilowatt-hour, the unit cost of plutonium from the dual-purpose reactor would be somewhat less than that from the single-purpose reactor, the costs presented rest upon several questionable assumptions. Most questionable are (1) the use of anything higher than a dump-power credit to apply to power from a reactor stated to be built for developmental purposes and thus likely to be operated intermittently, and (2) the use of the amortization periods assumed in the testimony.

GAS-COOLED REACTOR

Project 58–a–14 would require the Commission to construct a gas-cooled reactor for a sum of $40 million. Yet the Commission already has two projects for the construction of gas-cooled reactors before it. Although it is heavy water moderated, the reactor proposed to be built by the Florida Nuclear Power Group is gas-cooled. The Commission also already has a contract with the Aerojet General Co. to build a gas-cooled reactor experiment at Arco designed to power a gas-turbine generator for the Army. In addition, studies are being made by the North American Aviation Co., American Sanitary & Standard Radiator Co., and by the General Electric Co. on gas-cooled reactors.

In view of the fact that the British are presently reevaluating their program in the light of their own experience with gas-cooled reactors, it would seem best not to have the Congress rush through another gas-cooled project which has not been shown to be of any superior value either to this country or apparently to Britain. Indeed, the British seem to be turning from the use of normal uranium to fuel their gas-cooled reactors to the use of enriched fuels, which is the United States principal current concept. This is one case where we might well learn lessons from the British, without having to spend $40 million ourselves. In view of the proposal from the Florida Group, why should the Congress appropriate $40 million at a time when the Congress is in an economy frame of mind and when private industry is proposing the same general reactor concept in which it will pick up a large part of the cost? Some of the members of the committee have stated that one of the purposes of this reactor is "to help Zinn." Again we raise the question of the propriety of this approach, especially when $40 million rides on such favoritism.

PLUTONIUM RECYCLE PILOT REACTOR

Project 58-e-15 requiring the start of a plutonium pilot reactor is the least objectionable of the projects from the technical point of view. There is no denying the necessity of demonstrating the ability to use plutonium generated in reactors as fuel in reactors. However, it is not proper for the committee to substitute its judgment for the judgment of the Commission; it is not equipped to pass competent judgment either by training of its members or experience of its staff. The operating budget of the Commission currently calls for the spending of $1,400,000 in fiscal year 1957 on the design phases of a plutonium recycle reactor. Moreover, the Commission has clearly testified that it will not be ready to construct this reactor in fiscal year 1958. Since there is, in addition, project 58-e-3 for $10 million for construction of a fuels technology laboratory at Argonne to study this problem, there seems to be as much development as the present technology will bear. The Commission's program is as good as it can be in the light of the present scientific knowledge about the use of plutonium in reactors. This reactor is premature, and the $15 million authorization in this bill is completely unnecessary at this time.

SECTION 110

Section 110 has three subsections—each of which merits some attention. Subsection (a) would direct the Commission to construct the reactors added by the committee amendments. This direction was repugnant to the Commission last year when the Commission was merely directed to build certain types of reactors. It is even more repugnant and insulting this year when specific reactors are directed to be built by the Commission for specific costs.

Subsection (b) would authorize (not direct) the Commission to use contractors to the widest extent possible. Subsection (c) would require each prototype reactor authorized to be sold to the highest responsible bidder when it no longer serves research purposes, or when the facilities have operated for 15 years. These two subsections are supposed to be a sop to private power groups, but are meaningless. The sale subsection (c) is limited to "each prototype reactor demonstration facility authorized by this subsection" and the subsection (c) authorizes no prototype reactor demonstration facility. While subsection (b) would authorize private contractors, it would nevertheless require Commission "ownership of the reactor and utilization of the electric energy generated."

COOPERATIVES AND PUBLIC POWER GROUPS

Section 111 a (1) is the most vicious of all of the committee amendments. It would write into the authorization bill a mandate that the Commission shall enter into "Shippingport" type of arrangements with cooperatives and publicly owned agencies. This means that the full burden of the development of powerplants for the cooperatives would fall upon the Atomic Energy Commission and that the arrangements which are presently under negotiation and study with the cooperatives would be abandoned. The arrangement is such that the Commission would pay for the construction and operation of the reactor and sell the steam to the cooperative or publicly owned agency at the conventional cost of steam. This is, indeed, a great preference for the cooperatives and publicly owned agencies. Once this section has been enacted into law the gates would be open to demands for similar treatment from all other cooperatives and publicly owned agencies.

The Shippingport project, which provided for Federal financing and operation, was set up before the Atomic Energy Act was amended in 1954 to permit private ownership of reactors. To revert to a federally controlled atomic power program is a step backward—not forward. It is a big, fateful step, and it may be difficult to turn around and start walking in the right direction again after the mistake has been realized.

While others differed with our views, we tried to see that the Atomic Energy Act of 1954 was so drafted that the Commission, in dealing with private, publicly and cooperatively owned bodies, acted without favor. As originally drafted the act tried meticulously to keep the Commission from getting into the private power-public power battle. It tried to treat all prospective licensees alike—without favor or bias. Some preferences, both on licensing and on sale of excess power, were written into the act. We do not believe that those preferences should now be extended in the way contemplated by this section, even on the excuse of "bailing out" the cooperatives. Section 273 of the act was inserted on the floor to be sure that in its licensing functions the Atomic Energy Commission would treat public agencies the same as any private utility. The public agency should obtain its financing through its own channels. Saying that the money for public agencies which are owned by the United States all comes out of one pocket anyway is a quick statement that immediately puts the Atomic Energy Commission into public-power production. Thus, with all of its responsibilities in weapons and research, the Commission should not also take on the responsibility of constructing and operating reactors in this fashion.

This bill and the committee report, indicate a strong preference for public power, and a bias against private industry.

POWER REACTOR DEVELOPMENT CO.

Subsection 111a (1) authorizes funds in the amount of $1,500,000 which may be expended for additional general research and development in Commission laboratories to advance the technology of fast breeder reactors.

From a legal point of view, it is obvious that this general statement does not affect the legality of the commitment made by the Commission in its valid contract with the Power Reactor Development Co. The Commission is fully authorized to use any of the funds authorized by section 111a of this bill, or any other funds available to it to fulfill its obligations under this contract, and should do so.

The language in section 111a (2) is meaningless, and the Commission should be required to carry out its valid contract obligations with whatever funds it has available.

The approach of the majority report would attempt to alter the agreement already entered into between the Atomic Energy Commission and PRDC. The avowed purpose of this position is to be sure that the PRDC reactor is safe when it is finally built. In other words, the delegation of licensing authority to the Atomic Energy Commission as a quasi-judicial delegation would be subject to review by the joint committee. This is wrong in any concept of the proper establishment of an independent executive agency. However, this issue is now before the administrative agency in a hearing, and in our opinion it is clearly improper for the joint committee to interject itself into this controversy before it has been resolved by the administrative agency, and by the courts, if necessary.

This attitude toward the PRDC project is completely unreasonable and overlooks the unanimous testimony of experts presented to the Atomic Energy Commission in the contested licensing hearing that the fast breeder reactor probably will be completely safe by the time all of the projected research is completed and by the time that the reactor is constructed and ready for operation. Instead, the committee is misreading a cautionary report by the reactor safeguards committee which merely calls for further research to insure the safety of the reactor—research which is being performed. It is listening instead to its own political dictates.

Moreover, it is significant that the sponsors have delayed authorization of funds for the only project sponsored by privately owned utilities and companies which was submitted to the joint committee for authorization. The majority would approve more than $100 million of Government construction of reactor development projects and more than $95 million for assistance to publicly owned power groups, but would jeopardize the modest assistance of less than $4.5 million for which authorization was requested for a project sponsored by privately owned companies. Moreover, this project is clearly a good investment of Government funds, since the $4,450,000 Government contribution will be matched by a contribution of more than 10 times that amount by the private companies participating in the project.

THIRD ROUND

Section 111 a (3) would place restrictions upon the third round. Here the obvious intent is to discourage proposals by private industry in order to call for more Government reactor construction.

The general approach throughout section 111 is this: "We cannot do enough to help the public power groups. On the other hand, we must do everything possible to discourage the private groups."

STATUS OF PRIVATE INDUSTRY

All of the moves which have been combined in this bill show that this bill is designed to encourage public power and to discourage to the greatest extent possible the participation of private firms into the power field. Contrast the $58 million added to the bill by the committee under the proposed amendments with the limitations placed upon the third round and the attempted cut of the PRDC contract. When taken together with the sums submitted by the Commission for authorization the bill would provide a mere $35 million for private assistance as compared to between two hundred and three hundred million dollars for publicly or cooperatively owned reserves.

Add to these facts the new provisions of section 111 (b) by which the new cooperative arrangements are required to come up before the joint committee for 45 days. Add to these the stated desire of some of the committee members to save the negotiations with the cooperatives while slashing the PRDC contract and the third round.

Add to these the requirement in section 111 a. (1) that the equipment manufacturers shall negotiate directly with the Commission when interested in making an arrangement with a cooperatively or publicly owned power body. The total is solely that the privately owned reactor has been as effectively eliminated as if it had been wiped out of the Atomic Energy Act of 1954. This is our estimate of the present status of the atomic energy industry as a result of this bill. The effect of the attempted PRDC cut will be felt long after every other item in the bill is forgotten.

MISSTATEMENT OF COMMITTEE INTENT

There are scores of misstatements and inaccuracies in the committee report, and I shall limit myself to three of the major misstatements of committee intent.

1. PRDC contract

The report states:

"The committee does not approve the requested authorization for preconstruction research and development work and waiver of fuel use charges in connection with the reactor project of the Power Reactor Development Co."

This misstates the committee intent and the understanding of the committee members at the time they voted on the language in section 111 a. (2). In the course of deliberations on the bill, the meaning of this language was discussed on several occasions in committee meetings. A majority of the members felt that the work done in AEC laboratories to assist the PRDC project should be limited to $1,500,000 during fiscal year 1958, as this was the amount originally requested by the Commission in its operating budget for AEC work to assist that project in fiscal year 1958. A minority of the committee members felt that the full amount of $4,206,000 requested by the Commission should be authorized. It was directly represented in any event, that the full amount of $1,500,000 mentioned in section 111 a. (2) could be applied to the PRDC contract, if the Commission deemed it advisable. The report is thus a flat and flagrant misstatement as to the intent of the members of the committee at the time they voted to report out the bill.

2. *Assistance to public power groups under section 111 a (1) contract arrangements*

The report states that, in operating the five public power reactors, the AEC is authorized "to pay for all reactor operation and maintenance costs and other special costs arising out of the nuclear character of the entire project and operation." These special costs could arise because of new and novel designs, unusual maintenance, irregularity of operation due to interruption for modification or repairs, substitution of alternate power during the periods of operation, and the necessity of obtaining research and operational information.

This misstates the committee intent because at no time were such special costs mentioned to the committee in considering section 111 a (1). On the contrary, it was represented that this merely established the Shippingport formula for these projects. In the contract with Duquesne Light Co., the utility operator must pay for his steam from an alternate source of supply if the reactor is shut down. It was the committee intent, at the time it voted on the bill, that the utility operators under section 111 a (1) should have, at best, the same treatment provided under the Shippingport formula.

3. The report implies that the committee disapproves of postconstruction research and development assistance to private utilities. This is not a correct indication of committee intent. So long as such assistance is for research and development, it is consistent with section 169, because of the exception therein as to section 31 research and development funds. It of course makes no difference whether such research and development work is done before or after completion of construction of the reactor.

CRITICISMS OF AEC

There are many statements in the majority report, especially in the section entitled "AEC Reactor Program" which are highly critical of the AEC reactor development program. In our opinion, these vitriolic statements can be looked upon as mere necessary preludes to the cries for more Government construction, for atomic power federalism, and socialism. These statements should be disregarded by the Congress and the public. The employees of the AEC have served their country well, and they deserve tribute from the Joint Committee, not slander. In particular, Mr. Davis, the Director of the Division of Reactor Development, has frequently been singled out for harsh treatment by certain members of the committee. In our opinion, Mr. Davis has done an excellent job during this necessarily difficult period in the design and development of reactor technology.

In summary, we would like to quote from the report of the "Three Wise Men" in their report entitled "A Target for Euratom." They said:

"An impressive amount of research and development done both through the Atomic Energy Commission and by private industry have provided America with the most complete nuclear foundation in the world."

ALTERNATE APPROACHES

While the hearings on the reactor program of the Commission were very extensive and covered 10 days, they are not complete. No consideration during these times was given to the proper and sound method of having the reactor program go forward. In other words, it was assumed during all this time that these reactors would be built by the Federal Government. Some consideration was given to carrying out the first, second, and third rounds of proposals already entered into by the Commission. No consideration was given to whether there were not other ways of speeding the development of atomic energy. Both Mr. VAN ZANDT and Mr. COLE have introduced bills which suggest at least three other approaches. One is the approach of an outright subsidy for domestic and foreign reactors; one is the approach of liberalizing the patent provisions; one is the approach of granting accelerated tax write-offs.

It seems to us that the entire purpose of the approach taken by the committee to speed the construction of atomic reactors should be viewed in the light of finding the proper way and the proper atmosphere for creating an industry to serve privately, cooperatively, and publicly owned bodies alike, if the proper framework for this is for the Congress to consider an outright subsidy for the construction and operation of privately owned reactors. Subsidies have helped build many industries in our Nation, including railroads, airlines, and barge lines.

We should think that a subsidy approach would be especially welcome to the Congress since it means that the Congress would see that there are more reactors built for each dollar of the taxpayer's money.

In view of the committee's stated desire to see the output of plutonium increased, we would again like to recommend that the Commission be given authority to extend the guaranteed fair price period for the production of special nuclear materials from 7 to 15 years, and that the production of other materials and for the separation and reprocessing of fuel elements. This approach has not yet even been considered by the committee. We know of no way which could be used to obtain more plutonium at a cheaper rate than to authorize the Commission to make these kinds of arrangements. Indeed, a longstanding proposal from one contractor to produce plutonium on a unit price basis has not even been brought forward or discussed in these hearings.

CONCLUSION

It is our recommendation that subsection 101 b (8), 101 e (14), 101 e (15), and 110 a, b. and 3, be eliminated from the bill. It is our further recommendation that subsection 111 a (1), (2), and (3) be stricken from the bill and that, as the Commission requested, the following sums be authorized for the first, second, and third rounds:

1st round	$54,384,000
2d round	48,237,000
3d round	30,000,000

STERLING COLE.
JAMES E. VAN ZANDT.
JAMES T. PATTERSON.
THOMAS A. JENKINS.

MIDDLE EAST POLICY INQUIRY

Mr. FULBRIGHT. Mr. President, the Subcommittee of the Committees on Armed Services and Foreign Relations for the Review of Middle East Policy on which I have served as chairman has concluded that no useful purpose will be served by its continuation. The subcommittee has, therefore, recommended its discontinuation with the understanding that the Committee on Foreign Relations, pursuant to its regular procedures will keep United States policies in the Middle East under surveillance.

This subcommittee was a byproduct of the consideration by the Congress of Public Law 7, the so-called Middle East resolution.

It seemed to me at the time the Middle East resolution was under consideration and before Senate action on that resolution that it was pertinent to ascertain the reasons why the United States found itself in such difficulty in the Middle East that an emergency joint resolution of the Congress was felt to be necessary. On January 24, at an early meeting of the joint committee considering the Middle East resolution, I proposed that the Secretary of State furnish the joint committee an official white paper giving a detailed description of the events in the Middle East leading to the crisis.

I ask unanimous consent that my statement of January 24 be printed in the RECORD at this point.

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

STATEMENT OF JANUARY 24, 1957

In view of the apparent failure of our actions in the Middle East to create stable and peaceful conditions in that area and in view of the serious breach of our principal alliances, is it not sensible for us to try to understand how we got in this situation before we endorse the policies and policymakers who have directed these affairs?

It may be that there are sound reasons for every action we have taken, for every policy we have followed, but I do not believe the acceptance of such a conclusion should be a matter of faith. I believe that before we are required to give or to withhold a vote of confidence in the stewardship of Secretary Dulles, we should be given information which would enable a reasonable man to form a sound judgment as to the wisdom of our policies, past as well as future.

I do not believe, Mr. Chairman, that proceeding as we have by 10- or 20-minute question periods, unrelated and uncoordinated, and under an atomisphere of urgency, we can hope to gain sufficient understanding of these affairs to enable us to discharge our duty under the Constitution. The Founding Fathers did not contemplate that the advice and consent of the Senate should be grounded upon faith alone without knowledge and understanding of the subject matter, especially in the absence of long experience justifying such faith.

Mr. Chairman, I wish to suggest that before we dismiss the Secretary as a witness, and before we proceed to a vote upon this resolution we invite the Secretary to prepare and present to us a thorough chronological detailed description of the course of events in the Middle East leading up to the crisis which now confronts us.

In short, Mr. Chairman, what I am suggesting is that the Secretary furnish this committee an official white paper on the Middle East before we are called upon to vote upon this resolution.

As one member of the committee, I regard it as improvident and unwise to make a grant of authority to disburse large sums of public money, without restriction of any kind, for objectives which are vague and

unspecified, and by people who have disproved their foresight, their wisdom, and their effectiveness in the field of foreign affairs.

The seriousness of our present circumstances, according to the Secretary's own statement, necessarily raises a question as to the validity of our foreign policy in the Middle East during these past 3 or 4 years.

Mr. Chairman, I submit that suggestion to the committee in all seriousness, and I hope that the committee members will consider it. As soon as we have an executive session, I expect to ask for formal action on the suggestion.

Mr. FULBRIGHT. Mr. President, I should like to emphasize two points which I made in this statement.

In the first place, before voting on the Middle East resolution, it seemed essential to me that Congress obtain the full background of the crisis. There was opposition to this proposal in the joint committee. It was feared by some that it would be dangerous to take the time necessary to find out how we got into the mess before we voted on the resolution which was supposed to get us out of the mess. The administration put great pressure on the Congress to push the Middle East resolution through. In that atmosphere some thought that every minute counted and that the Middle East resolution had to be hurried along.

It was also my thought that the review of Middle East policies to find out how the Suez crisis arose should go back only for the period necessary to understand the events in the crisis. I felt that a review of policies over the preceding 3 or 4 years would have been sufficient to bring to the surface all the relevant factors which led to that catastrophe. The cry immediately went up, however, that my proposal was a partisan one. It was suggested that I intended to investigate only what the Republicans had done in the Middle East and not what the Democrats may have done there earlier.

It was ultimately decided by the joint committee to vote on the resolution and then to review Middle East policy. It was also decided to review Middle East policies all the way back to 1946. The joint committee decided to request that the Department of State provide a chronological statement, together with classified and unclassified supporting documents, telegrams, and the like, of all the events that have contributed significantly to the present situation in the Middle East, with particular reference to the period beginning January 1946.

Mr. President, I ask unanimous consent that there be printed in the RECORD at this point in my remarks the letter from Chairman GREEN to Secretary Dulles requesting the Department to furnish the facts on Middle East policies.

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

JANUARY 29, 1957.

The Honorable JOHN FOSTER DULLES,
Secretary of State.

DEAR SECRETARY DULLES: At a joint meeting of the Committee on Foreign Relations and Armed Services on January 29, 1957, it was decided to address the following request to you:

To the SECRETARY OF STATE: The Committee on Foreign Relations and the Committee on Armed Services, sitting jointly to consider Senate Joint Resolution 19, a joint resolution proposed by the President relative to the Middle East situation, request that the Department of State provide a chronological statement, together with classified and unclassified supporting documents, telegrams, and the like, of all the events that have contributed significantly to the present situation in the Middle East, with particular reference to the period beginning January 1946. The committees desire such information as soon as possible, but they will not delay action on Senate Joint Resolution 19 pending receipt of such information. The Committee on Foreign Relations will undertake to provide suitable storage for classified material and access to such material will be restricted to the members and staff of the two committees. Matter furnished to the committees will be returned to the executive branch within a reasonable time.

To facilitate our planning here, I would appreciate being kept informed as you assemble the materials requested.

Sincerely yours,

THEODORE FRANCIS GREEN,
Chairman, Joint Hearings of Committees on Foreign Relations and Armed Services.

Mr. FULBRIGHT. Mr. President, Secretary Dulles replied to Senator GREEN on February 2 that the Department welcomed the opportunity to present the facts about the events which contributed significantly to the situation in the Middle East.

In order to provide a point of contact between the Department of State and the Joint Committee, Senator GREEN appointed the subcommittee on whose activities I now report. The subcommittee consists of 3 Republicans and 3 Democrats. The Republicans were Senators WILEY, KNOWLAND, and SALTONSTALL, and the Democrats were Senators MANSFIELD, BYRD, and myself as chairman. The subcommittee was asked to consult from time to time with the appropriate officials of the Department of State as to how the request of the Joint Committee for information about the Middle East could be met reasonably, both as to the extent of information and as to the timing of the receipt of the information.

The request of the two Senate committees for information about the origin of the Middle East crisis went to the State Department on January 29. At the end of February, when there had been no response from the Department of State, I asked the Department for a progress report. Assistant Secretary of State Hill sent me a letter dated March 7, 1957, to which was attached a progress report on the work of the Department in preparing a statement on Middle East policy.

Mr. President, I ask unanimous consent that there may be printed in the RECORD at this point in my remarks the letter from Assistant Secretary Hill to me dated March 7, 1957, and the memorandum dated February 28, 1957, attached to Assistant Secretary Hill's letter, in the nature of a progress report.

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

DEPARTMENT OF STATE,
March 7, 1957.

The Honorable J. W. FULBRIGHT,
United States Senate.

DEAR SENATOR FULBRIGHT: In further reference to my letter of February 27, I enclose a progress report on the preparation of the chronological statement on the Middle East which was prepared at my request by our historical division. I believe it outlines the nature of the preparatory work which is being done by our historical division in response to the request of the joint committee.

Mr. Marcy, in his letter to me of February 22, stated that your subcommittee would like to meet with appropriate officials of the Department to discuss this project. I have talked with the people who prepared the attached report, who inform me that by the week of March 11 we shall be in a position to bring with us to such a meeting a sample volume of supporting documents in order to give the subcommittee some idea of what the final product will look like and comprehend. I suggest, therefore, that a meeting with your subcommittee, at its convenience, after March 11 might be more productive than at an earlier date, although, of course, we are at your service at any time.

I would also suggest, subject to your wishes, that I bring with me Assistant Secretary Rountree, my deputy, Mr. O'Connor, Mr. Noble, chief of our historical division, and Mr. Harry Howard, also of that division. I realize this is a somewhat large group, but so many different areas of the Department are affected that I think it would be best if they were all available.

Sincerely yours,

ROBERT C. HILL,
Assistant Secretary.

(Enclosure: Memorandum of February 28, 1957.)

FEBRUARY 28, 1957.

Subject: Progress report on the preparation of the chronological statement, with supporting documents, of the "events that have contributed significantly to the present situation in the Middle East," with emphasis on the period beginning January 1946.

1. Nature of the report: The report will consist of (a) a chronology describing the significant events relating to the Middle East, from January 1946 to January 29, 1957, the date of Senator GREEN's letter of request to Secretary Dulles, (b) supporting documents, classified and unclassified, and (c) an introductory note reviewing significant events in the Middle East from World War I through 1945. The report as a whole will aim primarily at showing the development of American policy in that area.

2. The staff: It includes (a) one specialist in middle-eastern affairs, preparing a chronology, (b) five historical researchers, selecting relevant documents on middle-eastern countries and problems, (c) one additional researcher to work on documents relating to United Nations matters, and (d) one supervisor to organize the documents and to coordinate them with the chronology.

3. Progress of the work: (a) The chronology is largely completed, so far as unclassified materials are concerned, through 1949. Scattered subjects have been covered less systematically, on this basis, down to 1957. (b) The initial selection of documents in the Department's files is very far advanced for 1946, and considerable work has been done for the years 1947–49. Some progress has been made on scattered subjects through 1954. (c) The work of organizing and coordinating the documents is under way. (d) The introduction will be prepared when the post-1946 chronology is completed.

4. The review process: When the documents have been selected and coordinated with the chronology the entire collection, on a year-by-year basis, will be carefully reviewed in the Historical Division and elsewhere in the Department.

5. Target dates: It is expected that it should be possible to begin turning over the chronological statement, with supporting

documents, on a year-by-year basis, early in April. It is hoped that the entire project, as now planned, can be completed by or before the end of May.

Mr. FULBRIGHT. Mr. President, Mr. HILL's letter of March 7 said that he thought that by the week of March 11 the Department would be in a position to show the subcommittee a sample volume of documentation in order to give the subcommittee an idea of what the final product would look like. The Department's letter also stated:

It is expected that it should be possible to begin turning over the chronological statement, with supporting documents, on a year-by-year basis, early in April. It is hoped that the entire project, as now planned, can be completed by or before the end of May.

Mr. President, it was March 18 before the subcommittee met with Deputy Under Secretary Murphy, and other representatives of the Department of State. At this meeting the representatives of the Department showed the subcommittee samples of the work being done in the Department on summarizing Middle East policies, but the group had nothing tangible to present to the subcommittee at that time. It became clear to me that it would require much longer than the Department had forecast to comply with the request of the joint committee of the Senate. At that time nearly 2 months had passed since the request had been made, and not a single piece of paper had been furnished to the joint committee.

In view of the obvious fact that it would be many months before the complete story of Middle East policy since 1946 would be available to the joint committee, I asked Deputy Under Secretary of State Murphy to furnish to the joint committee, ahead of any other material, a chronological statement, with supporting documents, of the history of the Aswan Dam negotiations.

Mr. President, I asked for the Aswan Dam papers because it seemed to me that there were two really crucial events which precipitated the sudden Communist danger in the Middle East and caused the crisis and war over the Suez Canal. The first of these events was the consummation of the arms deal by which the Communist bloc undertook to furnish major weapons of war to the Egyptian Government. This was a major blow to our interests in the Middle East.

The second crucial event was the withdrawal by the United States of the offer which had been made to Egypt to help Egypt build the Aswan Dam. This latter event was crucial because in retaliation for the withdrawal of the United States offer, Colonel Nasser seized the Suez Canal and provoked the start of the shooting war in the Middle East. I chose the Aswan Dam subject because it was the later of these two events, and I thought that the administration should have the benefit of the knowledge gained from the mistakes made in the first event, the supplying of Communist arms to Egypt.

The Aswan Dam documents were delivered to the committee in three installments and they were all received by the second week in May. These documents giving the history of the Aswan Dam negotiations make a pile over a foot high. The documents range in security classification from "unclassified" to "top secret." With some exceptions I shall mention, and with some exceptions which I cannot mention for security reasons, it appears to me that the Department of State has provided an adequate record from which to judge United States policy with respect to the Aswan Dam.

The story of the Aswan Dam negotiations was told for the most part by means of internal Department of State memorandums and telegrams between Washington and our embassies in the Middle East. There were several papers of heads of state. No National Security Council papers were included.

Mr. President, anyone would find these Aswan Dam documents fascinating. I have studied them with great care. I have found them extremely helpful to an understanding of recent events in the Middle East. On the basis of my study of these documents I came to certain conclusions which disturbed me very much. I decided to summarize these conclusions in a classified memorandum for the benefit of the other members of the subcommittee.

On May 14, 1957, I informed the members of the subcommittee that I had reached certain tentative conclusions after studying the Aswan Dam documents, and I invited the subcommittee to study my conclusions. On May 21 I called a meeting of the subcommittee to determine what action, if any, the subcommittee should take on the basis of what it had learned of the Aswan Dam case and its aftermath.

It is fair to say that this meeting of the subcommittee was inconclusive. My conclusions, which reflected what seemed to me to be serious shortcomings in the formulation and implementation of Middle East policies by the Secretary of State, were not fully concurred in by all the members. The questions involved, however, were complex, subtle, and included a great many imponderables. Reasonable men could therefore differ about the conclusions to be drawn from the Aswan Dam documents furnished by the Department of State. It was but natural in this kind of context, where so many points were debatable that it would be difficult to reach unanimous conclusions. It seemed obvious to me that it would be impossible to get agreement in a subcommittee consisting of three Republicans and three Democrats on any conclusions to be made public which would criticize the handling of Middle East affairs by Secretary of State Dulles.

The suggestion was made in the subcommittee meeting on May 21 that before the subcommittee should take any action it should obtain the comment of Secretary Dulles on the tentative conclusions which I had reached. In the course of my memorandum of conclusions, I had stated that, although my conclusions were based on the evidence in the documents furnished by the Department of State, it was necessary to do some reading between the lines. I enumerated several apparent gaps in the information which had been furnished by the Department. There was a feeling in the subcommittee, therefore, that the Department should have an opportunity to supply the missing information.

Accordingly, Mr. President, I addressed a letter to the Secretary of State dated May 22, in which I asked for answers to four questions. I was especially interested in learning more about Secretary Dulles' own thinking about the Aswan Dam. I had pointed out to the subcommittee that there were very few documents among those furnished by the Department which one could say with certainty had been drafted by the Secretary himself. One of my questions to the Secretary in my letter of May 22 therefore was: "What was your own reasoning regarding the withdrawal of the dam aid offer?"

On May 29 the Secretary of State replied stating that he had given careful thought to my questions and was enclosing a memorandum containing the Department's answers to those questions. The answers given by Secretary Dulles to my additional questions, in my opinion, added nothing of any significance to the documents which had earlier been furnished. The Department's memorandum of May 29 merely repeated the substance of official statements which had already been available to the subcommittee. It therefore seems to me that there is no point in calling Secretary Dulles before the subcommittee for the review of Middle East policy, or before the Committees on Armed Services and Foreign Relations.

Mr. President, after considerable searching thought over the past several weeks I have decided that I should make public, as much as our own security laws permit, of my own conclusions about the Aswan Dam history.

On the basis of the secret and top secret documents which the Department of State has provided—which, as I have said, apparently provide a satisfactory basis on which to judge United States policy—I have reached the following conclusions:

First. The Aswan Dam project was a sound project from the point of view of engineering feasibility, and it was a reasonable risk for economic development loans. Sources of capital other than those involved in the offer which was made to Egypt, both private sources and other Government sources, were definitely interested in pursuing the project.

The reason the United States first offered to make a contribution to the project was because it was recognized that the Aswan Dam or some other Nile River development program on a comparable scale was vital to the future of Egypt. The Aswan Dam is a symbol of Egypt's potential development. Without such a development, Egypt, with its increasing population, may be expected to suffer a constantly lowering standard of living. This is likely to cause much social and political unrest in Egypt and may endanger the unstable peace of the Middle East.

Second. After many surveys and long negotiations, which were participated in

by the International Bank for Reconstruction and Development, the United Kingdom, and the United States, a comprehensive plan for financing the Aswan Dam was substantially agreed upon with the Government of Egypt. This plan was based on estimates that the dam would cost $1.2 billion, a sum which would include the cost of irrigation and drainage works, powerlines, and other accessorial costs. The plan contemplated that Egypt, from its own resources, would pay for the full cost of the dam except for $400 million in foreign exchange. The International Bank was willing to lend Egypt $200 million. The United States and the United Kingdom jointly were to grant Egypt the remaining $200 million, of which the United States was to contribute 75 percent and the United Kingdom 25 percent. These payments were to be made over the period of construction of the dam, which was estimated to be between 10 and 15 years.

For the United States this offer would have meant making contributions to the project averaging $15 million a year for 10 years. On December 16, 1955, the United States offered to furnish $54.6 million toward the first stages of construction of the dam and to consider sympathetically additional financial support later. It was this offer which was withdrawn by the administration 7 months later on July 19, 1956.

Third. The administration's decision to withdraw the offer to Egypt was made against the advice of the United States Ambassador to Egypt, and the President of the International Bank for Reconstruction and Development. President Eisenhower appears, according to the State Department documents, to have participated very little in the decision, except to approve Secretary Dulles' recommendation. There was apparently no consideration of the question by the National Security Council.

Fourth. The reasons given to the public for the withdrawal of the offer were not, in my opinion, valid reasons. They were as follows:

First, that other Nile riparian states had not agreed to the project. The fact is, however, that there is no evidence that such agreement was not possible, or even probable. Moreover, the lack of agreement on this score was not a valid reason for withdrawing the American offer because Egypt itself had agreed with us not to go forward with construction until agreement was reached with the Government of the Sudan, the principal other country involved.

The second reason given for withdrawing the offer was that the ability of Egypt to devote adequate resources to the project had become uncertain since the time of the offer 7 months before. The fact is, however, that the major drain on Egypt's resources—namely, the mortgaging of part of her cotton crop in exchange for Communist arms—had occurred prior to the time of the United States' offer on the dam. Contrary to the statement of the Department of State, there was no substantial evidence of a radical worsening in Egypt's economic condition at the time of the withdrawal of the offer. Certainly the International Bank had not urged that the arrangement be called off. Furthermore, there appears to have been no consideration of the imaginative use of United States surplus food supplies to counteract the inflationary effect which the commencement of construction would have had in Egypt.

Fifth. In public statements made subsequent to the announcement of the withdrawal of the offer to help with the Aswan Dam, Secretary Dulles has given as an additional reason the fact of Congressional opposition to the project. There is no evidence, however, that the administration ever made any serious effort to persuade the few Members of Congress, who had expressed opposition, that the Aswan Dam project was sound. On the contrary, the evidence is that the administration itself began to reconsider the offer only a few weeks after the offer was made.

Sixth. The administration's judgment, based on facts known to the administration at the time of the withdrawal of the offer, seems to me to have been faulty for the following reasons:

First, the Russians had made an offer to help finance the Aswan Dam on terms more attractive than those offered by the United States, the United Kingdom, and the International Bank. There was no evidence that the administration believed that the Soviet Union was not prepared to follow through on its offer. The Secretary of State was nevertheless willing, by withdrawing the United States offer, to take the risk of massive Soviet penetration in Africa with no compensating advantage to the United States in taking such a risk. I might say here parenthetically that it is not possible to be sure, on the basis of the documents furnished by the Department of State, whether Secretary Dulles deliberately sought to force a showdown with the Soviet Union on their offer. In this connection, we do have the evidence in Mr. Beal's biography of Secretary Dulles in which Mr. Beal states: "It was necessary to call Russia's hand in the economic competition."

Mr. President, I ask unanimous consent to have printed at this point in my remarks two newspaper items discussing John Robinson Beal's treatment of this question in his biography of Mr. Dulles.

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

[From the Washington Post of April 1, 1957]

MATTER OF FACT—THE DULLES WHITE PAPER

(By Stewart Alsop)

It is not the usual function of a political reporter to review books, but occasionally a book comes along which is also important news. Such a book is John Foster Dulles: A Biography, by John Robinson Beal of Time magazine.

The book is news for two reasons. First it contains a fascinating account of what had previously been only rumored or suspected—a calculated decision by Secretary Dulles to force a showdown in the Middle East. The account of this startling episode is undoubtedly based on interviews with Dulles himself. Second, the book will no doubt have important international repercussions, since it not only opens all the old half-healed wounds caused by the Suez crisis, but also pours great dollops of salt in them.

The Beal book is thus likely to cause as much uproar as the account based on an interview with Dulles of the Dulles brink-of-war theory, by another Time man, James Shepley.

In his introduction Beal, while absolving Dulles of responsibility for the book, states that "it benefits from personal interviews with him which provided insight into his official actions, for which I thank him."

Repeatedly, Beal described Dulles' views with an authority which could only have come from such personal interviews. The book will certainly be regarded, therefore, as a kind of personal Dulles white paper on his Middle East policies, unofficial but authentic.

Beal confidently describes the manner of Dulles' withdrawal of American offer of aid to Egypt in building the Aswan Dam as a calculated slap in the face for Egypt's President Nasser, consciously designed to bring on a showdown. The Beal account should be read in full, since it is an authoritative report of one of the most amazing exercises in diplomacy in recent history. But the following excerpts give the gist:

For Dulles, a moment of cold-war climax had come. It was necessary to call Russia's hand in the game of economic competition. It was necessary to make the demonstration on a grand scale. Nasser combined the right timing, the right geography and the right order of magnitude for a truly major gambit in the cold war. Why did (Dulles) turn down Nasser so brutally, without a chance to save face? Since the issue involved more than simply denying Nasser money for a dam, a polite and concealed rebuff would fail to make the really important point. It had to be forthright, carrying its own built-in moral for neutrals in a way that the ormolu of applied propaganda would not cheapen."

In short, Dulles withdrew the American offer as insultingly as possible, not in a moment of temporary aberration, as many thought at the time, but because he planned it that way.

Beal's version of the Dulles decision to force a showdown parallels almost word for word the version of the decision previously offered by still another Time-Life man and Dulles admirer, former presidential adviser C. D. Jackson.

When the Jackson version of the Dulles decision was made public, it was widely assumed that it was in fact the Dulles version. Now there can be no reasonable doubt of it—an experienced reporter like Beal could not conceivably describe the Secretary of State's reasoning and motivation in such authoritative detail simply by guesswork.

Beal makes it clear, moreover, that Dulles was aware of the dangers involved in forcing a showdown: As a calculated risk the decision was on a grand scale, comparable in the sphere of diplomacy to the calculated risks of war in Korea and Formosa. But his experience at sailing in diplomatic waters convinced him that the breeze would be better if he took a new and independent tack."

The chapters which follow, which also clearly benefit from insight into his official actions, are designed to prove that the Dulles decision to force a showdown was a brilliantly successful diplomatic coup. This proves a trifle difficult, even for so able an advocate as Beal, since it is uncomfortably obvious that the Middle Eastern breeze has not been better, but a great deal worse since Dulles forced his showdown.

The difficulty is overcome by the simple device of blaming everything that has gone wrong on our allies—while the Dulles policy was moral, and consistent and purposeful, our allies' policies were both stupid and dishonest. This theory of the crisis, which deserves further examination, will be studied with pained attention abroad, in view of the authority with which the author clearly speaks.

[From the Washington Post of April 2, 1957]

OVER THE BRINK

Just when you begin to think that Mr. Dulles has moderated his brinkmanship, along comes another article or book based on conversations with the Secretary of State to prove you wrong. There are many passages in John Robinson Beal's adoring biography, John Foster Dulles, that will cause heated controversy and indignation through the Free World; but the most provocative is the assertion that Mr. Dulles carefully planned the manner in which last summer he withdrew the offer to help Egypt build the Aswan Dam. As Mr. Beal describes the situation, "It was necessary to call Russia's hand in the game of economic competition. * * * Nasser combined the right timing, the right geography, and the right order of magnitude for a truly major gambit in the cold war."

This is a shocking indictment, although Mr. Beal patently did not intend it as such. Communist arms going to Egypt in large quantities, and an increasing number of anti-Western moves on the part of Colonel Nasser, made the decision to withdraw the aid offer logical enough in itself. Yet up until recently the general assumption had been that Mr. Dulles' insult to Nasser in his conversation with the Egyptian Ambassador was more or less accidental, and that the Egyptian reaction was not anticipated. The British, for example, knew of and supported the decision to cancel the offer; they understood, however, that the dam project would merely be indefinitely postponed.

But no. According to Mr. Beal:

"Since the issue involved more than simply denying Nasser money for a dam, a polite and concealed rebuff would fail to make the really important point. It has to be forthright, carrying its own built-in moral for neutrals in a way that the ormolu of applied propaganda would not cheapen. As a calculated risk the decision was on a grand scale, comparable to the calculated risks of war taken in Korea and Formosa."

It is of course always possible that Mr. Beal overstates the case, if not as to the facts, at least as to motivations (no one would quarrel with the basic judgment that Nasser was intractable). Nevertheless, the account squares with a recent speech by C. D. Jackson, also of Time and Life and a former White House special assistant. It fits into the pattern of Mr. Dulles' three other brinks in Korea, Indochina and Formosa. Mr. Beal adds a significant footnote to Formosa policy by telling of a hitherto secret letter from President Eisenhower to Chiang Kai-shek "satisfying him that the United States would help defend Quemoy and Matsu"—a tacit commitment in which Congress ought to be intensely interested.

All of this serves to paint Mr. Dulles as the most reckless sort of gambler. Always before it has been possible to regard the Aswan-Suez episode as an accident. Now Mr. Dulles is portrayed as the champion of purposeful irresponsibility, the inventor of the calculated blunder. The tale places on Mr. Dulles an additional share of the blame, not only for Nasser's nationalization of the Suez Canal Co., but also for the increasing desperation in Britain and France, the Suez invasion and the drastic erosion of Western interests.

It is hard to believe that Mr. Dulles could be so totally Machiavellian. But he will have a difficult time climbing out of this hole; and there will properly be increasing demands for a white paper on the whole story of relations with Nasser. If the Beal account is correct, is it any wonder that Mr. Dulles is mistrusted abroad?

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

Mr. FULBRIGHT. I yield.

Mr. KNOWLAND. I have been listening to the Senator's speech with regard to the Middle East, which is a very important and vital part of the world. I was a member of the committee to which the Senator has referred, and I am sure he will be frank enough to admit that there was a great volume of material presented, as he has already pointed out, and that different people, could of course, draw different conclusions from the facts which were presented, including classified and unclassified documents.

The Senator will also admit, I am sure, that, so far as the water rights are concerned, the agreement between Sudan and Egypt on the use of the water has not even now been reached, and had not been reached at the time the Aswan Dam matter was under consideration or at the time the offer was withdrawn. That is correct, is it not?

Mr. FULBRIGHT. It had not; but one of the conditions of the offer was that that agreement would be reached before we were committed to give the money. Therefore I do not believe it is a valid reason for the withdrawal.

Mr. KNOWLAND. The fact remains that such an agreement has not been up to this date, the 14th of August, entered into between Egypt and Sudan. Even had the funds been provided, the work could not have gone forward, and we would not have had to put up the money under the contingency the Senator has himself pointed out.

Mr. FULBRIGHT. Of course after the cancellation of the dam the negotiations for settling that matter, I presume, were dropped. There was no point in pursuing it with any particular energy, because the project, for all practical purposes, had lapsed.

We have that problem in the western part of our own country. The Senator is aware of it. Every time a project of this kind is attempted in our country, where riparian rights are involved the States concerned must make compacts. The Senator from California has himself participated in the vigorous battles over who is to get the water of the Colorado River. Such problems are not insoluble. The only point is that existence of such a problem was not a valid reason for withdrawing the offer.

Mr. KNOWLAND. My only point is—and I think it becomes pertinent—is that even had the Soviet Union gone ahead on its own in regard to this matter, unless they were completely to ignore the water rights of the new nation of Sudan, they would still have to reach an agreement, which has not up to now been entered into.

Mr. FULBRIGHT. That is quite right. No one is advocating that the rights of the Sudan should have been ignored. I do not believe it was an insoluble problem at all. Both countries are interested in developing the Nile River.

As I said in the beginning, this project had been long under consideration. A consortium of German, French, and British private firms had, long before this, entered into negotiations to spend a large amount of money to survey the possibilities of the development of the river. It was not a new project, just picked out of the air. All of us contemplated an agreement as to the proper distribution of the water. Everyone knows that would have had to be done.

The only point I make is that to say, as an afterthought, that we canceled the offer because no agreement had been reached seems to me to be a false reason. Everyone knew an agreement would have to be reached; but an agreement cannot be reached in a vacuum. It should be reached in contemplation of a great proposal.

Mr. KNOWLAND. That was one point which the Senator mentioned. The other point which was mentioned was that there had been preliminary discussions which had taken place following the Egyptian purchase of arms or the barter arrangement for arms from Czechoslovakia. The arms deal had so encumbered the principal export of Egypt, which was cotton, as to throw some doubt on the financial soundness of any repayment plan which might otherwise have been entered into.

I am not quite clear from the Senator's remarks whether he gives any weight to that or whether he feels it was relatively inconsequential. Nevertheless, again, that would be a matter of judgment. Presumably those in the executive branch of the Government, who are charged with some heavy responsibilities in this regard, felt that the arms deal with the Communist bloc had impaired the fiscal responsibility of the Egyptian Government.

Mr. FULBRIGHT. I treat that subject in more detail in the next few pages of my statement, but I point out that the arms deal had taken place prior to the offer. As a matter of fact, the arms deal was one of the principal reasons which motivated our Government and the British, and was the principal reason for the offer being made.

So to argue that the arms deal was both the reason for making the offer and also the reason for withdrawing the offer is wholly illogical. The arms deal had been arranged before the offer was made. If the arms deal had taken place subsequent to the time the offer was made, the Senator's reasoning would apply. But I think he is wholly in error to apply that as the pertinent reason or the proper reason for the withdrawal of the offer. The arms deal was made in the summer of 1955.

Mr. KNOWLAND. Yes; but all the details regarding the arms deal were made known at the time the first intelligence became available to the Government of the United States relative to a transaction having been entered into between the Egyptian Government of Mr. Nasser and the Communist Government of Czechoslovakia, acting as front for the Soviet Union.

I submit that later details could very well have given additional information, which certainly would throw grave doubt upon the fiscal ability, even if there were no other issues involved, of the Government of Egypt to carry out the original plan by which, presumably, the cost

of the Aswan Dam was to be repaid over a period of years.

Mr. FULBRIGHT. All I can say is that there is no evidence of that in the documents which were placed at the disposal of the committee. On the contrary, all the evidence on that point is in support of the view that there was no substantial change. The documents reveal that the president of the International Bank was of the view that there had been no substantial change in the capacity of Egypt to discharge this obligation—that is, from December 1955, to the time of withdrawal.

I do not wish to commit the president of the bank too far. I will put it this way: I think it is clear from the documents that, having entered into the agreements, and for reasons which are very involved, he thought the matter should be consummated. In other words, he did not approve of the withdrawal. Our Ambassador was also very strong against withdrawal of the offer.

What the Senator from California says is that they may have had some intimation from some sources that Egypt was not as likely to repay as it was before the offer was made or at the time of the offer. I say there is nothing in the documents to that effect. We can speculate about it; anybody can. But there is nothing in the documents to indicate that.

Mr. KNOWLAND. The third point raised by the Senator from Arkansas involves circumstances and conditions then prevalent. It is hard to try to recapture on August 14, 1957, a situation which existed some months or a year ago. But keeping in mind the factors which then existed, the Senator from Arkansas apparently discounts the congressional opposition. Perhaps the Senator's research has not gone far enough, and he might be enlightened by the record of the hearings. I believe the record of at least one of the hearings was kept by the Committee on Appropriations, when the Secretary of State and, I believe, some of his assistants were called before that committee and were questioned rather extensively with regard to the Aswan Dam and the proposals which had been made. If a record was kept of the several meetings which were held—and I have a personal recollection of at least one, and I think there was more than one—the Senator from Arkansas would perhaps find that there was a substantial feeling in the Senator's own party, as well as on the other side of the table, in regard to the Aswan Dam matter, and very grave questions were raised concerning it. Perhaps before completely discounting the Congressional questions which have been raised, the Senator might examine that part of the record, if it is available, to see whether, indeed, the Congressional reaction was not a great deal more than the Senator apparently assumes it was.

Mr. FULBRIGHT. All I can say is that I mentioned that in my statement. That opposition, so far as I know, was confined to the Committee on Appropriations. I know that some of my colleagues from cotton-producing States had said to me that they were disturbed that the United States should finance a project which would apparently, over at least 10 or 15 years, increase the production of cotton, a product which, as we all know, presently is suffering, and at that time was suffering to an even greater extent, from overproduction.

That is a very normal reaction on the part of people representing cotton-producing States. I was aware of their concern and, since I too, represent a cotton-producing State, considered that possibility, but I must say that I do not believe that this would have had any substantial adverse influence upon the prosperity of the cotton industry in my State or in any other State. But I can understand how people would express that belief and feel that it could be an influence. I think, however, that was an unsubstantial objection.

And I may say that if the administration believed this was a good project and was important to the country, and that this proposal would have created such problems, it was the administration's duty to undertake to persuade the opposition, such as arises in a case of this kind, to the administration's point of view and to carry the matter to the whole Senate.

As I pointed out here, if the objection had been to the cost of the project, I would point out that in response to the so-called Eisenhower doctrine, we turned right around and spread $174 million in the Middle East in an effort to repair—at least, partially—the damage which resulted from the cancellation of the dam, the closing of the canal, and the resulting conflict.

So, Mr. President, from a monetary point of view, although I do not think that is the major consideration, certainly the operation there was not an economical one, either.

Mr. KNOWLAND. Of course, the distinguished Senator from Arkansas is a valued member of the Foreign Relations Committee, on which I have been privileged to serve with him for a period of some 5 years; and he has been a member of the committee for a considerable longer period of time. I have a very high regard for him, of course. But the Senator from Arkansas must admit that the person who has the responsibility of directing the foreign policy of the United States, constitutionally, is the President of the United States, who in the day-to-day operations of necessity works through the Department of State. It so happens that the gentleman who has the responsibility of heading the Department of State at the present time is Secretary Dulles, not any Member of the Senate. Senators have their constitutional responsibilities, too, in connection with certain matters, including that of advising and consenting to certain nominations and treaties; and I am as zealous as is the Senator from Arkansas in seeking to protect the full prerogatives of the Senate in that field.

But I should like to ask some questions of the Senator from Arkansas, and I believe it is not unfair to ask them while he is making his speech, which I believe it is well to have made, and while he is presenting to the Senate his point of view. If he had the responsibility of serving as Secretary of State—as Mr. Dulles now has that responsibility—under the President of the United States, what would he have proposed? Am I to conclude from his remarks that he would have said the United States should supply arms to Egypt, so that Czechoslovakia would not supply them? Does the Senator from Arkansas believe that the United States should have financed the Aswan Dam, despite the other factors which have been mentioned, and despite the Congressional opposition?

I think those are pertinent questions.

I am sure the Senator from Arkansas is not seeking to prove that Mr. Dulles is wrong and that Mr. Nasser is right. Mr. Dulles did have the responsibility.

The Senator from Arkansas, under the terms of the resolution which he submitted, obtained access to all the documents, including the secret and other classified documents, which were made available to him and to the other members of the committee. The committee itself, after going over them, was not able to reach a conclusion as a committee; and in the statement which the committee issued at the time, and in which the Senator from Arkansas joined—and I thought the statement was a very fair one—it was frankly admitted that the committee was discontinuing those activities, and was returning the documents to the State Department, and that there had been no agreement in the form of conclusions on the part of the committee; and different people could honestly draw different conclusions from the evidence which had been made available to us.

Mr. FULBRIGHT. Mr. President, before I complete my statement, I can only say that the Senator from California has raised a great many questions which certainly are pertinent, although they are not involved in the Aswan Dam matter. Some of the questions relate to conditions in the early days of the revolutionary period in Egypt, following the time when King Farouk was deposed by Naguib and Nasser. That is a very interesting period. I am very frank to say that I believe the failure of the administration to develop a consistent policy as to what it would do in the Middle East is the root of the trouble. There was vacillation and indecision, beginning in the earliest part of 1953.

The Senator from California suggests, at least, a discussion of the conditions existing in that area during that entire period. I would be perfectly willing, at a proper time, to enter into a debate regarding it. However, in this statement I am not undertaking to deal with all those questions. Of course I have my views about them; and, as a matter of fact, on other occasions I have had something to say about them. I have said that I thought the Secretary of State misjudged the seriousness of the situation in the Middle East. I have reference particularly to the time when he came before our committee—early in 1956—and said that the United States was making great progress in the Middle East; that the Russians were faltering and failing, and that their system was a failure. The Senator from California

will recall that occasion, I am sure. So this is not the first time I have had my doubts about the wisdom of the policies of the Secretary of State regarding the Middle East or, to state the matter in another way, his failure to appreciate and understand the forces which were at work in the Middle East.

I think the Senator from California will agree that at one time the Secretary of State seemed extremely friendly toward Mr. Nasser and Mr. Naguib. Then, a year later, he became very antagonistic and finally he acted to save the political life of Colonel Nasser. I refer to the occasion when the Secretary of State intervened and made the greatest show of energy he has ever demonstrated. In the middle of the night, he went to the United Nations and sponsored a resolution condemning the intervention by Britain and France, and thereby saved Nasser. But I cannot go into all those questions now.

Mr. KNOWLAND. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. Mr. President, I should like to finish my statement. Then I shall certainly be glad to yield to the distinguished minority leader. I have the greatest respect for his views and his interest in this matter. As he has already stated with correctness, he and I have different views about these matters, and, of course, honest men can have different views. But I believe it my duty to present my views on this subject. I am not undertaking at this time to deal with all the previous actions which led up to the cancellation of the Aswan Dam offer.

In the course of my remarks, I state that possibly a reasonable man could correctly say that the Secretary of State should never have made the offer. But, having made it, under the impact of the arms deal and for other reasons, I say it was a great mistake to withdraw it in the fashion in which he did. That is about all my statement deals with.

Mr. KNOWLAND. Mr. President——

Mr. FULBRIGHT. I yield once more to the Senator from California, but I desire to conclude my remarks.

Mr. KNOWLAND. Mr. President, I have been sitting here, listening very attentively to the Senator's speech.

Mr. FULBRIGHT. I am glad the Senator from California has been doing so. He is about the only one of my colleagues who has had the endurance to do so.

Mr. KNOWLAND. Again I wish to say, in all fairness, that within the last few minutes the Senator from Arkansas has indicated that all these problems commenced as of 1953, which happens to be the year when Mr. Eisenhower and Mr. Dulles came into office. I think fairness requires us to say that the problems of the Middle East go back a great many years. Historically they go back for hundreds and even thousand of years; and certainly even the modern problems of the Middle East extend all the way back to World War I and the period following that war and to World War II. So they did not begin on January 20, 1953, when President Eisenhower took office; I think the Senator from Arkansas will admit that.

Mr. FULBRIGHT. I certainly agree with the Senator from California about that. The Middle East has been a trouble spot for a long time.

Mr. KNOWLAND. Next, in commenting on the action taken by the President of the United States, through the Secretary of State, at the time of the outbreak of the armed conflict in the Suez, I submit that the statement made by the Senator from Arkansas did not constitute a fair appraisal of what occurred—when he said it was an action to save Colonel Nasser.

As I have stated, it was established United States policy—a policy established and maintained both during the Truman administration and the Eisenhower administration—to support the United Nations in the effort to help maintain a system of international law and order and to preserve the peace of the world.

So I believe that the problem which then confronted the Government of the United States—a problem which would have confronted our Government under either a Democratic President or a Republican President—was as follows: Would the United States take no action, in the case of that armed conflict and aggression in that part of the world, and as a result, perhaps have the United Nations collapse completely, as the League of Nations collapsed after it failed to deal properly with the armed intervention of Japan in Manchuria and with the intervention of Italy under Mussolini in Ethiopia; or would the United States take a stand in consonance with the Charter of the United Nations, which is clearly against any aggression anywhere in the world?

If we ever took the position that our friends could commit aggression and we would close our eyes to it, but we would be concerned only if those we might consider our enemies committed aggression, that would be a double standard of international morality, and I do not think the United Nations could survive or can survive under any double standard of international morality.

I say to the Senator from Arkansas the action which was taken was not to save Mr. Nasser, but to save the United Nations from going the way of the League of Nations. I think the Senator from Arkansas, upon reflection, will admit that is a fair appraisal of the action taken by the Government of the United States.

Mr. FULBRIGHT. I can certainly understand the feeling of concern by the Secretary of State in not wanting to see the events erupt into war, because he must have felt a great responsibility for having precipitated the situation which caused it. I agree with what the Senator says about the general principle with regard to the United Nations, and its maintenance, and the resistance of aggression. It is a very complex matter, and I do not think it can be reduced to a few words or to a formula as simple as the Senator from California would like to have it appear. A succession of events took place during the last 4 years, one leading to another, which, in my opinion, finally ended in one of the greatest debacles of the West in the Middle East.

I would not say Britain was without blame at all. I do not wish to leave any such impression. I do say the fact is that, through vacillation which led to this situation, we found ourselves in the very uncomfortable position of siding with Russia and of condemning our principal allies. That is a fact which the Senator from California does not deny. As to how we got ourselves into that position, the Senator from California will take one view, I suppose, and I another. But the subject is so complicated that I do not wish to enter into it now, because of the conditions which now exist in the Senate. I do not think we could leave a record that would be final, or with which either one of us would be content, on a subject so complex as this. All I am trying to do is to deal with one small segment of the subject, and that is the Aswan Dam.

Mr. KNOWLAND. If the Senator from Arkansas will permit one more interruption, I shall then quietly take my seat, and, so far as I am concerned, let him continue his speech, which I am very interested in hearing.

Mr. FULBRIGHT. I do not have much more, I may say to the Senator.

Mr. KNOWLAND. The Senator from Arkansas must not lose sight of what was one of the saddest coincidences in history; namely, that at the time of the outbreak of hostilities in the Middle East, with Great Britain, France, Israel, and Egypt as the parties involved, at precisely that moment, whether because of it or otherwise, an act of aggression took place in Hungary. I do not know that any of us can be certain of it until the archives of the Kremlin are someday opened for historians to study—and I hope by that time the records will not have been doctored—but the fact is that at that precise moment the Soviet Union was attempting to crush freedom in Hungary.

I am sure that if the Senator from Arkansas had been President of the United States or the Secretary of State, he could not have taken the position that we should close our eyes to aggression by our friends in one area of the world, and then have displayed righteous indignation against aggression by the Soviet Union in Hungary. The United States supported in both cases what it believed to be the charter obligations of the United Nations, on the appeal of the Government of Hungary. I do not think that fact should be lost sight of in any discussion of the Middle Eastern situation.

There is one more question I should like to propound to the Senator from Arkansas. If I understand correctly his thesis, it is that the chain of events to which the Senator has referred stemmed from the action of the Government of the United States—he pins the responsibility, more or less, on the Secretary of State, but he was acting on behalf of the Government of the United States—in canceling the Aswan Dam project. Does the Senator believe and does he seek to maintain in his position that all the developments which have taken place since then have stemmed from that act, and that the responsibility for all subsequent events consequently must

hinge on the decision to cancel the Aswan Dam project?

Mr. FULBRIGHT. I do not know that I would care to go so far as the absolute terms in which the Senator puts it. I think it is quite likely, because of a tendency toward nationalization in other fields, such as in Teheran and other areas, that the Government of Egypt had contemplated nationalization of the canal even before this event. I do not know about that. I do say the cancellation, under the conditions as described by Mr. Beal, was deliberately calculated to be insulting—I do not know whether that is exactly the right word—or at least offensive, because, in the words of Mr. Beal, and also Mr. Jackson, who testified before our committee, it was intended to draw an issue, indeed a dramatic issue. It does seem that the action on the part of the Secretary was the trigger, one might say, which resulted in nationalization, with all the consequences which followed it, namely, the frustrating negotiations between Great Britain and France and Egypt, and then finally, of course, the creation of conditions which resulted in a shooting war. No man can say that in 5 or 10 or 20 years the Egyptians might not have nationalized the canal. On the other hand, if the Aswan project had been entered into in good faith, if it was economically and engineeringly feasible, as the bank experts thought it was, we would have entered into a relationship with Egypt which I think would have created an atmosphere which would have been a great deterrent to Egypt to nationalize the canal—at least by force, in contrast to perhaps a suit or a legal approach to the problem.

I think construction of the dam, as contemplated, would have been of such importance to Egypt, and not only to Egypt, but to the Middle East, as a dramatic example of the West's ability and willingness to undertake major developments for the improvement of the standard of living that it would have been of great importance in the settlement of the differences, political and social, in that area. At least, that was the reasoning behind the offer in the first place. As I said, I am inclined to think there was justification for making the offer, although I would say one could make a reasonable case that the mistake was in making the offer; but having made it, I simply cannot see any of the reasons assigned as constituting real justification for the withdrawal of the offer.

I shall proceed with the remainder of my remarks. The second reason why the administration's judgment was poor, even on the facts known at the time of the withdrawal of the offer, was that it did not appreciate the significance to the United States of the vigor of the nationalist and neutralist drive in Egypt. I believe the Secretary of State confused Egyptian nationalism and neutralism on the one hand with communism on the other. Despite the judgment of able State Department career officials indicating that Nasser had some appreciation of the dangers of dealing too closely with the Soviet Union, Mr. Dulles seemed to believe that Nasser had become a Soviet puppet. He did not recognize that Egyptian nationalism was a powerful force which could, if recognized for what it was and carefully handled, be directed toward political freedom instead of communism.

Thirdly, the Secretary of State failed to appreciate the importance of the Aswan Dam to the economic future of Egypt. He also failed, in my opinion, to appreciate the tremendous emotional importance which all Egyptions attached to the building of the dam. He did not appreciate the effect the building of the dam would have had upon the entire Arab world as an example of our willingness to help them help themselves. The Secretary of State failed to appreciate these facts, although he had adequate reports on these points from the field.

Seventh. The administration's decision to withdraw the offer to help with the Aswan Dam was not, in my opinion, in the best interests of the United States for the following reasons:

First, the withdrawal of the dam offer was the direct cause of the seizure by Nasser of the Suez Canal. This action led, in turn, to the Israeli-United Kingdom-French attack, to the serious deterioration in our relations with our leading allies, to the severe oil shortages in Europe, and to economic dislocations in other parts of the world. So far as cost is concerned, it was recently reported in the press that $174 million has been spent under the authority of the Eisenhower doctrine, more than our contribution to the dam would have been in 10 years.

Second, withdrawal of the offer served to increase the influence of the Soviet Union. The Soviet toe-hold in Egypt has become a hammer lock on a country which otherwise might well have stayed relatively free from influence by the Communist orbit.

Third, settlement of the conflict between the Arab States and Israel, without which no peaceful economic and political progress in the Middle East is possible, has been rendered much more difficult. To have helped Egypt concentrate on internal development instead of foreign adventures would have helped to create stabililty throughout the area.

Fourth, the withdrawal of the Aswan Dam offer has created an impression which is hard to erase that we as a Nation are interested in the economic development of other nations only if that assistance serves to put the recipient nation under the political bondage of the United States. It suggests we are not interested in the economic and political freedom of other peoples unless they are willing to adapt their policies to suit our political needs.

Fifth, withdrawal of the offer has foreclosed what may be the primary salvation of Egypt's economic problems in the long run. The Aswan Dam—an essential element of stability in the Middle East—has been indefinitely postponed. The day when the Egyptian people might seek to build a democratic government on a solid economic base has been delayed.

Sixth, withdrawal of the Aswan Dam offer and the consequent war in the Middle East diverted world attention from the revolution in Hungary. This, of course, is a second guess. Nevertheless, if the world had not been absorbed by the danger in the Middle East and if the Western Powers had not been on opposite sides in that conflict, the Soviet Union might never have intervened in the Hungarian revolution, or the response of the West to the Soviet intervention might have been more effective. We lost a golden opportunity to promote freedom in the world of the Communist orbit and we handed communism a key to the Middle East.

Mr. President, these are my conclusions. I believe that the documents which have been supplied to the committees of the Senate by the Department of State support these conclusions.

Mr. President, I wish it were possible to make the Aswan Dam papers public. Every time the Senate tries to make use of classified documents furnished by the executive branch, however, we encounter a fundamental problem of relationship between the Congress and the executive branch. My situation today illustrates this problem. The conclusions which I have reached cannot be subject to the jury of public opinion as long as the documents supporting those conclusions must remain classified. It is impossible for the press, for members of the public, and for students of foreign policy in the Middle East to determine whether my conclusions are sound and whether our actions which I believe contributed directly to the seizure and closure of the Suez Canal were reasonable or unreasonable in the light of the facts available to the Department of State.

All I can do—or all any member of the subcommittee can do—is to assert that our policy was well founded or was improvident and unwise. Or if I may put it another way, I have been impressed with the difficulty of determining what our policy was in the Middle East during these last 3 or 4 years. I am unable to find any consistent theme or principle involved in our attitude toward Egypt. At one moment we seemed to encourage Nasser and at another to thwart him without any compelling reason for such shifts being evident, at least to me. Such rapid changes of attitudes were, I am sure, confusing to our allies and friends as well as to our enemies.

It is an unsatisfactory state of affairs when the American people have no basis upon which to judge whether the Secretary of State acted responsibly or irresponsibly in withdrawing the offer of the United States to help finance the Aswan Dam. All they know is that the events which followed that act led to a limited war in the Middle East and did great damage to the NATO alliance.

The experience of trying to investigate a policy based on secret information is new to me. I have in the past dealt with situations in which executive branch actions were of a kind that could be made public, and the people could themselves judge any given situation. It is indeed unfortunate that in the field of foreign affairs a similar examination and evaluation is not possible.

Mr. President, to summarize, there is much evidence in the Aswan Dam papers that our policy was influenced too much

by emotion and not enough by hard-headed realities. The realities require that peace be maintained in the area, that the Middle East remain free from Communist control, that the nationalism of the area be encouraged to develop in such a way as to promote economic and political freedom, that transportation through the Suez be uninterrupted, and that great power conflicts bound to develop in such a crucial area be managed in such a way as not to endanger our NATO alliance.

In view of these realities, the national interest of the United States requires that each of our actions in foreign policy be predicated upon the most careful analysis of the factual situation which exists, the impact our action may have, close consultation with our allies, and a thorough canvassing and understanding of the possible consequences of any given course of action.

The papers I have seen indicate that these realities were faced in connection with the original proposal to assist in construction of the Aswan Dam. The papers do not indicate that the decision to cancel the offer was based on a similar careful analysis. The result was that we were caught by surprise by the vigor of Nasser's reaction and that the consequences flowing from this ill-considered decision were costly.

Mr. President, it is possible to argue, although I do not do so, that the decision in 1955 to offer assistance to Egypt was the basic mistake made by our Government rather than the withdrawal of the offer. The offer made in the latter part of 1955 following the conclusion of the arms deal between Egypt and the Kremlin grew out of the apprehension aroused by that arms deal. One of the most inexplicable episodes in our recent history was our failure to protest, or to even complain about that agreement, to Russia at the summit meeting in Switzerland in June of 1955. Apparently we never mentioned this ominous move into the Middle East by the Communists. In spite of this apparent unconcern at the time—that is, in June—I believe the arms deal was one of the principal reasons for the development of the Aswan Dam proposal. However, whatever the reasons for making the offer might have been, having made it, in view of all the circumstances at the time and the subsequent developments, I believe the withdrawal was unwise.

The ill-considered decision to withdraw our offer to Egypt resulted in large economic losses to Europe and to this country, serious injury to our relations with England and France, increased hatred and fear between Israelis and Arabs and, most important of all, the consolidation of Russian influence astride the Suez Canal and the Middle East.

Unless and until our Government can develop reasonably consistent long-term policies based upon clearly understood objectives we cannot effectively protect our own interests nor give effective leadership to the Free World. Vacillation and indecision can lead only to frustration and disillusionment.

What I have said today should not be construed as an endorsement of Mr. Nasser and his leadership in Egypt. I certainly do not approve his acceptance of military assistance from the Soviet Union. I certainly do not feel that he was justified in seizing control of the Suez Canal in retaliation for our abrupt torpedoing of plans for the development of the Nile.

My point is that a more farsighted, a more rational, and a more diplomatic handling of United States interests in the Middle East might well have prevented the relationship of the United States and Western Europe with Egypt from deteriorating to the point that Nasser was prompted to abandon the possibility of friendship with us, and perhaps even to abandon a position of neutralism, and to turn instead to the only large nation still proffering what must have seemed to him to be a hand of friendship.

After King Farouk was deposed and the British had agreed voluntarily to evacuate the Suez Canal zone, the United States was in the preferred position in the Middle East. The change in the attitude of the Egyptian revolutionary junta since the day when Mr. Dulles was so friendly with Naguib and his group of colonels has been so great that we tend to lose our perspective and to forget that the inadequacy of our own policy may have been largely responsible for the dangerous condition of the Middle East today. The events of the past 3 years and present conditions in that area do not lead me to the conclusion that we have used our resources and our influence wisely or providently.

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

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

Mr. MANSFIELD. I am sorry that I was called out of the Chamber and did not hear all the Senator's speech, but I wish to compliment the Senator from Arkansas on the portions which I heard.

As a member of the subcommittee which looked into the Middle East situation, of which the Senator was chairman, I know that he had access to a great many documents. Unfortunately many of those documents were highly classified and could not be made public; but on the basis of the study made by the distinguished Senator from Arkansas, I am sure he has presented, for all to see, a review of the situation in the Middle East as he saw it, and as he now sees it as a result of the studies he has made.

I commend the Senator from Arkansas for his clarity and for his courage in making the speech he has made today. I think he has given us all something to think about.

Mr. FULBRIGHT. I thank the Senator from Montana very much.

Mr. KNOWLAND. Mr. President, I do not intend to delay the Senate at this time, but perhaps at a later date I shall go into a more detailed discussion of the remarks made by the distinguished Senator from Arkansas.

At this point I merely wish to say that the study of the same documents to which the Senator has referred, by those who had access to them at the time, apparently caused the responsible officials in the executive branch of the Government, with their sources of information, intelligence, and otherwise, to reach a different decision from that which is suggested by the Senator from Arkansas. Perhaps he is right and they were wrong; but it is also quite possible that their decisions may have been right, and his proposals may not be correct.

As I pointed out in the colloquy I had with the Senator earlier, a study of the same documents by other members of the committee who had access to them did not bring all of them to the same conclusion. They may not differ in all aspects, but at least it was felt that, under the circumstances, it was not advisable or possible to obtain a committee report on the facts, based upon a study of the same documents, upon which all members of the committee could agree, or even a substantial number of the members of the committee could agree.

I must say to the Senator from Arkansas that the only part of his statement that amazes me a little is his apparent criticism that all these documents cannot be made public. The fact of the matter is that not only was the bipartisan leadership of the Senate and the House kept advised during the developments in that area of the world—and I think the documentation on that point can be made very complete, and will be available—but, in addition, when the request was made by the Committee on Foreign Relations for all the documents—cables, messages, and all the other documents—without any delay whatever the Secretary of State said that the documents desired by the Senator from Arkansas and his subcommittee would be made available. He pointed out the magnitude of the task, and suggested that it would require some time to get the material together. However, the Department did make the information available. In fact, it was hardly possible for the Committee on Foreign Relations to provide storage space for all the documents which were made available.

In the light of those circumstances, I point out that the Senator from Arkansas is not a freshman Member of this body. He knows how the present situation contrasts with some of the situations which developed and existed during a prior administration.

The distinguished late Senator from Michigan, Senator Vandenberg, who was the ranking Republican on the Foreign Relations Committee, and who was President pro tempore of this body during the 80th Congress, as well as chairman of the Foreign Relations Committee during the 80th Congress, under a prior administration, personally told me that, though he had requested the document known as the Wedemeyer report, and the documents emanating from the Yalta conference, those documents were not even made available in executive session to Members of the Senate, and were not made available until 10 years after the event, when the present administration, acting on the request of the Congress, not only made them available to the Congress for the

first time, but made them available to the country.

In the case to which I have referred, the chairman of the Foreign Relations Committee, one of the most senior Members of this body, was unable to get, even for his personal inspection, the documents growing out of the Yalta conference, which certainly played an important part in the loss of freedom by hundreds of millions of people in the world. I submit that record, which cannot be successfully disputed, compared with the fact that not only did the executive department in this administration consult with members of both parties and the leadership in both Houses during this period of time, but as soon as the request was made by the Committee on Foreign Relations all the documents, including the most highly classified ones as well as others, were made available to a committee of the Senate.

I submit that that record does not have a parallel in the previous administration.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

APPOINTMENT OF REPRESENTATIVES IN THE ORGANS OF THE INTERNATIONAL ATOMIC ENERGY AGENCY

The PRESIDING OFFICER, as in legislative session, laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 8992) to provide for the appointment of representatives of the United States in the organs of the International Atomic Energy Agency, and to make other provisions with respect to the participation of the United States in that Agency, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. ANDERSON. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. ANDERSON, Mr. RUSSELL, Mr. PASTORE, Mr. GORE, Mr. JACKSON, Mr. HICKENLOOPER, Mr. KNOWLAND, Mr. BRICKER, and Mr. DWORSHAK conferees on the part of the Senate.

TECHNICAL BASIS OF JOINT COMMITTEE ON ATOMIC ENERGY PROJECTS

Mr. ANDERSON. Mr. President, the question has been raised as to the technical basis for the Joint Committee's recommendations as to the three projects it included in the authorization bill.

All three projects are fully supported by testimony in the hearings, and reports available to the committee. This testimony was provided by the responsible technical people in the various AEC installations which do the work on the projects.

As a matter of fact, the technical testimony supporting the three Joint Committee projects was far more complete and first hand than provided by AEC with respect to its justification for experimental reactors. AEC merely provided one paragraph of written justifications and had no representatives from its laboratory installations to support its requests.

The following is the technical background to support the Joint Committee projects:

First. On the plutonium reactor: The Joint Committee on Atomic Energy held numerous classified hearings in 1956 and 1957 on weapon and plutonium needs. Members and staffs made several field trips to weapons laboratories and production installations. Numerous reports and economic analyses have been prepared. A partially declassified version of hearings in which the G. E. manager, of Hanford, testified, is set forth at page 379 of part I of the authorization hearings and throughout part II. The reasons for Joint Committee recommendations are discussed in full at pages 24 and 25 of House Report 978.

Second. On the recycle reactor: This is based on Hanford testimony in part I at page 380 and in AEC testimony in part II that the project is urgent, but 1 year away. Hanford testimony and expenditures showed they could begin committing construction money in 1958.

Third. On the natural uranium graphite moderated gas-cooled reactor prototype of approximately 40,000 kilowatts for $40 million, the technical basis is as follows:

First. The need for developing natural uranium reactors to fill a major gap in the AEC program is discussed at length in the hearings on the 1956 acceleration bill, and in the 1957 authorization hearings. The committee's conclusions are summarized in the report at pages 22 and 23. The report, at page 26, makes clear that the prototype can be used to test slightly enriched fuel as well.

Second. It was thought desirable to specify a graphite moderator to be consistent with Admiral Rickover's testimony that an advanced Calder Hall type of reactor would be most desirable to construct. This would also distinguish it from the heavy water gas-cooled reactor of different design proposed by Dr. Zinn and the Florida group. This is in line with AEC Chairman's comment in part II, that it eliminates duplication.

Third. Extensive testimony on the need for gas-cooled reactor development was contained in last year's hearings on the reactor acceleration bill. This included testimony by Dr. Daniels, the original proponent of the gas-cooled reactor in 1946. It also included testimony and a report by Dr. Walter H. Zinn, the country's leading reactor designer.

In the hearings at Washington and Bettis by Dr. Simpson and Admiral Rickover, the gas-cooled reactor was discussed. It was also discussed by these two leaders in the 1957 authorization hearings, and by Dr. Zinn as to a gas-cooled reactor of a different type. The committee's report also discussed it at 26. The report makes clear that the committee is interested in an improved version, particularly as to high temperature.

Fourth. The size of 40,000 kilowatts was selected as being within the range recommended by Admiral Rickover, and of a size whereby the power could be absorbed at the Idaho test site. It would also be within the spirit of the 50,000-kilowatt limitation in Mr. VAN ZANDT'S acceleration bill.

Fifth. The estimated cost of $40 million was in line with Admiral Rickover's estimate. It was also confirmed by Mr. Davis, AEC Director of Reactor Development, in part II of the hearings. It should be noted that this is a prototype and therefore no attempt is made to get economic power. The estimate, while fairly high, is probably more realistic than other estimates which are later jacked up.

Sixth. The recommendations are, of course, consistent with the many general reports of the brilliant success of the British.

In particular the Joint Committee has reviewed the AEC report prepared by the American Standard Organization which compares PWR and Calder Hall costs as applied in the United States in slightly improved versions. The Calder Hall reactor is shown to produce cheaper power, although neither is economic.

The North American report, which was apparently withheld by AEC, confirms the above figures as to gas-cooled reactors at about 65,000 kilowatts, but shows a considerable cheaper cost at a size of 350,000 kilowatts.

UNFAIR TRADE PRACTICES IN THE MEATPACKING INDUSTRY—PASSAGE OF S. 1356 IS URGENTLY NEEDED

Mr. WATKINS. Mr. President, S. 1356 was favorably reported to the Senate on July 24, 1956. This bill would amend the Packers and Stockyards Act of 1921, and the Federal Trade Commission Act, so as to return to the FTC, where it was before 1921, jurisdiction over unfair trade practices in the meatpacking industry.

Among the reasons which caused the Senator from Wyoming [Mr. O'MAHONEY] and me to introduce this bill to return such authority to the FTC, is a need to prevent food chains and other firms from, first, buying an interest in a meatpacking plant; and/or, second, acquiring facilities to merely process carcass animals for retail sale, and thereby escape the jurisdiction of the FTC as to its trade practices.

On April 4, 1957, I called the Senate's attention to the fact that Food Fair Stores, Inc., had petitioned the FTC to dismiss a complaint filed against it for an alleged unfair trade practice under section 5 of the FTC Act on the grounds that it was a packer within the meaning of that term as defined by the Packers

and Stockyards Act of 1921. On April 18, 1957, I called the Senate's attention to the fact that on that same day a FTC hearing examiner had ruled in favor of upholding this Food Fair petition, since, in his opinion, this firm was a packer and thus subject to the Packers and Stockyards Act.

That act defines a packer as—

Any person engaged in the business (a) of buying livestock in commerce for purposes of slaughter, or (b) of manufacturing or preparing meats or meat food products for sale or shipment in commerce, or (c) of manufacturing or preparing livestock products for sale or shipment in commerce, or (d) of marketing meats, meat food products, livestock products, dairy products, poultry, poultry products, or eggs, in commerce; but no person engaged in such business of manufacturing or preparing livestock products or in such marketing business shall be considered a packer unless—

(1) Such person is also engaged in any business referred to in clause (a) or (b) of this section, or unless:

(2) Such person owns or controls, directly or indirectly, through stock ownership or control or otherwise, by himself or through his agents, servants, or employees, any interest in any business referred to in clause (2) or (b) of this section, or unless:

(3) Any interest in such business of manufacturing or preparing livestock products, or if such marketing business is owned or controlled directly or indirectly, through stock ownership or control or otherwise, by himself or through his agents, servants, or employees, by any person engaged in any business referred to in clause (a) or (b) of this section, or unless:

(4) Any person or persons jointly or severally, directly or indirectly through stock ownership or control or otherwise, by themselves or through their agents, servants, or employees, own or control in the aggregate 20 percent or more of the voting power or control in such business of manufacturing or preparing livestock products, or in such marketing business and also 20 percent or more of such power or control in any business referred to in clause (a) or (b) of this section. (Aug. 15, 1921, ch. 64, sec. 201, 42 Stat., p. 160.) Section 406 (b) excludes a firm so defined from FTC jurisdiction by providing that—

On or after the enactment of this act, and so long as it remains in effect, the Federal Trade Commission shall have no power or jurisdiction so far as relating to any matter which by this act is made subject to the jurisdiction of the Secretary, except in cases in which, before the enactment of this act, complaint has been served under section 5 of the act entitled "An act to create a Federal Trade Commission, to define its powers and duties, * * * (Aug. 15, 1921, ch. 64, sec. 406, 42 Stat. 169; 7 U. S. C. 227)."

The basis of Food Fair's petition was that since it owned a meatpacking plant, its entire operations—retail grocery business, which amounted to $475 million in 1956, and its packing plant which, by comparison, did $25 million worth of business—were exempt from FTC supervision. This was urged in spite of the fact that its alleged violation of section 5 of the FTC Act was in connection with the grocery store operations rather than its meatpacking operations. If the FTC upholds this ruling of the hearing examiner, as I said on that and other occasions, we can expect to see further reliance upon this broad legal definition of a packer by firms who seek to escape prevention of unfair trade practices by the FTC.

In support of this contention I pointed out to the Senate on June 26, 1957, that on June 18, 1957, the Giant Food Shopping Center, Inc., a corporation which operates a chain of 36 supermarkets here in the District of Columbia, Virginia, and Maryland, had petitioned the FTC to dismiss a complaint issued under section 5 of the FTC Act against it by the FTC on November 21, 1955. A supplemental complaint was filed May 14, 1957, alleging that it had engaged in additional unfair trade practices prohibited also by section 5 of the FTC Act.

Mr. President, I went on to point out on that occasion that the Giant Food Shopping Center does not even own a packing plant, as does Food Fair Stores, or even have a 20-percent interest in one. All it owns are facilities to prepare retail cuts of meat from carcasses of steers, calves, lambs, and so forth, purchased from bona fide packers for sale in its 36 stores. This is pointed out by its petition which states in part:

At the time of delivery, these carcasses are not in the form in which they are merchantable to the public at retail in respondent's stores. Hence, the respondent, to make them marketable, must prepare them by trimming, fabricating, cutting, slicing, grinding, mixing, and otherwise manufacturing and/or preparing meat, and/or meat food products from these carcasses or portions thereof. Having done this, respondent, in its stores, prices the meat and meat food products thus manufactured and/or prepared, packages them, places them on sale, and sells them to the consuming public (p. 3).

The background of this action by Giant Food Shopping Center clearly indicates, without doubt, that in taking this action, this food chain was motivated by the hearing examiner's ruling in the Food Fair case. A letter to Mr. Robert R. Rolnick, attorney for the Giant Food Shopping Center, from Mr. Edward L. Thompson, acting district supervisor, Packers and Stockyards Branch, Livestock Division, United States Department of Agriculture, shows this chain of events: On June 17, 1957, the day before this corporation filed its motion with the Federal Trade Commission, Giant Food Shopping Center delivered to the Packers and Stockyards Branch an executed copy of the report form the United States Department of Agriculture requires of all packers. That very day the district Packers and Stockyards Branch office reviewed that report and under that date informed the Giant Food Shopping Center by letter that because it was engaged in the business of manufacturing and/or preparing meat or meat food products for sale or shipment in the District of Columbia, it was a packer subject to the jurisdiction of the Packers and Stockyards Act.

On the next day, June 18, 1957, the motion to dismiss the complaint was filed with the Federal Trade Commission. Referring to the Food Fair case the petition states:

In the most recent of these matters, Food Fair Stores, Inc., supra, the hearing examiner in his initial decision, relying on *Armour & Company*, supra, and *United Corporation* v. *FTC* (110 F. 2d 473 (C. A. 4, 1940)), dismissed the complaint against Food Fair in which the Commission had alleged violations which were virtually identical to those alleged against this respondent. * * * Especially interesting is the hearing commissioner's specific finding with respect to the latter:

"Express findings on this motion then are:

"1. Respondent comes within the definition of 'packer' as set out in 7 United States Code 191, not only as to its Elizabeth, N. J., plant but as an entity."

Well, the rush is on to gain exemption from the jurisdiction of the Federal Trade Commission Act prohibitions. Likewise, it is not unlikely that every restaurant chain in America, as well as corporations in interstate commerce, which buy carcass animals and retail this meat through cafeterias, and so forth, to its own employees or the public could qualify as a meatpacker under the present law.

But more disturbing is the fact that firms which even process meat food products, of which the meat portion is minute, can probably escape the jurisdiction not only of the FTC Act, but also of the Robinson-Patman amendments to the Clayton Act. This simply means that because of USDA nonenforcement of title II of the Packers and Stockyards Act, there would be no effective enforcement to stop unfair trade practices which fall short of a Sherman Act violation, if another recent decision of an FTC hearing examiner is upheld.

I have referred, Mr. President, to the hearing examiner's decision of August 2, 1957, in the matter of Crosse & Blackwell, FTC docket No. 6463. The facts are these: Crosse & Blackwell, on the grounds that they are a packer, as defined by the Packers and Stockyards Act of 1921, have requested the FTC to dismiss a complaint filed against them, which charges that this firm violated section 2 (d) of the Clayton Act, as amended, for giving promotional and advertising allowances to some but not all of its customers competitively engaged in the resale of its products.

The hearing developed the fact that Crosse & Blackwell makes, manufactures, or prepares 14 products which contain "meat or stock extracted from meat." Raw percentages of the meat products varied from a high of 50 percent in its corned beef hash and liver and beef paste, to a low of 10 percent in its vegetable soup with beef stock. Cooked percentages varied from a high of 39 percent in its liver and beef paste to 0.4 of 1 percent in its scotch chicken soup.

Whereas Crosse & Blackwell's total sales of manufactured products amounted to $7,897,162 in 1956, its sales of items containing meat and meat stock amounted to $380,250 during the same year. Its sales in 1956 of the 14 products which contained meat in some form amounted to but 2.7 percent of its total sales.

As the hearing examiner's decision granting the motion to dismiss pointed out:

Its claim for immunity rests solely on clause (b) of section 191 of title 7, United States Code, to wit [that it is a packer, because it is engaged in] "manufacturing or preparing meats or meat food products for sale or shipment in commerce." That respondent ships in commerce all of its products is unquestioned.

* * * * *

It would do violence to plain English as well as to commonsense, in my opinion, to claim that most, if not all, of the 14 products listed above were not meat or meat food products, but, if anything further were needed, section 182 (3) of the Packers and Stockyards Act defines the term "meat food products" to mean "all products and byproducts of the slaughtering and meatpacking industry—if edible," and the regulations promulgated by the Department of Agriculture under the authority of the Meat Inspection Act, United States Code, title 21, section 71–91, contained a definition of "meat food products" as follows:

"Meat food product: Any article of food, or any article intended for or capable of being used as human food which is devised or prepared, in whole or in substantial and definite part, from any portion of any cattle, sheep, swine, or goat, except such articles as organotherapeutic substances, meat juice, meat extract, and the like, which are only for medical purposes and are advertised only to the medical profession."

Thus, by definition now, we have a firm which seeks to escape possible conviction for a violation of the Robinson-Patman amendments to the Clayton Act, and the jurisdiction in the future of the Federal Trade Commission.

Why have Food Fair Stores, Inc., the Giant Food Shopping Center, and now Crosse & Blackwell sought to cloak themselves with immunity from FTC jurisdiction not only under the FTC Act but also the Robinson-Patman Act by such legal maneuvers? The only answer can be that since S. 1356 was introduced on February 25, 1957, as a bipartisan attempt by Senator O'MAHONEY and myself to correct this situation, these firms have learned, as the Senate Judiciary Committee concluded, that the virtual nonenforcement of the packer provision of the Packers and Stockyards Act of 1921 by the USDA is preferable to the more effective regulation of the FTC. What facts are available to support this statement? Namely these:

First. The USDA has never issued a cease and desist order involving preferences, restraints, price fixing, and discriminations against a packer, as defined by the Packers and Stockyards Act, which related to the wholesaling or retailing of nonmeat food products or nonfood products. Is it any wonder then that food chains and other firms which sell hundreds of food and nonfood products in their supermarkets and wholesale outlets prefer USDA to FTC jurisdiction?

Second. The USDA has not issued a cease and desist order involving similar unfair trade practices against a packer which relates to the wholesaling or retailing of a meat product in the last 18 years, and only seven in all since 1921.

Passage of S. 1356 will remedy this situation by giving to the FTC authority to prevent unfair trade practices in the wholesaling and retailing of meat, nonmeat food and nonfood products. This was the situation before passage of the Packers and Stockyards Act of 1921.

However, proposals made to the Subcommittee on Antitrust and Monopoly by, first, the American Meat Institute, lobbyist for the big national packers who oppose S. 1356; and, second, the USDA, would give to the FTC jurisdiction only over the wholesaling and retailing activities of a firm not principally engaged in meatpacking or processing.

On the other hand, the great majority of the groups which testified before the Antitrust and Monopoly Subcommittee or filed statements with the subcommittee, or who have otherwise indicated approval of S. 1356, urged the Senate to give the FTC such authority over the wholesaling and retailing activities of all firms.

The group includes National Federation of Independent Business, Inc.; National Retail Dry Goods Association; National Association of Retail Grocers; National Fisheries Institute; United States Wholesale Grocers' Association, Inc.; National Farmers Union; National Food Brokers Association; Cooperative League of the United States; National Wool Growers Association; National Milk Producers Federation; American National Livestock Auction Association; Idaho Wool Growers Association; Utah Wool Growers Association; Wyoming Wool Growers Association; Utah Cattlemen's Association; Western States Meat Packers Association, Inc.; National Renderers Association; National American Wholesale Grocers Association; National Institutional Wholesale Grocers Association; National Candy Wholesalers Association, Inc.; Wyoming Stock Growers Association; National Preservers Association; Montana Cattlemen's Association; Iowa Swine Producers Association; Georgia Dairy Association; Pure Milk Association; Kansas Ice Cream and Milk Institute.

Why do these groups favor S. 1356? Because the firms these spokesmen represent must compete with the packers in the wholesaling and retailing of meat, of nonmeat food products and of nonfood products. Yet, as they pointed out to the subcommittee while they are subject to the effective enforcement of the Federal Trade Commission Act, as were the big 5 packers before 1921, these packers and others as well are subject to the Packers and Stockyards Act under title II of which they enjoy comparative freedom due to nonenforcement by the USDA.

The AMI and the USDA proposals, as embodied in the proposed Dirksen amendments to S. 1356, thus would continue the present system of two sets of trade practice rules: One for the big packers which is not effectively enforced by the USDA, and one set for their competitors which is effectively enforced by the FTC. As Senator O'MAHONEY remarked during the testimony of the Department of Agriculture officials:

You are proposing to throw the food chains to the wolves in the Federal Trade Commission while shielding the packers behind the Department of Agriculture (hearing, S. 1356, p. 394).

These witnesses and the firms they represent are concerned in the light of this situation, because three of the biggest packers, represented by the AMI, were 1920 consent decree signers who recently have petitioned the courts to set aside those portions of that order which would permit these packers to process and sell 140 food and nonfood products, own and operate retail meat markets, sell fresh milk and cream and operate distribution facilities for handling these products in direct competition with wholesale and retail food stores.

Should this petition be granted, these firms fear, and rightly so, the ramifications continued USDA noninterest in the enforcement of the unfair-trade practices of title II would have upon their businesses, since to all intent and purpose these three of the biggest ten packers would be free, as other packers now are, to expand into every segment of the food industry, and nonfood industries as well.

But whether the consent-decree modification is granted or not, the activities of these packers outside the area prohibited by the consent decree are so extensive that their competitors—food firms, nonfood firms, and small packers—are likely to be hurt unless the big national packers are required to operate under the same set of trade-practice rules under which they must operate. In this respect, it should be noted that in 1950, one or more of the four largest packers shipped 21 classes of food products in interstate commerce and 58 classes of nonfood products. Nonmeat food products comprised 6.6 percent of their total shipments. Nonfood products, exclusive of the byproducts of their meat operations, constituted 6.7 percent of their total shipments in interstate commerce, and nonfood byproducts shipped accounted for an additional 4.9 percent. Thus, 18.2 percent of their total shipments comprised nonmeat food and nonfood products.

Yet, these packer-owned operations now are not subject to the FTC, but their competitors are subject to the jurisdiction of that more effective agency. Nor under the proposed Dirksen amendments to S. 1356 would these big packers be subject to the FTC. The present situation without doubt gives, and these proposals would continue to give in the future, an unfair competitive advantage to packer-owned enterprises. Under these circumstances who, as a competitor of Swift & Co., would not be concerned about this situation when in 1955 that firm, for example, produced 4 percent of the Nation's butter; 8 percent of the cheese; 9 percent of the margarine; 19 percent of the salad and cooking oil; and 15 percent of the shortening?

Why, these witnesses ask, and rightly so in my opinion, should the trade practices of a firm like Wilson Sporting Goods, selling nonfood products, be under USDA while its competitors like Spaulding, as it would under the USDA and AMI proposal, continue to be subject to the FTC? Why they ask, should Swift and Armour in the wholesaling of nonmeat food products such as cheese, canned milk, eggs, soups, and so forth, be under the USDA and their competitors like Campbell Soup Co. and Safeway Stores continue to be under the FTC, as the USDA and the AMI propose?

In closing, Mr. President, I ask unanimous consent that the decision of the hearing examiner in the Crosse & Blackwell case be printed at the end of my remarks. Because of urgency of the present situation, I sincerely hope that

the Senate yet at this session will pass S. 1356.

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

UNITED STATES OF AMERICA BEFORE FEDERAL TRADE COMMISSION, IN THE MATTER OF CROSSE & BLACKWELL CO., A CORPORATION, DOCKET NO. 6463, FILED AUGUST 2, 1957

INITIAL DECISION

Frank Hier, hearing examiner.

Andrew C. Goodhope, Frederic T. Suss, and Alvin D. Edelson, counsel supporting the complaint.

Niles, Barton, Yost & Dankmeyer, by A. Adgate Duer, Baltimore, Md., and James W. Cassedy, Washington, D. C., counsel for the respondent.

This matter comes on for decision on a motion to dismiss the complaint on the ground that respondent is a pack subject exclusively to the Packers and Stockyards Act of 1921 (7 U. S. C. 191 et seq.) and that such act gives exclusive jurisdiction of the respondent, insofar as the acts and practices charged in the complaint to be illegal are concerned, to the Secretary of Agriculture. The complaint charges respondent with violation of section 2 (d) of the Clayton Act (15 U. S. C. 13), in that it gave promotional and advertising allowances to some but not all of its customers competitively engaged in the resale of its products. No proof on the merits has been taken.

Factual allegations contained in the motion being controverted by counsel in support of the complaint, a hearing for that purpose only was held, from which it developed that respondent makes, manufactures or prepares some 14 products containing meat or stock extracted from meat, as follows:

Name	Raw percentage	Cooked percentage
Beef stew	25.5	18.0
Lamb stew	25.0	18.0
Corned beef hash	50.0	35.0
Chili con carne	25.5	17.5
Ham and tongue paste	36.0	24.0
Liver and beef paste	50.0	39.0
Scotch chicken soup	14.0	.4
French onion soup	12.5	----------
Cream of chicken soup	8.7	----------
Chicken noodle soup	13.8	----------
Chicken rice soup	9.3	----------
Beef noodle soup	20.0	----------
Vegetable beef soup	19.0	----------
Vegetable soup with beef stock	10.0	----------

Sales of these items containing meat or meat stock amounted to $339,211 in 1955 and $380,250 in 1956 out of a total sales of manufactured products in 1955 of $7,760,679, and in 1956 of $7,897,162. The sales of said products have continued during the year 1957 at approximately the same rate.

Respondent sells approximately 150 products under one brand name, and some 35 under another, totaling approximately $14 million a year. Its sales in 1955 of the 14 products containing meat constituted 2.3 percent of its 1955 total sales, and in 1956, 2.7 percent.

The definitive section of the Packers and Stockyards Act reads as follows:

"When used in this chapter—

"The term 'packer' means any person engaged in the business (a) of buying livestock in commerce for purposes of slaughter, or (b) of manufacturing or preparing meats or meat food products for sale or shipment in commerce, or (c) of manufacturing or preparing livestock products for sale or shipment in commerce, or (d) of marketing meats, meat food products, livestock products, dairy products, poultry, poultry products, or eggs, in commerce; but no person engaged in such business of manufacturing or preparing livestock products or in such marketing business shall be considered a packer unless—

"(1) Such person is also engaged in any business referred to in clause (a) or (b) of this section or unless;

"(2) Such person owns or controls, directly or indirectly, through stock ownership or control or otherwise, by himself or through his agents, servants, or employees, any interest in any business referred to in clause (a) or (b) of this section, or unless;

"(3) Any interest in such business of manufacturing or preparing livestock products, or in such marketing business is owned or controlled, directly or indirectly, through stock ownership or control or otherwise, by himself or through his agents, servants, or employees, by any person engaged in any business referred to in clause (a) or (b) of this section, or unless;

"(4) Any person or persons jointly or severally, directly or indirectly, through stock ownership or control or otherwise, by themselves or through their agents, servants, or employees, own or control in the aggregate 20 percent or more of the voting power or control in such business of manufacturing or preparing livestock products, or in such marketing business and also 20 percent or more of such power or control in any business referred to in clause (a) or (b) of this section." (August 15, 1921, c. 64, sec. 201, 42 Stat. 160.)

Respondent is not registered under the Packers and Stockyards Act with the Secretary of Agriculture, and does not own or control, directly or indirectly, through stock ownership or otherwise, any slaughterhouse or packing plant or any interest therein, nor does it do any slaughtering or shipment of carcasses in commerce. The meat, which it incorporates in the 14 products enumerated above, is purchased by it from a local slaughterhouse and by it trimmed, boned, cut up, cooked, mixed and otherwise prepared for canning.

Its claim for immunity rests solely on clause (b) of section 191 of 7 United States Code, to wit, "manufacturing or preparing meats or meat food products for sale or shipment in commerce." That respondent ships in commerce all of its products is unquestioned.

Counsel in support of the complaint makes no serious contention that the above-named products are not meat or meat food products, contenting himself with the assertion that the meat contained therein, stressing, of course, cooked weight, is insignificant. The statute makes no such distinction.

It would do violence to plain English as well as to common sense, in my opinion, to claim that most, if not all, of the 14 products listed above were not meat products or meat food products, but, if anything further were needed, section 182 (3) of the Packers and Stockyards Act defines the term "meat food products" to mean "all products and byproducts of the slaughtering and meatpacking industry—if edible," and the regulations promulgated by the Department of Agriculture under the authority of the Meat Inspection Act, United States Code, title 21, section 71–91, contained a definition of "meat food products" as follows:

"Meat food product: Any article of food, or any article intended for or capable of being used as human food which is derived or prepared, in whole or in substantial and definite part, from any portion of any cattle, sheep, swine, or goat, except such articles as organotherapeutic substances, meat juice, meat extract, and the like, which are only for medicinal purposes and are advertised only to the medical profession." (Sec. 1.1 (w) Regulations Governing the Meat Inspection of the United States Department of Agriculture.)

To this showing, counsel in support of the complaint argues two points: First, that Congress, in passing the Packers and Stockyards Act, was dealing only with persons, firms, and corporations engaged in the business of buying, slaughtering, and preparing livestock, animals, dairy products, and poultry products for sale in commerce, and intended to convey jurisdiction to the Secretary of Agriculture over only a strictly limited field, and he cites the definition of "commerce" contained in the Packers and Stockyards Act. However, that definition is not confined to livestock, carcasses, or meat per se, but specifically includes meat food products as well.

The entire legislative history of the Packers and Stockyards Act was thoroughly researched by this hearing examiner previously in the matter of Food Fair Stores, Inc., docket 6458, and the conclusion was there reached that it was the intention of Congress, as reflected by that history as well as the plain language of the act, to except from Federal Trade Commission jurisdiction anything connected with the meat industry. Further discussion is deemed unnecessary.

Counsel's second argument is to the effect that the Federal Trade Commission, under section 5 (a) (6) of the Federal Trade Commission Act and under section 406 (b) of the Packers and Stockyards Act, has residual jurisdiction. The latter section reads as follows:

"On and after the enactment of this act, and so long as it remains in effect, the Federal Trade Commission shall have no power or jurisdiction so far as relating to any matter which by this act is made subject to the jurisdiction of the Secretary, except in cases in which, before the enactment of this act, complaint has been served under section 5 of the act entitled 'An act to create a Federal Trade Commission, to define its powers and duties, and for other purposes,' approved September 26, 1914, or under section 11 of the act entitled 'An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes,' approved October 15, 1914, and except when the Secretary of Agriculture in the exercise of his duties hereunder, shall request of the said Federal Trade Commission that it make investigations and report in any case" (7 U. S. C. 227).

Section 5 (a) (6) of the Federal Trade Commission Act is as follows:

"The Commission is hereby empowered and directed to prevent persons, partnerships, or corporations, except banks, common carriers subject to the acts to regulate commerce, air carriers and foreign air carriers subject to the Civil Aeronautics Act of 1938, and persons, partnerships, or corporations subject to the Packers and Stockyards Act, 1921, except as provided in section 406 (b) of said act, from using unfair methods of competition in commerce and unfair or deceptive acts or practices in commerce."

Counsel argues that because the first three exceptions in the latter statute contain no qualifying phrase, but the fourth exception, reading "persons, partnerships, or corporations subject to the Packers and Stockyards Act, 1921," contains what counsel designates as a crucial and heretofore overlooked phrase, "except as provided in section 406 (b) of said act," only a limited (but undefined) jurisdiction is conferred on the Secretary of Agriculture. However, it is clear to this hearing examiner that this pregnant phrase, "except as provided in section 406 (b) of said act," obviously refers to the language in that section reading as follows:

"* * * except in cases in which, before the enactment of this act, complaint has been served under section 5 of the act entitled 'An act to create a Federal Trade Commission, to define its powers and duties, and for other purposes' approved September 26, 1914, or under section 11 of the act entitled 'An act to supplement existing laws against

unlawful restraints and monopolies, and for other purposes,' approved October 15, 1914, and except when the Secretary of Agriculture, in the exercise of his duties hereunder, shall request of the Federal Trade Commission that it make investigations and report in any case."

It is equally obvious that neither of these exceptions apply in the instant case.

Since existing pertinent decisions, as well as the legislative history of the Packers and Stockyards Act, were discussed in the Food Fair Stores, Inc., decision by this hearing examiner, there is no point in repeating such discussion here.

Express findings on this motion, then, are:

1. Respondent comes within the definition of "packer," as set out in 7 United States Code 191, because it manufacturers or prepares meat or meat food products for sale or shipment in commerce.

2. The Secretary of Agriculture has exclusive jurisdiction of the acts and practices charged in the complaint to be illegal.

3. The Federal Trade Commission has no jurisdiction thereof.

It follows that the motion of respondent to dismiss should be, and the same hereby is, granted. Accordingly,

It is ordered that the complaint herein be, and the same hereby is, dismissed.

FRANK HIER,
Hearing Examiner.

AUGUST 1, 1957.

ANALYSIS OF REPORT ON THE CONCENTRATION IN AMERICAN INDUSTRY

Mr. DIRKSEN. Mr. President, the Senate Antitrust and Monopoly Subcommittee, of the Committee on the Judiciary, has recently issued a report on the Concentration in American Industry, prepared by Mr. Jesse J. Friedman, economic consultant to the subcommittee until recently. I had prepared a statement critically analyzing this concentration report. I ask unanimous consent that my statement be inserted at this point in the RECORD.

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

STATEMENT BY SENATOR DIRKSEN AS PART OF OPENING REMARKS OF ANTITRUST SUBCOMMITTEE HEARINGS, AUGUST 12, 1957

This report of the Subcommittee on Antitrust and Monopoly, dealing with the subject of Concentration in American Industry, consists of some 750 pages of finely printed statistical tables and explanatory remarks. It contains literally hundreds of thousands of concentration ratios and other figures. It had been in preparation for almost 2 years, occupying during this time the full efforts of a large part of the Industrial Division of the Bureau of the Census, and the professional attention of Mr. Jesse J. Friedman, economic consultant to the subcommittee, and other members of the subcommittee staff. Yet, the members of the subcommittee had been given only a few days to review a work of extreme professional and political importance, whose dimensions are only inadequately described by the information cited above.

It is obviously impossible for any conscientious member of the subcommittee to probe and evaluate the qualities of this report even if one could work 24 hours a day during the days that had been available to us for this purpose. Actually, of course, the members of this subcommittee have other pressing duties.

The report was published without full opportunity for comment by members of the subcommittee. Obviously, full justice could not be done in evaluating the report within the time limitation imposed, but I am taking the occasion at this and the forthcoming hearings to deal with this report on its merits and to propose and examine expert witnesses, as the need therefor will arise.

At this time, I limit myself to a short analysis of the meaningfulness of the statistical study on Concentration in American Industry contained in this report, basing my observations entirely upon the introductory text (pp. 1–6) as written by its author, Mr. Jesse J. Friedman, former economic consultant to the subcommittee.

The introduction of this report, which follows the Letter of Transmittal and the Contents pages, contains (on pp. 3 to 5) a remarkable statement of 10 limitations and qualifications. This statement encompasses the most devastating criticism that can be made of the study itself. However, it is often worded in such manner that its import may be fully understandable only to the few statisticians and economists, and other experts, who are specialists in the subject of industrial concentration and its measurement. Those of us who are not in that enviable position and to whom this study is nevertheless, at least at first glance, a document of conceivably great importance, are in need of a restatement of the qualifications and limitations in language that is understandable.

Hence, I have set it as my task at this time to furnish a translation of the technical language contained in this section of the report, so that all of us can understand clearly the deficiencies of this study which its author, by his own admission, could not or did not avoid. I deal here only with those limitations and qualifications which, as the author puts it (p. 3), "are especially worthy of mention."

LIMITATION AND QUALIFICATION NO. 1

The first of the limitations and qualifications of this study reads as follows (p. 4):

"1. The factual information contained in this report is quantitative in nature. Bare statistics necessarily omit many qualitative factors which are essential to a complete understanding of the competitive structure of the entire industrial economy or of an individual industry. By the same token, the data themselves do not reveal the causes of the concentration shown, nor the relative importance of new entries, integration, internal growth, mergers, or business decline or mortality in accounting for the degree or trend of concentration."

Translated into open language, this passage means that it is impossible to ascertain from the factual information contained in this report whether the degree of concentration that the study attributes to any group of companies is the result of socially or economically undesirable actions or behavior on the part of the business concerns (such as conspiracies in restraint of trade), or whether it is the result of conditions over which the concerns have no control (such as the requirement of large capital investments inherent in the nature of a particular manufacturing operation or a particular product).

LIMITATION AND QUALIFICATION NO. 2

The second of the limitations and qualifications of this study reads as follows (p. 4):

"2. As has generally been true for reports on this subject, selection of the concentration measures used in this report was influenced to a large extent by practical considerations relating to availability of data. Three basic considerations were: (a) the necessity of using an already-compiled census; (b) the need for using uniform measures for all industries to facilitate the mechanics of the project; and (c) the desirability of providing a means of comparing current data with information for earlier years, in order to have some indication of trends. Other concepts and measures of industrial concentration than those to which this study is confined might conceivably be of equal or greater validity for individual industrial categories."

Translated into open language, this paragraph means that the reasons why inadequate concentration measures were used were to a large extent considerations of convenience ("practical considerations"), among which the following are cited:

(a) The necessity of using an already compiled census: There was no real necessity of using an already compiled census. The subcommittee has ample powers and its staff could have obtained valid and pertinent data directly from the companies concerned, instead of taking the easy way of using United States census data which admittedly were not designed, and are not usable, for the purpose of concentration analysis.

(b) The need for using uniform measures for all industries to facilitate the mechanics of the project: This is a wholly specious reason. The mechanics of the project would have been facilitated by developing and using adequate statistics; actually, they were hindered and frustrated by the use of unsuitable statistics compiled for purposes other than concentration measurements.

(c) The desirability of * * * comparing current data with information for earlier years * * *: This point is equally without basis. The statement implies that the 1954 data used in this study are comparable with those of earlier years (1947 and 1935), while in truth this is not the case at all.

In view of the foregoing, the concluding sentence of this paragraph, that "other concepts and measures of industrial concentration * * * might conceivably be of equal or greater validity * * *" must be taken at its full measure, for it represents the admission that other statistics on concentration that could have been developed or were available are apt to be more valid than the ones that have been used in this study.

LIMITATION AND QUALIFICATION NO. 3

The third of the limitations and qualifications of this study reads as follows (p. 4):

"3. The significance of the concentration ratio in those instances in which the measure is meaningful is a relative matter. The concentration of a given percent of shipments or of employment in the hands of four companies may denote a more serious situation for one industry, a less serious situation for another. This report presents the facts concerning concentration in the manner measured, including comparisons with earlier data where available; it provides no standard for evaluating these facts."

The key sentence is the last one: "This report * * * provides no standard for evaluating these facts." It means that in this report the numerical system has been divested of its significance. Ordinarily, a given percentage in one place means the same as the same percentage given in the same context and in the same statistical study in any other place. Here, however, we are told specifically that a concentration of, say, 50 percent may denote a more serious situation in one place than a concentration of 50 percent when it is shown in another place in the same study. That also means, for example, a 55 percent concentration ratio in one place may be less serious than a 45 percent ratio in another place; conceivably, a 90 percent ratio in one place could even denote a less serious situation than a 10 percent ration in another place. The question is: What is the validity of a study that seeks to present a numerical evaluation of the degree of concentration, when the author, himself, warns the reader that the figures recorded therein have no meaning whatsoever?

LIMITATION AND QUALIFICATION NO. 4

The fourth of the limitations and qualifications of this study reads as follows (p. 4):

"4. Because of data limitations, all the measurement of concentration in this report relate to the United States as a whole, even though in many cases the industrial markets concerned are regional, or even local, rather than national in character. As a general rule, but not necessarily in every case, the effect of using a broader geographic market than that in which competition actually occurs is to understate the degree of concentration."

Here, the author states that he has made the assumption that there is only one single market in which American industry sells its products, namely, the national market. Of course, everybody knows that there are many other markets in which American industry operates: There are local markets of all sizes and descriptions; and there are markets which exceed the territorial scope of the United States, such as numerous international markets. There is, to be sure, also a national market, but the figures in this study do not tell us whether the uniform use of the national market was justified in any particular case or not. Hence, the reader is told that "as a general rule, but not necessarily in every case" the effect of this consistent assumption is to understate the degree of concentration. Actually, the author says quite properly that he really is not able to say whether in any particular case the concentration ratio is overstated or understated as a result of this deficiency of the basic concentration data. Again, what value are such statistics? What value is a study that is based upon them?

LIMITATION AND QUALIFICATION NO. 5

The fifth of the limitations and qualifications of this study reads as follows (p. 4):

"5. Concentration ratios shown in this report for individual categories are based upon the shipments, value added, or employment of manufacturing plants in the United States and thus make no allowance for imports, although in the case of certain products, a substantial part of the supply available in the United States market is imported from other countries. For some products, domestic production constitutes only a small fraction of imports. The effect of omitting imports is generally to overstate the degree of concentration in the markets affected, although where imports are marketed domestically by the largest companies, the omission of imports from the data may have the effect of understating concentration."

Here, not even the author of this study can escape the necessity of admitting that the mistake of disregarding the competition which imported goods provide in the domestic market is bound to overstate the degree of concentration, except in those cases where the imports of the largest companies provide added competition for their domestic products. The fallacy of disregarding imports has been pointed out repeatedly over many years by expert economists and statisticians. It could have been avoided with relative ease, simply by including the known quantities of imported goods in the calculation of the concentration ratios.

Some years ago, Prof. George J. Stigler, of Columbia University, condemned the entire 1941 TNEC concentration study solely on the grounds that it left out consideration of imports. The same condemnation applies to the present study.

LIMITATION AND QUALIFICATION NO. 6

The sixth of the limitations and qualifications of this study reads as follows (p. 4):

"6. The concept of shipments used in this report as a basis for measuring concentration conforms to that generally used in Census Bureau statistics. Under this concept, interplant transfers, i. e., shipments of products from one manufacturing establishment of a company to another plant of the same company are included in shipments, but intraplant transfers, i. e., products consumed in the same plant in which they are produced, are excluded. Thus, for integrated companies the value of shipments of materials or components which are incorporated in other products of the same companies is included in the shipments of such companies as well as in the total shipments of such materials or components if these materials or components are transferred to other plants of the companies than those in which manufactured, but are excluded if such materials are produced and consumed at the same plant."

What this means is that, as a result of the indiscriminate inclusion of the values of shipments moving between the integrated plants of a single company, there is double-counting every time such a transfer takes place. And every time such double-counting is made in the census statistics, the concentration ratio of the company involved is artificially inflated. Moreover, since integrated multi-plant operations are far more frequent among large producers than among medium-sized and small ones, this statistical practice means, further, that the market shares of the large companies are systematically overstated. Therefore, the very concentration ratios (for the 4 largest, 8 largest, and 20 largest companies), upon which the entire report focuses, are distorted upwards in varying degrees.

The question is, what good are concentration ratios if they contain systematic biases of such type?

LIMITATION AND QUALIFICATION NO. 7

The seventh of the limitations and qualifications of this study reads as follows (p. 5):

"7. Data for industry and product categories relate to aggregate shipments, value added, or employment in those categories by plants located in the United States. No distinction is made between goods marketed domestically and goods exported. In those cases in which exports are substantial, therefore, the share of the domestic market alone accounted for by the largest companies may be higher or lower than the concentration ratio shown."

Here, again, is one of those sources of statistical error whose effects are completely concealed from the eyes of the unwary user of these statistics. The inaccuracies of concentration ratios arising from nonrecognition of export markets cannot be minimized by confining their effects to "the domestic market alone." They affect the concept of the entire market, both domestic and foreign. Thus, the above-quoted statement that "the share of the domestic market alone accounted for by the largest companies may be higher or lower than the concentration ratios shown" is misleading. The truth is, that regardless of whether exports are substantial or less than substantial, there is a statistical bias in all of these figures relating to industries or companies which export some part of their output. This bias results in a consistent overstatement of concentration ratios.

LIMITATION AND QUALIFICATION NO. 8

The eighth of the limitations and qualifications of this study reads as follows (p. 5):

"8. The concept of employment which is used in this report as another basis for measurement of concentration also follows census usage. As indicated earlier, every manufacturing establishment is classified in the 4-digit industry classification to which the products of that plant are primary. The entire employment of each plant is thus assigned to a single industry. No distinction is made between the employment of an integrated plant which devotes labor to producing materials or components for incorporation into its end products and the employment of a nonintegrated plant which purchases such materials or components from other plants classified in other 4-digit industries."

What is said here means that employment is inadequate as a measure of concentration because the fact that integration is completely disregarded in census statistics. However, this affects not merely concentration measurements that are based upon employment, but also those that are based upon product shipments and are subject to the same criticism. For example, a plant that merely assembles—say 1,000 watches per day—is treated the same way as a plant that, not only assembles the same quantity of identical watches, but also fabricates all of their component parts. The value of shipments of each of the two plants is the same, but it is obvious that these two plants are in no sense comparable. Yet, census industry statistics treat them as if there were no difference between them.

LIMITATION AND QUALIFICATION NO. 9

The ninth of the limitations and qualifications of this study reads as follows (p. 5):

"9. The classifications of industries and products for which concentration measures are used in this report are those used in the census of manufactures. These classifications were developed over a period of years to serve the general purposes of the census and other governmental statistics. Although the basic data are extremely useful and widely used for a variety of purposes in marketing analysis, the classifications were not designed to establish categories necessarily denoting coherent or relevant markets in the true competitive sense, or to provide a basis for measuring market power. On the other hand, products classified in one 4-digit or 5-digit category may compete for the same market with products classified in other categories. Frequently products grouped together in a single 4-digit classification, while related in the sense that they may be manufactured in the same plants, or from the same types of raw materials, or by similar production processes, are nevertheless destined for basically noncompetitive uses and markets. This is true, although to a lesser extent, for 5-digit classifications as well. In some cases it would be necessary to select or recombine the basic 7-digit product classifications in order to obtain categories having competitive meaningfulness. No attempt is made in this report to fit the census classifications to the actual competitive structure of industrial markets. The result is in some cases a fairly accurate reflection of the degree of market concentration, in others an overstatement, and in others an understatement of such concentration."

This is undoubtedly the most striking deficiency of this concentration study. The author is to be commended on his candor of stating (in the last two sentences, above) that he has made no attempt to fit the artificial census classifications to the actual competitive structure of industrial markets, and that "the result is in some cases * * * an overstatement" and in other cases "an understatement" of the degree of concentration. In other words, the author of this study points out that one never knows whether a concentration ratio appearing in this report is overstated, whether it is understated, or whether—apparently only by the sheerest of coincidences—it might be fairly accurate.

LIMITATION AND QUALIFICATION NO. 10

The 10th, and last, of the limitations and qualifications of this study reads as follows (p. 5):

"10. In view of the above reservations, the data on concentration in this report are not of equal significance. For some categories, the measure of concentration may be extremely significant in indicating relative

market power; for some it may not be significant at all for this purpose. Nevertheless, except in those special tabulations requiring selection based upon comparability of classification, concentration ratios are shown for all categories, in order to avoid the necessity of subjective interpretation of the data for each industry or product classification covered."

Surely, this paragraph will stand for a long time as an example of frank admission. His quote, "* * * the data on concentration in this report are not of equal significance" is so true. They are not; some are worse than others, but none seem to be good.

"For some categories, the measure of concentration may be extremely significant * * * for some it may not be significant at all." Everything that the author has said so far leads to the inescapable conclusion that in no case can any of these measures of concentration be proven to have any significance, except that in which they may be cloaked by the mantle of misplaced Congressional sponsorship.

In view of this, and all of the foregoing, what is it that would be needed to put a proper evaluation on the statistics contained in this study? The answer, obviously, is an objective interpretation of this staff member's published data which will undoubtedly be supplied by the economic and statistical professions in a manner that may not reflect credit upon this subcommittee or its staff. This brings me, again, to my repeated warnings of the grave dangers of permitting staff reports to be published, which reports are unwittingly being accepted by the public and the press the world over, as the gospel of the United States Senate.

I emphasize, again, that the foregoing review of this statistical study of Concentration in American Industry is based entirely upon the author's own statements of limitations and qualifications, as they appear on pages 3 to 5 of this report.

FEDERAL POWER COMMISSION

The Senate resumed the consideration of the nomination of Jerome K. Kuykendall to be a member of the Federal Power Commission.

Mr. WATKINS. Mr. President, the personal attack being made upon Mr. Kuykendall on the occasion of his renomination to the Federal Power Commission boils down to an attack upon the Federal Power Commission itself.

For many months now the FPC—the Congress' own bipartisan regulatory agency—has been under relentless attack, essentially by Members of Congress from the political party which was in power when the Commission was created in 1920 and when its powers were expanded materially during the 1930's.

And what is the reason for these vicious and continuing attacks upon one of the Government's major conservation and regulatory bodies?

The answer is simple: The Commission failed to approve a controversial Federal power project—the high Federal dam at Hells Canyon.

Now it is also true that the Congress itself has had several opportunities to approve the same project.

Four times, in fact, the project has emerged from committee in either the House or the Senate. And in every Congress, except for a temporary victory in the current Senate, the project has marched back down the hill again.

On two of these occasions when the high Hells Canyon bill suffered reverses in the Congress, it is significant that the party, from which the criticism of Mr. Kuykendall is emanating, was safely in control of the Congress.

Under these circumstances, one would think that if blame were going to be handed out at all, Congress itself would share in the credit or discredit, whichever is preferred. But such is not the case. The coals of fire are being heaped almost exclusively upon the head of Mr. Kuykendall, and upon the Federal Power Commission itself.

In all this sound and fury, I have seen many personal attacks upon Mr. Kuykendall, but nowhere have I seen any valid evidence that he has failed to perform the duties of his office as spelled out in the law.

If the nomination of Mr. Kuykendall is not confirmed, it will be primarily because he did not—and legally could not—compel his Commission to do what his critics could not compel the Congress to do. It will not be because he has violated any law or any directive of Congress, nor because he has been dilatory or incompetent in the performance of his job.

An obvious question suggests itself: If something is lacking in the Federal Power Commission, why does not Congress change the law and make certain that the agency measures up to whatever may be expected of it?

The solution of this problem—if it be a problem—lies clearly within the purview of the Congress. It will not be solved—if it be, in fact, a problem worthy of solution—merely by the blood offering of Mr. Kuykendall's head upon the platter of a lost cause.

In rising to the defense of the embattled Mr. Kuykendall and the besieged Federal Power Commission, I do not grant this agency, or any other Federal agency, carte blanche for its performance. The people who run this agency are human like the rest of us. They make mistakes. And there is no reason to presume that they are above criticism, because they are not.

However, it so happens that the Federal Power Commission was established after a 20-year fight by a couple of Republicans of whom I am extremely proud. They, of course, were President Theodore Roosevelt and Gifford Pinchot, his Forest Service Chief.

These Republican founders of the modern conservation movement made such an outstanding record in this field, that our Democratic colleagues have been trying to take over them and their record ever since.

Teddy Roosevelt recognized that Congress was making such a woeful record of trying to regulate the development of public power sites, that he early recommended creation of a regulatory body which could assemble the engineering and legal staff necessary to do an adequate job in this important area of public resource development. He was the first President to speak out against giving away our public resources, and his speeches, aided by a vigorous veto program, laid the foundation for passage—during the Wilson administration—of the epoch-making Federal Water Power Act of 1920, under which the Federal Power Commission was established.

Later on, during the administration of President Franklin D. Roosevelt, the powers of the Commission were expanded.

Under the Federal Power Act, as my colleagues on the other side of the aisle should be aware, there is no giveaway of public power resources. Only a revocable license to develop power at Federal sites is granted by the FPC, and the license terminates in 50 years, which is just half the period originally recommended by Gifford Pinchot. At the end of the 50-year period, the Government can extend the license, take over the operation of the plant, or grant the license to a new operator. The Government retains title to the site.

Hence, when the Federal Power Commission is attacked, it must be assumed that the detractors are seeking to discredit one of the outstanding Government conservation agencies established by the Congress.

On the 25th anniversary of the creation of the Federal Power Commission, the George Washington Law Review published a special issue, commemorating the establishment of this agency.

Among the writers of laudatory articles were Gifford Pinchot, Senator Burton K. Wheeler, chairman of the Senate Committee on Interstate Commerce in 1945, and Representative Clarence F. Lea, chairman of the House Interstate and Foreign Commerce Committee.

Mr. President, in order that my colleagues may be able to review the 1945 analysis of the FPC as an agency, I ask unanimous consent to have printed at the end of my remarks three articles from the Federal Power Commission special issue of the George Washington Law Review of December 1945.

There being no objection, the excerpts were ordered to be printed in the RECORD.

(See exhibit 1.)

Mr. WATKINS. Mr. President, in addition, I wish to emphasize some excerpts from the Pinchot and Wheeler articles.

Senator Wheeler wrote:

The doctrine of the separation of powers is fundamental in American constitutional law. The legislative, executive, and judicial powers under the Constitution are separate and distinct. While the legislative branch—the Congress—can legislate on matters affecting the executive and judicial branches within the powers granted it by the Constitution, and can, within constitutional limits, delegate its legislative powers, the legislative branch must lay down the broad standards to govern the administration of the delegated power, leaving to the agency to which the legislative power is delegated, the application of the legislative provisions in particular situations as they arise.

So it is that, in creating the Federal Power Commission, the Congress set up an administrative agency to perform tasks which Congress, except for the practical difficulties, could have done itself. * * *

Pressed with many other duties on myriad subjects, however, the Congress would find it impossible to conduct these tasks itself. If the Congress were to attempt to deal directly with these problems, moreover, it would be unable to maintain that essential continuity and stability of the regulatory process which can only be provided by men of special training and close experience, who can give their full time and attention to such matters.

By the Federal Water Power Act of 1920, as amended in 1935, Congress has delegated to the Federal Power Commission, the issuance of licenses for the development and operation of hydroelectric power projects located on navigable waters of the United States or affecting the interests of interstate or foreign commerce. As the Supreme Court has pointed out in the Appalachian Electric Power Co. case, upholding the delegation by Congress to the Commission of this authority, the Commission's determination in issuing a license "is legislative in character."

The words "is legislative in character" are the words of the Court. Senator Wheeler continued:

Thus, if such a Commission can be said to exercise, under the Federal Power Act, "any executive function—as distinguished from executive power in the constitutional sense—it does so in the discharge and effectuation of its quasi-legislative or quasi-judicial powers."

Senator Wheeler also discussed the steps taken by Congress to keep this agency free of partisan or executive branch domination. He said:

To insure that the Commission would be an effective arm of the Congress in the performance of its delegated powers, the Congress took certain precautions. First, it made the Commission an independent agency, not a part of any executive department. Thus Congress eliminated outside executive control. Second, to make the Commission impartial in every way, Congress provided that it should be nonpartisan in that not more than three of the Commissioners shall be appointed from the same political party. Third, to give the Commission a degree of permanence and stability, Congress provided that the Commissioners should have terms of 5 years, the terms of the Commissioners to expire in successive years.

The Commission's duties are prescribed by act of Congress. It is "charged with the enforcement of no policy except the policy of the law." Its decisions are to be made according to the mandates of the statute and in the "exercise of the trained judgment of a body of experts," informed by their experience and the record made before the Commission. The Commission is given discretion within the ambit of its authority, but must observe with strict fidelity the mandates of Congress set forth in its jurisdictional statutes, as interpreted by the courts.

This great independent expert agency of the Congress is the agency that is under attack by many Democrats and so-called liberals for its decision in the Hells Canyon case. This decision was made by a unanimous vote of this bipartisan Commission, not by Mr. Kuykendall alone, but by all the members, including the Democratic members of the Commission, after the most extensive investigation ever made of a matter coming before the Commission.

No committee of Congress can match the experience, know-how, and informational background that went into the Federal Power Commission's consideration of the two conflicting proposals to develop the Hells Canyon reach of the Snake River in the best public interest. Yet, in spite of this, we were asked to overrule the experts who had heard this case with extreme thoroughness, and to vote to interrupt their licensed action, and start anew on a proposal that was considered and refused by our own expert agency.

Mr. President, I repeat that the Congress has acted on this matter, either through its committees or directly; and only once has the present Senate approved the proposal which is contrary to the one which has been approved by the Commission. Actually, the one contrary to that approved by the Commission has been rejected four times by Congress.

After describing the long struggle for effective Federal water power legislation, Gifford Pinchot made these summarizing remarks relative to national policy under the Federal Water Power Act of 1920, as amended:

Before their fight was won and a Federal Power Commission was finally established, President Wilson took a hand. In 1918, a Committee on Water Power was created at the President's suggestion, and an administration bill, drafted by the Secretaries of War, Interior, and Agriculture, was introduced. Followed 2 more years of backing and filling, and of conflict between the House and Senate, until on June 10, 1920, the bill became law.

With all its faults the Federal Power Act of 1920, marked a great advance. It established firmly the principle of Federal regulation of waterpower projects, limited licenses to not more than 50 years, and provided for Government recapture of the power at the end of the franchise.

For the first time, the act of 1920 established a national policy in the use and development of waterpower on public lands and navigable streams. But it provided, unfortunately, for the administration of the act by a commission of three men, the Secretaries of War, Interior, and Agriculture, whose hands were already too full to give it the necessary attention.

This serious fault was corrected in 1930 by the passage of an act which provided for an independent Commission of five full-time members authorized to employ a staff of its own.

The act of 1930 took a great step forward. But it was not enough. In 1935, Congress passed the Federal Power Act which authorized the Commission to regulate the interstate transmission and sale of electric energy. Under that act, the Federal control of waterpower operates today.

These excerpts from historical reviews and estimates by distinguished Democratic leaders and a highly respected conservationist, illustrate the true nature of the Congressional agency which made the decision that the three-dam, private-enterprise project at Hells Canyon was in the best interests of the public and of the comprehensive development of the water resources of the Columbia River.

That 1945 review represented an analysis of the history-making Federal Water Power Act of 1922, as amended, by three noted critics and legislative authorities.

Has this legislation, so enthusiastically hailed in 1945, been proved defective or inadequate in the past 12 years? If so, I respectfully urge the majority party to come forward with some concrete amendments or some proposed remedial legislation. That certainly would be far more constructive than merely to clamor for the head of a Presidential appointee to one of the five Commission posts. To be consistent, those who oppose confirmation of the nomination of Mr. Kuykendall should, instead, clamor for the discharge of the other 4 members of the Commission, because all 5 of the members concurred in the decision which was reached.

But while the critics of Mr. Kuykendall and the Federal Power Commission are considering draft of proposed legislation, I think the Senate should approve this appointment, and should let the Commission function on a five-member basis, as prescribed by the law.

Mr. Kuykendall has now had 4 years of experience as a member of this Commission.

He came to this job from the chairmanship of the Washington Public Service Commission. He is a member of the executive committee of the National Association of Railroad and Utilities Commissioners.

A graduate of the University of Washington School of Law, he practiced law in Seattle from 1932 to 1941, when he was appointed an assistant attorney general of the State of Washington, a post he held until returning to private practice in 1946. In addition to this record of public service, he saw duty as a lieutenant in the Navy during World War II, and has served as an officer of various civic organizations, including the Olympia Kiwanis Club, chamber of commerce, American Red Cross chapter, and American Legion post.

From my observation, and my study of the record—a record embracing approximately 2,000 pages was made during the extensive hearings which were held on the Hells Canyon project, and I have examined that record and other records of the Federal Power Commission which I have had occasion to look into—I find that during the past 4 years, Mr. Kuykendall's record has continued to be one of excellent, faithful, efficient, and impartial service to the public and to the Congress.

So, Mr. President, it seems to me that in making these attacks upon the head of this organization, his critics are being entirely unfair. In the course of these remarks, I have already pointed out that Congress has also refused to approve the other Hells Canyon project. Mr. Kuykendall and the other members of the Commission refused to approve that proposed program for Hells Canyon. The proposal was before them also, at the hearing. Yet the Commission did approve, under the law, and in strict conformity with it, the application of the Idaho Power Co. for the license.

So, Mr. President, it seems to me that it is completely unfair for the critics to attack one member of the Commission because of the action taken by the whole Commission, and to take such an attitude regarding one of the employees of the Congress itself, in a measure, without even attacking—by proposed legislation or otherwise—the law under which these men act. That law is very exacting; and I submit that a fair examination of the record will show that they have complied with it completely, in every respect. The courts have had an opportunity to review the actions the Commission took under that law; there was a court review of its actions. The court held that the Commission had acted within the law; and the court refused to set aside the order or license which had been issued. An appeal was taken from the circuit court of appeals to the Supreme Court. A writ of certiorari was asked for, but it

was not granted. There had to be some sort of preliminary examination of the activities of the Commission in order to make that denial.

So here we are now considering the confirmation of the nomination of a man who as Chairman has been in charge of the Commission, which acted unanimously, and who is now being charged by his critics, in effect, with malfeasance in office. It is sought now to deny him the opportunity to carry on the work which he has been doing fully and completely in accordance with the law and spirit of the Water Power Act of 1920.

I submit the nomination should be unanimously confirmed and that Mr. Kuykendall should be permitted to continue in his present position, because there is nothing in his record which would indicate contrary action.

EXHIBIT 1

[From the George Washington Law Review of December 1945]

THE FEDERAL POWER COMMISSION AS AN AGENCY OF CONGRESS

(By Hon. Burton K. Wheeler, United States Senator from the State of Montana; chairman, Committee on Interstate Commerce, United States Senate)

The doctrine of the separation of powers is fundamental in American constitutional law. The legislative, executive, and judicial powers under the Constitution are separate and distinct. While the legislative branch—the Congress—can legislate on matters affecting the executive and judicial branches within the powers granted it by the Constitution, and can, within constitutional limits, delegate its legislative powers, the legislative branch must lay down the broad standards to govern the administration of the delegated power, leaving to the agency to which the legislative power is delegated the application of the legislative provisions in particular situations as they arise.[1]

So it is that, in creating the Federal Power Commission, the Congress set up an administrative agency to perform tasks which Congress, except for the practical difficulties, could have done itself. Under the Commerce Clause of the Constitution,[2] Congress has authority to regulate interstate and foreign commerce. This power of Congress is plenary in character and extends, for example, to control of navigable waters of the United States as to navigation, flood control, watershed development, recovery of the cost of improvements through the utilization of electric power incidentally developed, and also to the regulation of the transmission of electric energy between the States and to foreign countries and the sale of electric energy in interstate commerce. It extends as well to the interstate transportation of natural gas and the sale of natural gas in interstate commerce.[3] To what extent, however, the Congress may see fit, in any particular instance, to delegate these plenary powers to an administrative agency of its creation is, of course, a question for the Congress to decide.

Pressed with many other duties on myriad subjects, however, the Congress would find it impossible to conduct these tasks itself. If the Congress were to attempt to deal directly with these problems, moreover, it would be unable to maintain that essential continuity and stability of the regulatory process which can only be provided by men of special training and close experience, who can give their full time and attention to such matters.

By the Federal Water Power Act of 1920, as amended in 1935,[4] Congress has delegated to the Federal Power Commission the issuance of licenses for the development and operation of hydroelectric power projects located on navigable waters of the United States or affecting the interests of interstate or foreign commerce. As the Supreme Court has pointed out in the Appalachian Electric Power Company case,[5] upholding the delegation by Congress to the Commission of this authority, the Commission's determination in issuing a license "is legislatve in character."

By the Federal Power Act of 1935,[6] the Congress delegated to the Commission the regulation of interstate transmission of electric energy and the sale of electric energy in interstate commerce at wholesale, including the regulation of public utilities owning or operating facilities for such transmission or sale. In regulating the rates of such utilities for wholesale sales of electric energy in interstate commerce,[7] in approving the disposition and interconnection of their properties [8] and the issuance of their securities,[9] in regulating their accounts,[10] the Commission is acting in a quasi-legislative capacity, applying to particular situations the legslative policy as prescribed by Congress. As between the public utilities and other parties in interest, the Commission often acts in a quasi-judicial capacity, holding hearings and adjudicating rights of parties. Further, under various sections of the Federal Power Act,[11] the Commission is given to purely investigative duties, in exercising which it is acting solely as an arm of Congress, in certain instances reporting to Congress and making recommendations for legislation.

Thus, if such a Commission can be said to exercise, under the Federal Power Act, "any executive function—as distinguished from executive power in the constitutional sense—it does so in the discharge and effectuation of its quasi-legislative or quasi-judicial powers. * * *"[12]

By the Natural Gas Act of 1938,[13] the Congress delegated similar powers to the Commission over the transportation of natural gas in interstate commerce, its sale at wholesale for resale in interstate commerce, and natural gas companies engaged in such transportation or sale. These powers, to a great extent, parallel those delegated to the Commission by the Federal Power Act of 1935, on which the Natural Gas Act was largely modeled, and are in the same way quasi-legislative and quasi-judicial in character.

To insure that the Commission would be an effective arm of Congress in the performance of its delegated powers, the Congress took certain precautions. First, it made the Commission an independent agency, not a part of any executive department. Thus, Congress eliminated outside executive control. Second, to make the Commission impartial in every way, Congress provided that it should be nonpartisan in that not more than three of the Commissioners shall be appointed from the same political party.[14] Third, to give the Commission a degree of permanence and stability, Congress provided that the Commissioners should have terms of five years, the terms of the Commissioners to expire in successive years.[15]

The Commission's duties are prescribed by act of Congress. It is charged with the enforcement of no policy except the policy of the law.[16] Its decisions are to be made according to the mandates of the statute and in the "exercise of the trained judgment of a body of experts," [17] informed by their experience and the record made before the Commission. The Commission is given discretion within the ambit of its authority, but must observe with strict fidelity the mandates of Congress set forth in its jurisdictional statutes, as interpreted by the courts.

THE FEDERAL POWER COMMISSION AS AN AGENCY OF CONGRESS

(By Hon. Clarence F. Lea, Member of the House of Representatives of the United States for the First Congressional District of California; chairman, Committee on Interstate and Foreign Commerce, U. S. House of Representatives)

How the Federal Power Commission serves as an arm of the legislative branch of the Federal Government may be illustrated by reference to the provisions of the Natural Gas Act, enacted by the Congress in 1938.[1] Particular reference is made to this act because the writer had an active part in the considerations which led to its enactment. He is familiar with the purposes and circumstances which were in view at that time.

Congress found, and in the act of 1938 declared, that "the business of transporting and selling natural gas for ultimate distribution to the public is affected with a public interest." [2] It was decided that "Federal regulation in matters relating to the transportation of natural gas and the sale thereof in interstate and foreign commerce is necesary in the public interest." [3]

Congress could have enacted detailed legislation regarding these matters without providing for the participation of any administrative agency in such regulation, but instead it decided that a continuing program of regulation involving control of a large variety of particular matters could best be done by an independent nonpartisan administrative commission. This task was entrusted, therefore, to the Federal Power Commission, to which Congress had already delegated regulation of the transmission and sale of electric energy in interstate commerce at wholesale, under the Federal Power Act of 1935.[4]

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[1] See recent opinions of the United States Supreme Court sustaining the constitutionality of the Emergency Price Control Act of 1942 in *Yakus* v. *United States* (321 U. S. 414, 64 Sup. Ct. 660, 88 L. ed. 834 (1944)) and *Bowles* v. *Willingham* (321 U. S. 503, 64 Sup. Ct. 641, 88 L. ed. 892 (1944)), for a full analysis of the principles and a review of prior decisions relating to the constitutional limits of delegation of legislative power.

[2] United States Constitution, article I, section 8.

[3] For a discussion of the delimitation of Federal and State powers, see Benton, Jurisdiction of the Federal Power Commission and of State Agencies in the Regulation of the Electric Power and Natural Gas Industries, infra, pp. 53-80.

[4] 41 Stat. 1063 (1920), 16 U. S. C., sec. 791 et seq.

[5] *United States* v. *Appalachian Elec. Power Co.* (311 U. S. 377, 61 Sup. Ct. 291, 85 L., ed. 243 (1940)).

[6] 49 Stat. 838 (1935), 16 U. S. C., sec. 792 et seq.

[7] 49 Stat. 851 (1935), 16 U. S. C. sec. 824d.

[8] 49 Stat. 848, 848 (1935), 16 U. S. C. secs. 824a, 824b.

[9] 49 Stat. 850 (1935), 16 U. S. C. sec. 824c.

[10] 49 Stat. 854 (1935), 16 U. S. C. sec 825.

[11] 49 Stat. 856 (1935), 16 U. S. C. secs. 825f, 825j.

[12] *Humphrey's Executor* v. *United States*, (295 U. S. 602, 628, 55 Sup. Ct. 869, 79 L., ed. 1611 (1935)).

[13] 52 Stat. 821 (1938), 15 U. S. C. 717 et seq.

[14] 46 Stat. 797 (1930), 16 U. S. C. 792.

[15] Supra, note 14.

[16] Humphrey's Executor v. United States, supra, note 12 at 624.

[17] Ibid.

[1] 52 Stat. 821 (1938), 15 U. S. C. sec. 717 et seq.

[2] 52 Stat. 821 (1938), 15 U. S. C. sec. 717.

[3] Ibid.

[4] 49 Stat. 838 (1935), 16 U. S. C. sec. 792, et seq.

Legislative functions may be divided into two classes, (1) the enactment of a law and (2) investigation preliminary to the enactment of a law.

The enactment of a law may be complete as to all details when the legislation is passed by the legislative body, or the legislative body may merely lay down broad guiding principles in the law as enacted, charging an administrative agency, specially constituted for the purpose, with application of the law to specific situations which are presented.

The function of investigation preliminary to legislation may be performed (1) directly by legislative committees, or (2), delegated by the legislative branch to a qualified administrative agency, which is required to report its findings to the legislature, with or without recommendations for legislation.

Both forms of delegation are utilized by the Congress in the Natural Gas Act.

In the early days of regulation of public utilities, legislative bodies fixed rates by legislative enactment. Later, when the shortcomings of this method of rate regulation, and the advantages of rates regulation by an administrative commission, became apparent, rate regulation directly by statute was abandoned and authority to regulate rates was delegated to a commission. But, whether the regulation of rates is directly by statute or is delegated to a regulatory commission, it is in either case legislative in character.

In the Natural Gas Act, as in the Federal Power Act, regulation of rates is delegated by Congress to the Federal Power Commission,[5] as is also the regulation of the exportation or importation of natural gas,[6] the extension of facilities or service, and abandonment of facilities or service.[7] Congress could have enacted a law regulating each instance or class of transaction, but instead established the principles of regulation by statute and delegated to the Federal Power Commission authority to make the determinations required by the statute for application in particular cases.

Similarly, Congress has delegated to the Commission comprehensive power to prescribe and regulate the accounts of natural gas companies,[8] just as the Federal Power Act provides for similar controls over electric utilities.

The provisions of section 7 of the Natural Gas Act, as amended February 7, 1942,[9] relative to certificates of public convenience and necessity, afford an even clearer instance of delegation of legislative power. Conceivably, the Congress might itself by statute authorize the construction of natural gas pipelines and delimit the operating and service area of every natural gas company. However, by section 7 as amended, it delegated to the Commission authority to issue certificates of public convenience and necessity for the construction of pipelines, extensions and all new operations since February 7, 1942, as well as "grandfather clause" certificates for facilities and operation of natural gas companies as of that date, and authority to determine service areas. Clearly, in these matters, the Commission is acting merely as an arm of the Congress in performing duties of a detailed and specialized character which the Congress, busy with many public affairs, could not hope to cope with directly.

Of the other kind of delegation—of authority to make investigations for Congress—several excellent examples are found in the Natural Gas Act.

[5] 52 Stat. 822 (1938), 15 U. S. C. 717c, 717d.

[6] 52 Stat. 822 (1938), 15 U. S. C. 717b.

[7] 56 Stat. 83 (1942), 15 U. S. C. Supp. III, sec. 717f (1942).

[8] 52 Stat. 825 (1938), 15 U. S. C. 717g.

[9] 56 Stat. 83 (1942), 15 U. S. C. Supp. III, sec. 717f (1942).

By section 14 (a) of the act, the Commission is given general investigatory authority to obtain "information to serve as a basis for recommending further legislation to the Congress." More specifically, by other sections, the Commission is given authority to investigate and ascertain the actual legitimate cost of the property of every natural gas company,[10] the cost of production or transportation of natural gas by a natural gas company,[11] even in cases where the Commission has no authority to establish a rate, and comprehensive investigatory authority incidental to its other delegated powers under the act. By section 11, the Commission is made the investigative agent of Congress to assembly and keep current all pertinent information relative to interstate compacts dealing with natural gas "and to report to the Congress, from time to time, the information so obtained."

This quasi-legislative functions the Commission is to perform, not as a subordinate bureau of an executive department, but as an independent, nonpartisan agency, charged only with carrying out the functions and the policy laid down in the jurisdictional act of Congress.

It should, of course, be recognized that these regulatory agencies of Congress do not have a carte blanche delegation of legislative power. They are limited to carrying out the policies of Congress as specified in the statutes conferring their power. In very recent years there has been a marked tendency in Congress carefully to define and limit the standards of law which control its administrative agencies.

The Long Struggle for Effective Federal Water Power Legislation

(By Hon. Gifford Pinchot; formerly Governor of Pennsylvania)

The first and simplest form of mechanical power to be harnessed by man was water power. Today, with electricity to give it reach and scope, it is one of the most essential sources of the good life among men. It is also, unless and until atomic energy shall move into first place, more dangerously subject to the evils of monopoly than any other. Here, if anywhere, public control is indispensable.

Under the powers granted or implied in the Constitution of the United States, the Federal Government has control over navigable streams and their tributaries. Yet for a 100 years after the Constitution was adopted, Congress left the regulation of water power entirely to the States.

Before the long-distance transmission of electricity had revolutionized the situation, water power was regarded almost altogether as a local question. Fall River, Lowell, Lawrence, Manchester, Niagara Falls, and other manufacturing centers owed their superiority to water power. But in all these developments, power could only be used close to the water which produced it. Steam power, which came to the front because it was not subject to this limitation, after the Civil War became the country's chief source of power and has so continued to this day.

Limited scope and effectiveness of early federal water legislation

Federal stream legislation at its beginning had to do chiefly with preventing or removing obstructions to navigation. That was the purpose of the Rivers and Harbors Act of 1884,[1] which authorized the Secretary of War to remove unauthorized obstructions, including dams, bridges, and causeways.

The act of 1884 was followed by the Rivers and Harbors Act of September 19, 1890,[2] which forbade "the creation of any obstructions, not affirmatively authorized by law, to the navigable capacity of any waters, in respect of which the United States has jurisdiction."

[10] 52 Stat. 824 (1938), 15 U. S. C. 717c,

[11] 52 Stat. 823 (1938), 15 U. S. C. 717d,

[1] 23 Stat. 133 (1884).

[2] 26 Stat. 426, 454 (1890).

In 1891 Congress granted free rights-of-way through the public lands and reservations for canals, ditches, and reservoirs.[3] In 1896 it extended these rights to "any citizen or association of citizens of the United States, for the purpose of generating, manufacturing, or distributing electric power."[4]

In 1899 Congress assumed fuller control over navigable streams and forbade the building of any bridge, dam, dike, or causeway over any navigable water of the United States "until the consent of Congress to the building of such structures shall have been obtained and until the plans for the same have been submitted to and approved by the Chief of Engineers and by the Secretary of War."[5]

The act of 1901

The effect of these acts, however, was to prevent rather than promote development. And they applied only to navigable streams. The act of 1901,[6] however, empowered the Secretary of the Interior to permit rights-of-way through the public lands and forest reservations "for electrical plants, poles, and lines for the generation and distribution of electric power." It also empowered the Secretary to regulate the use of such rights-of-way and to revoke any permit when he saw fit. That was highly important, for a revocable permit meant that the title to the land remained in the Government.

Under the act of 1901 the Secretary of the Interior issued regulations which related to filing applications for permits. But the Secretary never issued any formal permits. The practice consisted merely in making an endorsement on the map of the project that was submitted.

Congressional gifts of power sites

Licenses issued by Congress under the act of 1901 gave away enormously valuable power sites without a charge and without a time limit—forever and for nothing. The first sign of change came when Theodore Roosevelt in 1903 vetoed a bill to make a present of the now famous Muscle Shoals power site to private interests[7] and thereby kept the door open for TVA, which, thanks to Senator George W. Norris, came in due time.

Until 1905, when the first steps were taken to bring about effective regulation and control by the Government of the right to erect and maintain power dams, the custom of Congress to give away these extremely valuable rights continued unbroken. Unless some other interest happened to be after the same power site, all that was necessary was to get a bill introduced in Congress and sit by and watch it pass as a matter of course.

This time-worn habit of Congress to give away the public property was, of course, wholly unnecessary and wholly without excuse. Its only possible justification, aside from the pressure of the power interests lay in the ancient bureaucratic shibboleth, "We have always done it that way."

Evolution of effective national policy

When responsibility for the national forests was transferred to the Department of Agriculture and the Forest Service, by the Act of February 1, 1905,[8] most of the undeveloped water power of the Nation was still

[3] 26 Stat. 1101 (1891), 43 U. S. C. 946.

[4] 29 Stat. 120 (1896), 43 U. S. C. 957.

tary of War."[5]

[5] 30 Stat. 1121, 1151 (1899), 33 U. S. C. 401, 403.

[6] 31 Stat. 790 (1901), 16 U. S. C. 79, 43, U. S. C. 959.

[7] 36 Congressional Record 3071 (1903).

[8] 33 Stat. 628 (1905), 16 U. S. C. secs. 472, 551.

in the hands of the Government. Undoubtedly more than half of the grand total was on the Forest Reserves and the Public Domain.

Under the Transfer Act, as mutually interpreted by the Departments of Agriculture and Interior, all grants of rights or privileges within the forest reserves which did not affect the title to the land or cloud the fee were under the jurisdiction of Agriculture. All those which did remained under Interior. But still no charge was provided for and the men who profited by these privileges and rights of way were not required to pay for what they got. But that situation did not long continue.

After the Transfer Act, the Forest Service, in dealing with the vast undeveloped resources in water power which had come under its control, could have followed any one of three paths—

(1) It could continue the indefensible policy of Congress by giving away these immensely valuable powers forever and for nothing.

(2) It could follow the policy of the Interior Department, which had a limited power of control in the public interest, but made little use of it, and did not require the companies to pay for what they got.

(3) Or it could develop a water power policy of its own.

There was no question which course to adopt. We must make our own policy and above all keep the title to the power sites in the public hands. The Use of the National Forest Reserves, a manual of instructions, issued July 1, 1905, contained this definite statement of policy: A reasonable charge may be made for any permit, right, or privilege, so long as such charge is not inconsistent with the purposes for which the Reserves were created.[9]

Underlying principle and basis of reasonable charges for use of waterpower

The Report of the Forester for the fiscal year 1905–06,[10] after noting the collection for the first time of a fee for grazing on the forest reserves, set forth as an underlying principle that a reasonable charge should be made for all permits which involved "the withdrawal of the particular resource or land from use by the people in general."

Furthermore, it definitely determined the basis upon which charges for the use of water for power should be calculated, as follows:[11]

"(1) A charge per mile for the length of the ditches, conduits, pipelines, transmission lines, etc. This applies when no greater width is allowed than that actually necessary at any one point for the enjoyment of the privilege.

"(2) A charge per acre for land actually granted for occupancy, as areas flooded by reservoirs, land for powerhouses, residences, hotels, fenced pastures, etc.

"(3) A charge for the conservation of water supply and the use of advantageous locations and other privileges. The water itself is granted by the State, not by the United States.

"Thus, in a permit for a project to develop electricity the charge would be based upon: First, the length of the conduits, transmission lines, etc.; second, the area occupied by the powerhouses, reservoirs, etc.; third, the conservation of the water supply and the advantageous location which makes it possible to obtain a fall to turn the waterwheel."

Here was the beginning of a Federal waterpower policy. It was deeply resented and bitterly fought by the power interests and their followers in Congress, but in all essentials it is in force today both on lands owned by the Government and on navigable streams.

Administration of charges and duration of permit

The Forest Service held that the quantity of water used was a proper measure of its conservation by the forest reserves and that the horsepower developed at the wheel, since it resulted from the water conserved and the fall furnished, was a poper measure of the entire conservation supplied by the Service to the permittee.

The Service was wise, I think, in deciding to enforce the new charge gradually, and not all at once. In the spring and summer of 1905, a few permits were issued for electric development without compensation but terminable at the discretion of the forester. What we were after was not only a fair return in due time, but also good will and cooperation.

Later in 1905, the charge began. John S. Eastwood, for example, in August of that year renewed his power permit on the Sierra Reserve in California (now the Sequoia National Forest) with a new annual charge of $100. The Shasta Power Co. on the Lassen Forest, Calif., and the Nevada Power Mining and Milling Co. agreed to pay similar sums. Thus, for the first time, the principle of a charge was established in actual operation.

But the question of the duration of the permit was far less simple than the question of the charge. Before the Transfer Act the Secretary of the Interior had asked the Secretary of Agriculture "to suggest the length of time which should properly be fixed for the rights-of-way granted." A permit for a period of 99 years[12] had been issued with the consent and approval of the Service to the Edison Electric Co. of Southern California in the San Bernardino, San Gabriel, and Sierra Forest Reserves.

As head of the Forest Service I had personally approved the 99 years. And I recommended to the Secretary of Agriculture that permits issued by the Service should run for an even century. In that I was thoroughly and completely wrong. The power people had convinced me too easily that they needed so much time to recover their investments. The Secretary's judgment was better than mine. He cut the time suggested in two and he was right. Fifty years was long enough, as much experience has since fully proved. Fifty years is the limit today.

NEWLY FORMULATED POLICY OF CONSERVATION: THE INLAND WATERWAYS COMMISSION

Another forward step was taken when on March 14, 1908, President Theodore Roosevelt appointed the Inland Waterways Commission.[13] In his letter to the members he said:

"Works designed to control our waterways have thus far usually been undertaken for a single purpose, such as the improvement of navigation, the development of power, the irrigation of arid lands, the protection of lowlands from floods, or to supply water for domestic and manufacturing purposes. While the rights of the people to these and similar uses of water must be respected, the time has come for merging local projects and uses of the inland waters in a comprehensive plan designed for the benefit of the entire country. Such a plan should consider and include all the uses to which streams may be put, and should bring together and coordinate the points of view of all users of waters."[14]

And, the President added, the plans of the Commission should be formulated "in the light of the widest knowledge of the country and its people, and from the most diverse points of view."[15]

It is worth noting also that the President's letter contained the first official recognition of the newly formulated policy of conservation:

"It is not possible to properly frame so large a plan as this for the control of our rivers without taking account of the orderly development of other natural resources. Therefore, I ask that the Inland Waterways Commission shall consider the relations of the streams to the use of all the great permanent natural resources and their conservation for the making and maintenance of prosperous homes."[16]

The report of the Inland Waterways Commission[17] was based on two fundamentally important principles for whose formulation Dr. W. J. McGee, the secretary of the Commission, and the scientific brains of the conservation movement in its early days, was directly responsible. These were:

First, that every river system is a unit from its source to its mouth and should be treated as such.

Second, that plans for any use of our inland waterways should "take account of the purification of the waters, the development of power, the control of floods, the reclamation of lands by irrigation and drainage, and all other uses of the waters or benefits to be derived from their control."[18]

The Tennessee Valley Authority is the direct descendant of these two principles.

PRESIDENT THEODORE ROOSEVELT'S VETOES IN SUPPORT OF CONSERVATION POLICY

The principles of government control of power on the national forests, established by the Forest Service, were thoroughly approved by Theodore Roosevelt. On April 13, 1908, he gave public proof of his approval by vetoing a bill to turn over important power sites on the Rainy River, a boundary stream between the United States and Canada, without the safeguards the Service had developed.[19] In that veto he declared that a time limit should be set for the termination of the grant, that a charge should be paid to the Government for the privileges received, that power sites should not be held undeveloped for speculative or other reasons, and that already the evils of monopoly were becoming manifest.

The Rainy River veto created consternation among the waterpower grabbers, but there was nothing they could do about it. Nine months later, on January 15, 1909, just before he went out of office, in his veto of the James River bill,[20] Theodore Roosevelt reaffirmed the principles of the Rainy River veto, and announced that he would sign no power bill which did not contain a charge and a time limit.

The President asserted that "the great corporations are acting with foresight, singleness of purpose, and vigor to control the water powers of the country. They pay no attention to State boundaries, and are not interested in the constitutional law affecting navigable streams, except as it affords what has been aptly called a twilight zone where they may find a convenient refuge from any regulation." And he concluded, "I esteem it my duty to use every endeavor to prevent the growing [power] monopoly, the most threatening which has ever appeared, from

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[9] U. S. Department of Agriculture, Forest Service, The Use of the National Forest Reserves (1905) p. 16.

[10] U. S. Department of Agriculture, Report of the Forester, 1906.

[11] Supra, note 10 at 11.

[12] The permit was authorized by Act of May 1, 1906, 34 Stat. 163 (1906), which provided that the duration of time of the permit should be set by the Secretary of the Interior.

[13] S. Doc. No. 325, 60th Cong., 1st sess. (1908), CONGRESSIONAL RECORD 6966 (1908).

[14] 42 CONGRESSIONAL RECORD 6968 (1908).

[15] Supra, note 14.

[16] Supra, note 14.

[17] S. Doc. No. 325, 60th Cong., 1st sess. (1908).

[18] Supra, note 17 at 25.

[19] CONGRESSIONAL RECORD 4968 (1908).

[20] CONGRESSIONAL RECORD 978 (1909).

being fastened upon the people of this Nation." [21]

In 1910 the second general dam bill [22] limited the life of power permits to 50 years, provided for a charge, and for the recovery of the privilege by the United States. But these provisions were vague and indefinite, and made little improvement over those contained in the first general dam bill of 1906.[23]

LONG STRUGGLE IN CONGRESS BETWEEN POWER INTERESTS AND SUPPORTERS OF NATIONAL POLICY

In 1912 the power interests and their friends in Congress staged a daring raid. Without hearings and without warning, the House Committee on Interstate and Foreign Commerce reported an omnibus waterpower bill [24] which would have authorized 17 private power projects, without a charge and without provision for Government regulation. Large waterpower interests would have controlled more than half of the grants proposed. Before, however, this piracy could be put through the House, President Taft's Coosa River veto,[25] based on the ground that no provision was made for a charge, broke it up.

For the next 8 years a bitter fight raged in Congress between the power interests, eager for plunder, and the supporters of the principles laid down by the Forest Service and by Theodore Roosevelt in his epochmaking vetoes. The Adamson bill, the Ferriss bill, the Shields bill, and the Myers bill, some good, some bad, were introduced, fought for, and failed of passage.[26] The most dangerous of these was the Shields bill, behind which all the power of the great special interests was concentrated. After a long and bitter conflict, in the end it also was defeated.

Leadership of the National Conservation Association

In this long, often confused, and always difficult contest between private greed and the public good, the National Conservation Association led the fight against the power magnates and for the people. Charles W. Eliot, President of Harvard University, was its first president and I had the honor to succeed him.

The National Conservation Association had little more than two members for each Senator and Representative in Congress. Yet because it was right and because it knew how, it was able to protect the public interest against one of the most formidable attacks ever made against it.

The men who bore the heat and burden of this crucial fight cannot all be mentioned here. But since their efforts resulted in the definite, if not permanent, defeat of the power grabbers, and in the definite and permanent establishment of the principle of Government control over water power development, both in navigable streams and on the national forests, some of their leaders should be named. All of them were or had been members of the United States Forest Service.

First came George W. Woodruff, Federal Judge, Assistant United States Attorney General, and attorney general of Pennsylvania; then Philip P. Wells, counsel in the Department of the Interior; Overton W. Price, associate forester, and O. C. Merrill, chief engineer, of the Forest Service; Harry Slattery, afterward Administrator of Rural Electrification Authority; and Thomas R. Shipp, secretary of the conservation association. To these men and many others, and to public-spirited Members of the Senate and House, such as Congressman William Kent, of California, the Nation owes a great debt.

NATIONAL POLICY UNDER FEDERAL WATER POWER ACT OF 1920, AS AMENDED

Before their fight was won and a Federal Power Commission was finally established, President Wilson took a hand. In 1918, a Committee on Water Power was created at the President's suggestion, and an administration bill, drafted by the Secretaries of War, Interior, and Agriculture, was introduced. Followed 2 more years of backing and filling, and of conflict between the House and the Senate, until on June 10, 1920, the bill became law.

With all its faults the Federal Water Power Act of 1920,[27] marked a great advance. It established firmly the principle of Federal regulation of waterpower projects, limited licenses to not more than 50 years, and provided for Government recapture of the power at the end of the franchise.

For the first time, the act of 1920 established a national policy in the use and development of waterpower on public lands and navigable streams. But it provided, unfortunately, for the administration of the act by a commission of three men, the Secretaries of War, Interior, and Agriculture, whose hands were already too full to give it the necessary attention.

This serious fault was corrected in 1930 by the passage of an act [28] which provided for an independent Commission of five full-time members authorized to employ a staff of its own.

The act of 1930 took a great step forward. But it was not enough. In 1935 Congress passed the Federal Power Act [29] which authorized the Commission to regulate the interstate transmission and sale of electric energy. Under that act the Federal control of waterpower operates today.

Beginning with the first effective regulation of waterpower by the Forest Service in 1905, the long series of conflicts and changes had at last, 30 years later, brought about the enactment of a law, and the organization of a Federal Power Commission, competent to deal effectively with this vital question on just principles of sound public policy. To deal with it as sound public policy was understood 10 years ago. The Tennessee Valley Authority has made it clear that we have not yet reached the end of the road.

FOREIGN AID

Mr. HUMPHREY. Mr. President, on yesterday the Senate completed consideration of the conference report on the so-called foreign-aid bill. It was my privilege and responsibility to serve as one of the Senate conferees. I merely want the RECORD to note that I was very disappointed with many aspects of the conference report. I felt that the provision in the bill as passed by the Senate, putting our economic activities on a long-term loan basis rather than a grant basis, was meritorious and deserved the complete support of the Congress. I regret to note that the other House disagreed sharply. In the conference the best we could do was to obtain a 2-year authorization for economic aid funds, with very definite limitations as to use.

Furthermore, there were those of us who were of a mind that the military assistance portion of the foreign-aid program should be charged directly to the Department of Defense, and that it should be on a so-called continuing basis, wherein the Department of Defense each year would have to come to the Congress and program its requests for military assistance, just as it now makes requests for military appropriations for the domestic or national-defense structure in the United States.

I mention these matters, Mr. President, because the Senate Committee on Foreign Relations spent more than a year in a very intensive study of the foreign aid program. We employed the services of professional technicians to evaluate the foreign aid program. A series of 13 reports was published. Finally there was published a general report with the conclusions of the Committee on Foreign Relations.

The RECORD should note that it was made quite clear yesterday by the Senator from Arkansas [Mr. FULBRIGHT] that most of the recommendations of the Committee on Foreign Relations were included in the bill as passed by the Senate, but they were dropped or eliminated from the conference report simply because we were unable to obtain the same kind of understanding and support from the Members of the other body.

I say at this point, had the administration used its powers of persuasion on the other body, and particularly on the responsible members of the Appropriations Committee of the other body, we might very well have had a much improved foreign aid program. As we have it now, it is at best a poor substitute for what we ought to have, and it will bring forth criticism, on the ground that it is not properly designed.

I have in my hand an editorial from the Minneapolis Morning Tribune of last Sunday, entitled "Poor Substitute for the Original." I read 1 or 2 paragraphs from the editorial:

> The foreign aid bill that has been approved by conference committee of the House and Senate—an action that practically assures its final passage—is a poor substitute for the administration's original bill. The best that can be said for the bill is that it does continue the foreign-aid program, but the much-advertised "new look" has been pretty much obliterated.

I agree with that paragraph, except I should like to say to the editor of this very fine newspaper, had the administration had as much interest in making sure the New Look was more than a veneer, it would have maintained the New Look in the bill. In fact, the New Look in the foreign-aid bill was maintained by the Senate because some of us were willing to stand here day after day and fight the attacks made on it. I noticed at the time the bill was approved the headlines read, "Ike Wins Foreign Aid Victory."

PRESIDENT'S SUDDENLY CALLED NEWS CONFERENCE—POSSIBILITY OF SPECIAL SESSION

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

Mr. HUMPHREY. I yield.

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[21] Supra, note 20 at 979, 980.

[22] 36 Stat. 593 (1910).

[23] 34 Stat. 386 (1906).

[24] H. Rept. 1050, 62d Cong., 2d sess. (1912).

[25] 48 CONGRESSIONAL RECORD 11796 (1912).

[26] Adamson bill, H. R. 16053, 63d Cong., 2d sess. (1914); Ferriss bill, H. R. 16673, 63d Cong., 2d sess., (1914); Shields bill, S. 1419, 65th Cong., 1st sess. (1917); Myers bill, S. 2399, 65th Cong., 1st sess. (1917).

[27] 41 Stat. 1063 (1920), 16 U. S. C., sec. 791 et seq.

[28] The 1930 Reorganization Act, 46 Stat. 797 (1930), 16 U. S. C., secs. 792, 793, 797.

[29] 49 Stat. 838 (1935), 16 U. S. C., sec. 792 et seq.

Mr. JOHNSON of Texas. I ask unanimous consent that the Senator from Minnesota, without his losing the right to the floor, yield to me for a very brief reading of the President's suddenly called news-conference statement, and permit me to make some comments on it.

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

Mr. JOHNSON of Texas. I do not know whether the distinguished Senator from Minnesota [Mr. HUMPHREY], a member of the Senate Foreign Relations Committee, is aware of the suddenly called news conference of the President, but I should like to inform the Senate that there has just come over the United Press ticker the following dispatch:

President Eisenhower in a suddenly called news conference late today told reporters he is prepared to call Congress into special session late this year if it does not pass a foreign aid bill sufficient to meet national security requirements.

The Chief Executive summoned White House reporters into his office at 4 p. m. to report that he had signed the $3,366,000,000 mutual security authorization and he trusted that the Congress would appropriate the same amount in the actual money bill.

Eisenhower, sitting behind his desk in a tan summer suit, spoke with apparently deep conviction as he told reporters passage of the appropriation bill was so vital that if the Congress took a different course, it might represent desertion of the long-standing American program to stop the spread of world communism.

The President said his remarks should not be interpreted as a threat to Congress.

But he added that if the House and Senate passed what would be in his opinion an insufficient foreign aid bill, he would have no recourse but to call Congress back into special session after adjournment, now expected the weekend of August 24.

This was the first unscheduled spot White House news conference by a President since the late Franklin D. Roosevelt called reporters into his office to report the results of the battle of the Philippine Sea in World War II.

The Chief Executive told the few reporters, 14 correspondents regularly stationed at the White House, plus about 6 photographers, that in fairness to the newsmen who were not present, he wanted to confine the discussion to his mutual security program.

The President, because some television and newsreel cameramen normally assigned to the White House were not present, planned to repeat his remarks later today in a special camera session in the White House rose garden just outside his executive office.

The White House planned to make a transcript of the President's remarks available for direct quotation starting a page at a time about 5 p. m.

The President said passage of the bill was in the "essential interests of the United States," but he saw no necessity for disguising the fact that the total of the authorization was not enough.

The President's news conference pronouncement came just as a House Appropriations Subcommittee convened behind closed doors to draft its version of the aid money bill.

The subcommittee reportedly was in a mood to whack sharply below the aid figure authorized finally earlier in the day with House approval of a compromise foreign aid authorization bill.

That concludes the quotation from the United Press ticker.

Mr. President, if the Senator from Minnesota will permit, I simply want to say that the President, of course, has the constitutional power to call Congress back into session at any time he may desire, or at any time he may think the national interest justifies it.

I do not know what effect, if any, an announcement in advance of this kind will have upon the judgment of Members of Congress. I should not want to think that any man would be influenced in his judgment as to what was best for his country by a suddenly called news conference which indicated he might have to return from his home in November unless Congress appropriated a certain amount during this session.

I think it is the obligation of the Congress to give serious consideration to any Presidential recommendation. I think we must also be conscious of the responsibility of Congress to appropriate, and to appropriate on the basis of its collective judgment, as to the course that best serves our country. I doubt whether any Member would have his judgment altered by a fear as to whether he would have to come back in November or not.

I personally believe we must have an adequate foreign aid program. I think we must frankly face the fact that the program has been handled in such a manner that it has lost a great deal of public support, and that the very heavy mail on this question expresses considerable opposition. To me this is regrettable. To me it does not alter the need for a complete, adequate program.

I want to observe, for whatever it may be worth, to the Members of the Senate and to the country that I am convinced Congress is going to act responsibly, expeditiously, and in accordance with the hearings and the testimony and the collective judgment of the majority of its Members. It may be that the Senator from Texas will not be in the majority on that occasion. He frequently finds he is not. Last year he cast the deciding vote in the Appropriations Committee for the larger amount.

I want to assure the Senator from Minnesota and all other Members of the Senate that whether I vote in July or whether I vote in November, the fact that I may be called from my home is not going to affect my judgment one single bit. I am going to vote for what I think the national interest of this country requires. I am going to vote that way regardless of whether it meets with the approval of my colleagues, of the Chief Executive, or even of the people of my State, because my first responsibility is to my conscience and to my Nation.

Several Senators addressed the Chair.

Mr. JOHNSON of Texas. The Senator from Minnesota has the floor. I thank the Senator for yielding to me.

Mr. HUMPHREY. Mr. President, I yield to the Senator from Oregon [Mr. MORSE].

Mr. MORSE. I want to say that the last statement of the majority leader is exactly the statement we would all expect him to make. I want to associate myself with it.

I think we should vote on the mutual security appropriation bill in the light of what we think the situation merits.

If I understood the majority leader correctly—and I hope he will correct me if I am wrong—the President left the impression that we might have a special session of Congress later this fall if the Congress does not pass an appropriation bill which in his opinion is adequate to meet mutual security needs. Again, I think that is his duty. If, as President, he actually thinks that the Congress has failed to pass appropriations which he believes the national interest requires he should call a special session of Congress, and I think that is all to the good.

In the meantime Members of Congress will have gone back home, and the people will have been heard from. When we come back I think we will be in a position to make clear to the President whether or not we think our vote of August was the correct vote. I think that is a good way to check the President and a good way for the President to check us, subjecting both the executive and the legislature to the final check of the will of the people.

I may be wrong in my judgment with respect to mutual security, but I happen to think the President is asking for entirely too much. I think the President owes it to the people to do a better job than he has done toward eliminating millions of dollars of waste in the whole mutual security program.

I am perfectly willing to go back home and meet with the people, and to come back, representing the people, to express to the President by my vote again in November what I think the people want. I believe the people will surprise the President, if he thinks they want a continuation of the expenditure of the amount of money he is asking for, for mutual security. In my opinion he is asking for a ghastly waste of the taxpayers' dollar, and I am perfectly willing to have him hear from the people, through the Congress, in November, if he wants to call a special session. I urge it upon him.

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

Mr. HUMPHREY. I yield.

Mr. MAGNUSON. I am a member of the Appropriations Committee, which will discuss mutual security appropriations in a few days. Of course, all of us are going to vote on the basis of the evidence, and on the basis of what we think is in the best interest of all concerned as affected by the whole foreign aid program.

In view of the announcement just made, I suggest, that, as a practical matter, whether it be November or October or December or January, when the Congress meets, there is enough carryover in the foreign aid program to last for many, many, many months, for any amount the Foreign Aid Administration feels is necessary to carry on its program.

In this particular case, if the amount were cut a certain percentage, I think we would find that the carryovers run into billions of dollars. Surely, as the majority leader pointed out, if we take certain action, and then are called upon to consider this question again in November or December or January or February, that will not change the fact that there

is a sufficient amount of available funds to take care of the foreign aid program in accordance with the collective judgment of the Executive and the Congress, as to those matters which we think are important to the welfare of the country.

Mr. JOHNSON of Texas. Mr. President, I thank my friend, the Senator from Minnesota, for being so generous with his time. I understand at this very moment our colleagues in the other body are working into the late evening in an attempt to mark up the bill, which will be considered by the House tomorrow. I have no information as to what the results of that meeting will be.

I want to summarize what I have said by pointing out that in my opinion the President has the constitutional responsibility of calling the Congress to meet whenever he thinks the public interest requires it. Mr. President, we also have the legislative duty of appropriating what we think the national interest requires, not a dime more and not a dime less. Our action ought to be based on the testimony, which we have not yet heard; on the evidence, which we have not yet received; and on the conclusions, which I assume Members have not yet reached. Therefore, it is my hope that the Members of the Senate will retain an open mind on this matter until they receive the recommendations from the appropriate committee, and that when they receive those recommendations they will act without regard to consideration of where they might be in November, or how they might be inconvenienced, and, I trust, act with due care and understanding for the requirements of this Nation's security. I have confidence that my colleagues on both sides of the aisle will do that.

Mr. MANSFIELD and Mr. KNOWLAND addressed the Chair.

Mr. HUMPHREY. Mr. President, I yield first to the Senator from Montana, and then I shall yield to the minority leader.

Mr. MANSFIELD. Mr. President, I take the President at his word, that his press conference this afternoon did not indicate that he was exercising a threat against the Appropriations Committees of either House, or the Congress as a whole, in the statement he made about the possibility of a special session if he does not get the amount of money which has been authorized in the bill signed by him today.

However, I think his statement was inadvisable at this time, on the eve of the marking up of the bill by the House committee, and during the course of hearings on the part of the Senate Appropriations Committee.

I point out that the President announced earlier this year that he had reduced his request by $500 million. As a matter of fact, this year's request was not reduced by that much, because what he was doing, in effect, was carrying over from the previous fiscal year $500 million into the present fiscal year. It is my hope, and my confident belief, that members of the Appropriations Committees will do their duty as they see it, regardless of any statements made from the outside.

I express the further hope that when the bill is reported from the Appropriations Committees it will not contain more than $3 billion at the most, because I think there is too much waste, too much overlapping, and too much duplication.

I say to the President, most respectfully, that if he wishes to do away with the waste, the fat, the overlapping, and the duplication, the best thing he could do would be to bring about a complete amalgamation of the International Cooperation Administration in the State Department, and do away with the duplicate desks, the regional desks, the general counsels, and things of that sort. It should be made a part of the State Department. He should give full control to the Secretary of State, and separate economic aid on the one hand from defense assistance on the other.

It should be pointed out that in the past 2 fiscal years approximately 85 percent of so-called foreign aid was in the military field. We have been told that $1 spent in foreign military assistance was the equivalent of $6 spent in our own defense setup at home. If that is the case, I think the Defense Department ought to have full control of that particular aspect of foreign aid, and the remaining 15 percent ought to be in the State Department, under the control of the Secretary of State.

I express the hope that when Mr. Smith, the new Director, who will succeed Mr. Hollister, comes into office, his main objective will be to work himself out of a job, and by so doing, see that the ICA is incorporated fully within the Department of State.

Mr. HUMPHREY. Mr. President, the observations which have been made by the Senator from Montana are observations with which I concur.

While I signed the conference committee report, because we knew that we must have a bill, one of my complaints with respect to the report is the fact that it did not separate economic aid from military assistance.

Furthermore, so long as the Department of Defense does not have full responsibility, from the budget point of view, for military assistance, there is bound to be what I consider an improvident use of such military assistance.

Very frankly, much of the military assistance has gone to areas of the world where, I am afraid, the guns will not be used for peaceful purposes. They may very well be used on people who are our friends, rather than upon people who are our professed enemies.

Mr. KNOWLAND. I am sorry I was necessarily absent from the Chamber at the time the majority leader made his statement. Therefore I did not have an opportunity to hear the entire statement, but I did hear a part of it. He has clearly outlined the constitutional situation which exists, namely, that, at any time a President of the United States feels it is necessary in the public interest to do so, he has the power to call a special session of Congress. He does have that Executive and constitutional responsibility. It is likewise true, of course, that Congress, having a very special responsibility in the handling of the public purse, has its responsibility in passing both authorization and appropriation legislation.

I am sure that members of both parties, regardless of what view they may entertain on the subject, would do what they felt would be best in the interest of our national defense and in the interest of our people.

I do not have the full text of the press conference, but only a press report. I note in the report the statement:

> Asked if he meant that he was prepared to call Congress back, assuming that the House and Senate adjourned around August 24, he said he wanted to watch the international situation "every single day" before making a decision.
>
> But he added quickly that if the Congress does not appropriate sufficient funds for foreign aid in his opinion and world developments justify, "I would have no recourse but to call a special session."

Obviously, if world developments were such that he felt the national interest were jeopardized and there were not sufficient funds available, or he did not have the necessary legislative authority, the President—as is true of any other President of the United States—if the conditions so warranted it, would recognize that he had the constitutional authority to do it and probably would exercise the responsibility.

I express the hope, along with the majority leader, that the Members of Congress of both Houses will examine the facts, will keep in mind the national interest, and will, in making their final judgment, not make it in any partisan sense, because national defense is not a partisan question. Many of the alliances in existence today were instituted originally under a prior administration, and have been extended and continued under the present administration, and no doubt will be in existence in future administrations.

Therefore it seems to me that this is something which all of us should approach in no narrow partisan spirit, but in the hope that we may serve best the interests of the Nation we all seek to serve.

Mr. JOHNSON of Texas. I concur in everything the Senator from California has said. I hope, after he reads my statement in the morning, he will concur in everything I have said. I particularly applaud the Senator's statement that he hopes the matter will be approached without regard to partisanship. I can testify to the fact that every time a Democratic administration has been in office the foreign relations of our Government have never worn the label of partisanship. I assume that he is not aware of any partisanship existing in connection with the foreign relations of our country today, because I have joined with the Senator time and time again to save the program not only from critics outside but also critics inside the Chamber.

Mr. KNOWLAND. I have commended the Senator from Texas both privately and publicly for the position he has taken in the past. There is certainly nothing in my remarks which directly or indirectly, impliedly or explicitly, indicated any criticism of the Senator

from Texas or, indeed, of any Senator, in connection with this matter.

Since the question had been opened up, I merely thought I would underscore what I hoped would be—and I am sure what the Senator has pointed out he hoped would be—the approach in a matter concerning our country, which we seek to serve.

Mr. JOHNSON of Texas. I agree with the Senator's observation about the President's constitutional power and our constitutional power. The fact is that we are marking up the bill at 6 o'clock today. The President called his special press conference at 4 o'clock today. I must leave the Chamber in a few minutes, and I wanted to make my observations on what has developed today.

Mr. KNOWLAND subsequently said: Mr. President, I ask unanimous consent that there may be printed in the body of the RECORD, following the colloquy between the majority leader and minority leader and other Senators, dealing with the press conference statement of the President of the United States this afternoon, the full text of President Eisenhower's press and radio conference No. 119, held in the Executive Office of the President, at the White House, this date, at 4 p. m.

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

PRESIDENT EISENHOWER'S PRESS AND RADIO CONFERENCE NO. 119, HELD IN THE EXECUTIVE OFFICE OF THE PRESIDENT, THE WHITE HOUSE, AUGUST 14, 1957

The PRESIDENT. I think, ladies and gentlemen, that this is the first time I have asked you into an impromptu press conference. But I have called you in because I have just signed two documents that I believe will be of the utmost importance to the security and the prosperity and peace of the United States.

They are the Mutual Security Authorization Act and then my official request upon the Congress for the appropriations to implement.

Now the authorization is for approximately $3.4 billion. This is a half billion less than that which I requested last May. The amount, therefore, that is on the appropriation request is exactly that, three and four-tenths minus billion, because I am prohibited by law from asking for more.

Now I signed this with really the prayerful hope that we may be able, with that act, to sustain the essential interests of the United States in the Free World, but there is no disguising the fact that the effects will be serious. Nevertheless, we can hope that we will do well enough so that the calling of the Congress in extraordinary session will not be necessary.

Now let's take a brief look at the history of this mutual security.

It started in 1947 and since that time there have been many points in the Free World that have been transformed from positions of weakness and threat into positions of real strength for the Free World.

Greece and Turkey started it. Yugoslavia, breaking away from the overlordship of Moscow. Iran in 1953. Then Vietnam a little later. And finally a stronger and better positon in the Mideast.

Now in that period—1947 to the present—the United States has put into the defense part of our mutual security about $17 billion. Our allies have put $107 billion. This means that for all the money we have put in, there have been hundreds and thousands of soldiers, sailors, and airmen supported that we could otherwise have not supported at all on the side of the Free World.

Incidentally, the cost of a division in almost any other country in the world is just a fraction of what it costs to sustain an American division either here or abroad.

Now certain of these countries that are on the outposts of the Free World and right up against the Eurasian land mass are now absorbing about three-quarters of what we call the total of our defense supports. These are Korea, Formosa, Vietnam, Turkey, and Greece.

Let's consider Korea for a moment. In Korea we have got invested 135,000 American casualties. Now I believe that under the circumstances existing at the time that war began, the war was necessary. Those casualties were required from us in order to support our security in the world and to stand firmly behind the cause of freedom.

But my question is now: Are we going to nullify all those sacrifices by failing to recognize the position of Korean facing a long battlefront of 155 miles and without adequate support from us? Those countries are poor economically and financially, but they are strong in courage, and by helping them we certainly help ourselves.

Now in Korea alone we put $840 million, or something of that nature. We have, of course, been struggling to help them get a position where we can lower these costs. All over the world we have sought places where we can make savings. But as I told you, Korea cannot support the kind of forces necessary, unless we help them with money. And we have as you know, only a very small portion of the soldiers in Korea we once had.

In the authorization bill, also, there is a development fund project which allows us to transform our economic help largely from the grant basis to the loan basis, something which every committee that has studied this problem recommends strongly.

I most earnestly hope that the Congress will support this particular part of the bill to the full.

Now, let us remember, mutual aid has no special pressure group supporting it. There is no particular organization in America that is making a living out of supporting mutual security. This is merely a case where the welfare of all of us is involved—every single one of us, and our children.

So I think it becomes necessary for the President who does, if nothing else, try to represent—and it is his job to represent—all of the people of the United States, to speak up in favor of what we are doing: a program that has been, on the whole, one of the most successful of any in which we have engaged; which confronts the Communist menace with a unity of purpose and strength throughout the world. That is the kind of program that we are now talking about supporting properly, or weakening it.

I feel that America is not going to want to desert something that has been so laboriously and patiently built up over the past 10 years by Americans of all parties, all races, all occupations. And I do not believe America is going to see it crumble through any false economy, or because it just has no local political impact.

Now, of course, this is not a regular press conference, and so in fairness to others, I would say let's don't go afield, but if there are any questions upon this particular subject, I would be glad—either with myself or my staff—to try to answer.

Question (Steele, Time magazine). Mr. President, at one point in your statement you have given us, you referred to the hope that enough money would be appropriated this year to avoid the necessity of a special session of Congress——

The PRESIDENT. Well, I said I hoped——

Question (Steele). Yes, sir.

The PRESIDENT. That we would get through with what we have been allowed, and I am hoping and praying that they give us what is now in the authorization bill; you see?

Question (Steele). Yes, sir.

The PRESIDENT. I want that supported in full. With that money, I believe we have got a good chance to get through the year.

Question (Steele). If such is not the case, if you don't get that money, may we assume you would not hesitate to——

The PRESIDENT. I would have to. You cannot stand aside and see America's interest deteriorate throughout the world just by inaction.

Question (Smith, United Press). Well, can we harden that up a little, sir? Are you going to call a special session if they don't pass the appropriation?

The PRESIDENT. No. This is what I am going to do. I am going to watch every single day what is developing in the world and whenever, for lack of money, the United States interests become placed in real jeopardy, at that moment I would have no recourse except to call a special session.

Now I cannot say that if they take a $10 bill out of this thing, that that's a special session. You can't be that arbitrary, much as you might like to make that as a statement, Merriman.

Question (Lawrence, New York Times). Mr. President, referring to this conference you had the other night with the Democrats and the Republicans, I take it you made to them——

The PRESIDENT. Exactly what I have said to you.

Question (Lawrence). The same sort of thing you have said to us? Now, what kind of response did you get? Was it an encouraging one——

The PRESIDENT. I cannot tell you—I mean, I don't know, really——

Question (Lawrence). No commitments?

The PRESIDENT. No, there were no commitments of any kind. There never are at any of those meetings, Bill. Just a question of I lay out before them what I believe. I lay it out strongly. As a matter of fact, I think I laid it out more strongly than I have here, but it was a longer conference—I suppose an hour and a half, hitting back and forth.

And of course, people can call your attention to places where there has been malfunctioning of administrative offices, where there has been some waste. Of course there is. We are human.

But the fact is: Here is the cheapest money we spend, as long as we are talking about getting security for the United States. If we did not have this working effectively, I just would hate to guess what would be the sums I would have to ask in the defense appropriation next year.

Question (Larry Burd, Chicago Tribune). Mr. President, did you tell the leaders the other night the same thing that you told us, about the possibility of calling them back into session?

The PRESIDENT. Well, I think probably only in a more negative way. I said that of course none of us would like to see the necessity—the need—for a special session of Congress.

Question (Burd). You did raise that possibility——

The PRESIDENT. I mention this every time I talk about this particular problem. However, as you people well know, I don't think that any of you ought to interpret anything I say in terms of a threat of any kind. I never make them. It's a matter of what the necessities of the moment demand.

Any others? Well, thank you for coming in.

Question (Smith, United Press). Thank you, Mr. President.

The PRESIDENT. As I say, this is a bit unusual. Good to see you.

Mr. HUMPHREY. Mr. President, we have had a very interesting discussion

on what are obviously the President's powers and what are obviously the powers of Congress. My point in speaking at all on foreign aid was to indicate that I was very much disappointed in the limitations contained in the bill. The limitations will not be altered one bit, no matter how much money is appropriated or how little is appropriated. The limitations apply to the structure of the foreign aid program.

In that connection, I should like to say we ought not to pass with mere casual comment the proposals made by the Senator from Montana [Mr. MANSFIELD].

I am one of those Senators who are prepared to return in November. I believe that Congress ought to recess in July and come back on October 1 to take care of the business of the Government. It is in the months of July, August, and September, or somewhere during that period of at least 2 months, when Members of Congress could go back to their constituencies and be with them and with their families—which would not be a bad idea—and then return and do a better job in Washington.

Instead of that, we are still in the horse-and-buggy era. We limp along as Congress limped along in the days of Andrew Jackson and Abraham Lincoln, when there were no such things as television, or telephone, or radio or the atom bomb or jet airplanes. We proceed in the same manner and with the same procedures and traditions that prevailed in Congress during its early sessions.

I have always been in favor of the suggestion of the late Senator from Ohio, Mr. Taft, that Congress should operate on a year-around basis, and that, in that connection, it should prescribe for itself a period of vacation, as is done by any responsible institution. It should take its vacation, so as to have the opportunity of going back to its constituency, and then return and do a better job for the Government. Then the President would not have to talk about calling special sessions of Congress.

Mr. President, I ask unanimous consent to have printed in the RECORD the editorial which precipitated this discussion.

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

POOR SUBSTITUTE FOR THE ORIGINAL

The foreign aid bill that has been approved by conference committee of the House and Senate—an action that practically assures its final passage—is a poor substitute for the administration's original bill. The best that can be said for the bill is that it does continue the foreign aid program, but the much-advertised New Look has been pretty much obliterated.

In funds, the bill now provides almost half a billion dollars less than the President requested. This is only the authorizing legislation, which means that the Appropriations Committees of the House and Senate no doubt will slash the total again when they make the actual appropriations.

Perhaps an even more serious revision was that involving the proposed economic development fund. The administration had proposed a $500 million appropriation during the first year, and asked authority to borrow $750 million in each of the next 2 years to build up a $2 billion fund. The conferees agreed on appropriations of $500 million for the first year and $625 million for the second. This means that the administration will have to come back to Congress for approval of even the second-year money.

Such a revision will practically rule out the long-range planning that would be one of the greatest benefits of the development fund. A Senate committee had strongly endorsed such a fund after its own study, and the plan was also recommended by practically all of the civilian groups that studied the problem of the economic development of underdeveloped nations.

There are other weaknesses in the bill, but these are the most serious ones. They reflect, unfortunately, the lack of confidence by the public and by Congress in the long-term benefits of foreign aid, especially in the economic field. Yet the experts who have studied the problem feel that economic aid to underdeveloped countries—which helps them to help themselves—is the best way of countering the Soviet Union's influence in such places.

Too many Americans still think that foreign aid is designed to benefit only foreigners. They overlook the fact that the name of the program represents its purpose. It's a mutual security program.

ORDER FOR ADJOURNMENT

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

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

ORDER FOR LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, there will be the usual morning hour tomorrow for the transaction of routine business. I ask unanimous consent that the morning hour be restricted to routine business only, with a limitation of 3 minutes on statements.

The PRESIDING OFFICER. Is there objection?

Mr. KNOWLAND. Mr. President, reserving the right to object—and I shall not object—I assume that when the Senate adjourns tonight it will adjourn in executive session, and convene tomorrow in executive session.

Mr. JOHNSON of Texas. The Senator is correct.

Mr. KNOWLAND. I thank the Senator.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

NOTICE OF POSSIBILITY OF NIGHT SESSIONS

Mr. JOHNSON of Texas. Mr. President, I have not announced an evening session for this evening. The Senate will remain in session as late as Senators are available to address themselves to the pending business, or any other business they may wish to discuss.

If the minority leader believes that it may not be possible to resolve some of these questions sooner, we can give notice of a possible evening session tomorrow. Would that suit the pleasure of the minority leader?

Mr. KNOWLAND. It will be satisfactory to me if notice is given of a possible evening session tomorrow.

Mr. JOHNSON of Texas. Mr. President, I have no way of determining whether or not the business of the Senate will require an evening session tomorrow. However, I should like to give all Senators notice that such a session may be necessary. I do not like to have evening sessions without adequate notice to Senators. So I hope the attachés of the Senate on both sides of the aisle will notify all Senators, who may not read the RECORD tomorrow, that notice has been given of the possibility of an evening session tomorrow.

FEDERAL POWER COMMISSION

The Senate resumed the consideration of the nomination of Jerome K. Kuykendall to be a member of the Federal Power Commission.

Mr. MAGNUSON. Mr. President, I should like to ask both the majority leader and the minority leader a question.

There will be a few remarks upon the Kuykendall nomination, which is the pending question before the Senate. Many Senators are not present at this time.

First of all, I suggest that there be a yea-and-nay vote on this nomination, whether the discussion continues this evening as long as speakers are available, and a vote is had the first thing tomorrow, or whether the vote is had tonight. I think Senators ought to be put on notice as to that.

Mr. JOHNSON of Texas. It is my recommendation that, when statements which Senators desire to make are concluded, the Senate adjourn until tomorrow, and that after the morning hour there be an orderly discussion, and then a yea-and-nay vote as early as is consistent with the right of each Senator to express himself fully.

Mr. WATKINS rose.

Mr. JOHNSON of Texas. Mr. President, does the Senator from Utah desire to ask a question?

Mr. WATKINS. My question was answered by the reply of the majority leader to the question of the Senator from Washington [Mr. MAGNUSON].

The PRESIDING OFFICER. The question is: Will the Senate advise and consent to the nomination of Jerome K. Kuykendall to be a member of the Federal Power Commission?

Mr. MAGNUSON. Mr. President, I ask for the yeas and nays on this nomination.

The yeas and nays were ordered.

CONSIDERATION OF OTHER EXECUTIVE NOMINATIONS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of other nominations on the executive calendar, beginning with the Department of State, on page 2 of the calendar, with the nomination of William B. Macomber, Jr., to be an Assistant Secretary of State.

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

DEPARTMENT OF STATE

The legislative clerk read the nomination of William B. Macomber, Jr., to be an Assistant Secretary of State.

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

DIPLOMATIC AND FOREIGN SERVICE

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

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

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

ATOMIC ENERGY COMMISSION—NOMINATIONS PASSED OVER

The legislative clerk proceeded to read sundry nominations in the Atomic Energy Commission.

Mr. JOHNSON of Texas. Mr. President, I ask that the nomination in the Atomic Energy Commission be passed over temporarily.

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

The clerk will state the next nomination on the calendar.

COLLECTOR OF CUSTOMS

The legislative clerk read the nomination of George W. O'Sullivan to be a collector of customs for customs collection district No. 50.

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

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

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

NOTICE OF CONSIDERATION OF UNITED NATIONS NOMINATIONS

Mr. JOHNSON of Texas. Mr. President, I give notice to all Members of the Senate that later in the week—certainly no later than the early part of next week—I expect to ask the Senate to consider the United Nations nomination, under the heading of "New Reports," as well as the Atomic Energy Commission nominations.

I do not expect a yea-and-nay vote on the two nominations next to be considered by the Senate. I expect that there will be further discussion of those nominations tomorrow. I hope that about the middle of the afternoon tomorrow we can reach a vote—or certainly before the Senate concludes its business tomorrow evening.

STATEMENT OF AFL-CIO EXECUTIVE COUNCIL ON CIVIL RIGHTS BILL

Mr. HUMPHREY. Mr. President, yesterday a statement was made by the AFL-CIO executive council in Chicago, Ill., relating to the civil rights bill. That statement, while it was a matter of public notice in the press, apparently has not been fully digested by Members of Congress.

The AFL-CIO, as everyone knows, was strongly on record in the beginning, almost 2 months ago, in favor of the so-called administration civil rights bill. It was on record against any diminution or deletion of section III of the civil rights bill. It was on record against any jury-trial amendment being added to the civil rights bill. All during the debate on the civil rights bill the AFL-CIO executive council maintained that firm position. Since the Senate has acted and since the House has acted on its bill, since the whole matter of civil rights is at a critical stage in terms of the legislative process, since AFL-CIO represents more than 15 million American workers, regardless of race, creed, or national origin, and since that organization wants to have a civil rights program, and wishes to see an effective civil rights law placed on the statute books of the country, it has asked very pointedly that the Senate bill be at least modified to the point that the jury trial be restricted to the civil rights section on voting rights, and that the bill in that form be passed.

I note for the RECORD these paragraphs in the statement issued by the AFL-CIO executive council:

> The record of the AFL-CIO on civil rights speaks for itself. We have fought in this session of Congress, as the labor movement has traditionally fought, for a meaningful civil rights bill.
>
> In keeping with that tradition, we supported H. R. 6127 as it passed the House, and we urged the Senate to adopt it without crippling amendments.
>
> We are disappointed in the Senate amendments which obviously make the measure less effective than the House version. But the trade union movement has never taken an "all or nothing" position in the legislative field. We are always prepared to accept progress even when we expected the progress would be greater.
>
> In this instance, the Senate-approved measure provides for a Civil Rights Commission, operating with subpena powers, which can do much to focus public and Congressional attention on the problems which cry out for justice. The precious right to vote is given Congressional recognition and the Department of Justice is given new powers to protect that right.
>
> We urge the Congress to adopt this year the bill as passed by the Senate. We will not join with those who would delay or defeat the present weakened measure in an effort to obtain political advantage.
>
> We pledge that the AFL-CIO will continue, in the years ahead, to press for continued improvements until we reach the day when full civil rights are guaranteed for all our citizens.

I bring this matter to the attention of the Senate again because I noticed on the United Press news ticker today, as on yesterday and also the day before, a statement by a distinguished Republican leader in the other body, Representative MARTIN, of Massachusetts, as follows:

> House GOP Leader JOSEPH W. MARTIN, JR., said it would be "preferable" to have no civil-rights bill enacted this year than the Senate version backed by House Democratic leaders.

I noted also another United Press release which stated:

> A reporter told MARTIN that the National Association for the Advancement of Colored People had taken the position that it wants legislation—even the Senate's heavily amended bill—this year.
>
> He replied that NAACP officers don't speak for all the Negro people.

Mr. President, that may be true. I suppose there is no organization which speaks for all the members of any one group. I do not suppose that the NAACP can speak for all the Negroes in America. But I will wager that they speak for more of them than does any one Member of Congress, whether that Member of Congress be from Minnesota or Massachusetts, or any other part of the Union.

I hope that good sense and commonsense will prevail, and that we will face up to this historic opportunity to enact civil-rights legislation which will be at least the first step on the long road of progress in the fulfillment of the citizenship rights of the people.

Many Members of Congress have served in the respective Chambers for more than 30 years; in fact, the distinguished Member of the House who was referred to in the press release has served well over 30 years. I suggest that during that period of time not one bit of civil-rights legislation has been passed by Congress.

In fact, I recall that the distinguished Member of the other body said that he was serving in Congress when the junior Senator from Minnesota was pouring sodas in the family drugstore, and that he was voting for a civil-rights measure at the time the Senator from Minnesota was, as he put it, jerking sodas. All I can say is that the civil-rights bill which was voted upon, apparently had just about as much strength and kick in it as the sodas which were mentioned. In other words, at best, it was a little short of anything which was invigorating or healthful.

So I hope that the advice of the great organizations which have fought the good fight for civil-rights legislation will be followed, rather than the advice of those who prefer to have a political issue rather than a bill. In fact, they have gone even further today. I quote from a United Press dispatch which states:

> High administration circles are known to feel they can force through a stronger rights bill if they hold out—whether the final showdown comes this year or next, which happens to be an election year.
>
> This was the position taken yesterday by House GOP leader JOSEPH W. MARTIN, JR., of Massachusetts, who said it would be better to have no bill than the modified Senate version with its controversial jury trial proviso.

I think that is an unfortunate position. I most respectfully suggest that we try to follow the suggestions or the proposals which have been advanced by civil-rights groups themselves. In that connection, I have today quoted from the AFL-CIO council bulletin or statement of August 13, 1957.

Mr. President——

The PRESIDING OFFICER. The Senator from Minnesota.

FREE INTERCHANGE BETWEEN AMERICAN AND SOVIET YOUNG PEOPLE

Mr. HUMPHREY. Mr. President, I wish to comment on the American youth group or young people's group which went to Moscow for the Moscow or Russian Soviet Youth Festival. I have long felt that if there could be a free interchange between American and Soviet young people, our young people would come out of it very well indeed and the Free World itself would benefit.

I am not one of those who fear and distrust American young people simply because they are full of vigor and like to challenge the ideas of their elders.

Questioning young people help to keep a society from solidifying, from crusting over with old habits, from turning into a stifling mass of conformity. That goes for our own society, and it goes for those societies such as in the Soviet Union, where the institutions and forms of social life have solidified under the baking effect of two generations of absolute dictatorship. Today there are signs of youthful ferment and unrest in the Soviet Union.

The United States looks a little ridiculous, it seems to me, when the State Department refuses to encourage the best of our American young people to participate in international meetings, even though these meetings may be under Communist auspices.

We are willing to permit our young athletes to compete with Soviet athletes, but the State Department frowns heavily on the sending of young students out into the intellectual arena where the competition is in ideas.

Distinguished and patriotic Americans who have recently traveled in the Soviet Union and the satellite nations have told me they are convinced that if we would let the Soviets select a thousand of their most indoctrinated Communist young people to visit the United States, and if in exchange we would encourage a thousand representative young Americans to visit the Soviet Union, the exchange of visits could only be of positive benefit to the United States. Probably the Soviet leaders would not agree to any such exchange, but it might be a challenge worth making.

Mr. President, seldom have such prophecies been fulfilled more dramatically. Recently the United Press carried a dispatch from Moscow about a young Minnesota law student at Harvard, who was publicly taking on all comers in Red Square in a public debate with Russian students on control measures in disarmament. Richard Medalie, of St. Louis Park, Minn., is a summa cum laude graduate of the University of Minnesota, a Fulbright scholar, and a student of Slavonic and East European culture. I call to the attention of my colleagues a dispatch which appeared in the August 3 issue of the Minneapolis Star, and which I ask unanimous consent to have printed at this point in the RECORD.

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

MINNESOTAN TALKS REDS TO STANDOFF

MOSCOW.—An American Harvard man held out against more than 100 young Russians today in an impromptu East-West "disarmament conference" that was adjourned after failure to reach agreement.

It was after 1 a. m. when Richard Medalie, of St. Louis Park, Minn., broke away from a sometimes-heated exchange in Red Square with the promise to take up the arms-cuts argument again tonight.

Medalie, 28, a Harvard law student here for the World Youth Festival, took his place at what has become a favorite debating stage for Americans at the meeting—in front of the Lenin-Stalin mausoleum where Russians gather nightly.

More than 100 young Russians eagerly pressed into the "conference," bombarding Medalie with sometimes-indignant questions.

It was an eye-opening session for both sides, with Medalie soon learning that the young Russians were thoroughly familiar with the official Russian line which makes cessation of nuclear tests the end-all of disarmament.

The Russians were somewhat puzzled to hear Medalie emphatically insist that "the problem isn't suspension itself but how to successfully control it."

One tall Muscovite apparently lost control at this.

"Have you ever fought a war? How old are you?" he demanded. "What do you know about all this?"

Medalie replied calmly that he had never fought a war but that he shared the same aspirations for peace as the Russian.

Finally an exhausted Medalie tore himself away from the Red Square stand to catch a bus, promising to continue the debate later today.

REDS WON'T SWAY SON, MOTHER SAYS

Richard J. Medalie, St. Louis Park student attending the Moscow youth festival, is a serious student of international politics, his mother, Mrs. William L. Medalie, 3600 Huntington Avenue, St. Louis Park, said today.

She said her son was neither a Communist nor a kid out for a lark, as some of the Americans as the festival had been described.

Meladie, 28, a senior at Harvard law school, "wouldn't do anything to make a spectacle of himself," Mrs. Medalie said. She is sure he would speak English at a public meeting, although he can converse in Russian.

Asked if she thought he might be influenced by Communist propoganda, Mrs. Medalie said, "That I'm not worried about a bit. He went to see what they are doing. That's the only way to know anything about them, to observe what they're doing."

A graduate summa cum laude of the University of Minnesota, Medalie, whose father is a dentist, won a Fulbright award. He spent the 1952–53 academic year at the school of Slavonic and East European studies at the University of London. He specialized in the Russian area.

Last year he attended the youth festival in Yugoslavia as an observer for the National Student Federation.

Mr. HUMPHREY. Mr. President, this whole episode illustrates, I think, the foolishness and shortsightedness of our current official policy. When the World Youth Festival was announced in Moscow, instead of moving into the situation intelligently, the State Department was content to brand the festival as a propaganda device, and to set its face firmly against any representative young American going to Moscow.

Of course, the festival was a propaganda device, but why should we let the Kremlin score all the points? Instead of encouraging some of our capable young men and women to go to the festival, the State Department threw so much cold water on attendance that all but a handful of sturdy individualists like Mr. Medalie shied away. By default, the bulk of the delegation which finally went to Moscow was recruited by a dubious organization located in the Chicago office of the Soviet-American Friendship Council.

How similar is this head-in-the-sand attitude to that taken by the State Department over the question of admitting American newsmen to China. In each case, the State Department apparently does not trust American citizens to travel unchaperoned in Communist areas.

Mr. President, I say, if we see an opening in the Iron Curtain, let us exploit it. If we cannot trust American students and American newsmen, how will we ever get through to the restive people of the Soviet bloc?

Mr. President, a recent issue of the New Republic carried an article by a young Washington lawyer, Mr. Harris Wofford, Jr., in which the case for participation in the Moscow Youth Festival was forcefully stated. I ask unanimous consent that Mr. Wofford's article be printed in the RECORD at this point in my remarks.

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

MOSCOW'S FESTIVAL FOR YOUTH: IS THE STATE DEPARTMENT JUSTIFIED IN DISCOURAGING AMERICAN PARTICIPATION?

THE MORE CONTACTS THE BETTER

What we must do, said President Eisenhower last September, "is to widen every possible chink in the Iron Curtain." He went on boldly:

"If we are going to take advantage of the assumption that all people want peace, then the problem is for people to get together and to leap governments—if necessary to evade governments—to work out not one method but thousands of methods by which people can gradually learn a little bit more of each other."

Yet one wide open chink in the curtain is now being shunned by our government: the World Youth Festival being held in Moscow July 28 to August 11.

The festival is a rather unique proposition. Young people from all over the world—"irrespective of their convictions"—have been invited to the Soviet capital to participate in a vast array of athletic and artistic competitions and "specialist" conferences (for doctors, lawyers, teachers, stamp collectors, etc.). "No political, ideological or other tendencies will prevail at the festival," says the official invitation.

For $2 a day participants are supposed to receive food and lodging and their transportation between Moscow and the border of the Soviet Union. On hand are tens of thousands of Soviet youth, including most of those who speak English to serve as interpreters. For the first time since Stalin's fears and suspicions closed Russia off from the world, the doors are opened wide to young non-Communist visitors from the West.

Having recently returned from a trip to the Soviet Union where students repeatedly asked me whether there would be a big delegation of Americans at the festival, I met

with five officials of our State Department to discuss whether there should be such a delegation. They said that while the Department is not denying a passport to anyone who wants to go, its position is that the festival is "an instrument of Communist propaganda which serves the purposes of the Soviet Union and its orbit." Accordingly, the Department had "strongly urged" Barbara Perry, a 22-year-old would-be ballerina from the University of Chicago, not to try to organize American participation.

Barbara Perry had been excited by the President's speech on people-to-people contact last fall. Soon afterward she saw a Russian ballet film which had a short about the forthcoming festival. This seemed one possible way "for people to get together," so she wrote the Russians asking for information. Having worked for Youth for Eisenhower and cast her first vote as a Republican, she also wrote to Secretary Dulles. The State Department's response disheartened her, but as a modern Republican she went ahead, following her President's advice "to leap governments."

With the support of a few friends, she sent ads to some 125 college and university papers. She says all but six ran them. From the widespread response she hoped to fill the 100 spaces she reserved on two Scandinavian Airline planes—total cost of the trip, $695.97. Most of the papers that returned her ad suggested that she send it to the Daily Worker.

To testify to her loyalty she states in her literature and on the application form, which a would-be participant must sign, that the United States Youth Festival Committee "is in no way connected with, nor will it accept support from any Communist or left-wing group or individual."

"We do not hope to change the world," she writes, "But we do hope to help a little. The State Department officers who met with me did their best to throw cold water on these hopes."

"The reason we are against Americans going," said the first officer who spoke, "is that their pictures would be taken smiling with Russians, and then spread all over the world to show that we approve of what Russia did in Hungary."

Since some Americans such as Miss Perry would be in attendance, the obvious question was whether the Russians wouldn't be able to take their pictures anyway.

"They won't get as many pictures," he countered.

"The reason we are against participation," said another officer, "is that the festival will be stacked against us. If it was democratically set up so that every side would have its say, we would be in favor of going. But this is under Communist auspices."

"From past experience at these festivals," the Department officer continued, "we can expect the Communists to push through resolutions on their various political lines. They might try to have the festival endorse Soviet peace plans or even the intervention in Hungary."

However, another officer felt that at this festival the Communists would be wary of politics for fear of corrupting Soviet youth with the seeds of revisionism. The atmosphere would be one of camaraderie—folk dances in the street, new-found friendships—which might sweep young Americans off their feet.

Why the festival atmosphere would not work both ways, and sweep some young Communists off their dogmas, was not clear. Here would be one occasion when close contacts with westerners are sanctioned. The very numbers involved—a predicted 30,000 foreigners—will make surveillance difficult. I argued that it was hard to imagine a more favorable circumstance at present for talking privately with young, English-speaking Russians. Anyway, why should we fear that in a meeting between American and Soviet youth held on Russian soil Americans would be swept off their feet?

A fourth officer disposed of my arguments more easily: "This show is costing the Soviets a tremendous amount of money, therefore it is obviously important to them that it succeed." Therefore, he held, "it is obviously not to our interest to help them succeed."

"Anyway," one of the officials said, "the Russians probably wouldn't let a big and really representative American delegation in, even if the Department had encouraged it."

This we will probably never know, for the Department has taken its position and presumably will not be swayed.

My impatience with the negative approach illustrated by these State Department arguments stems from recent experiences with Soviet youth and from the recollection of a similar lost opportunity which I witnessed at the first World Youth Festival in Prague in the summer of 1947.

Soviet young people I met at universities in Tashkent, Samarkand, Moscow, and Leningrad this February while traveling with Chester Bowles were clearly in a state of intellectual ferment. They were questioning basic Marxian premises, such as the analysis of the class struggle in the West. Above all they were eager for contact with the West, particularly with Americans.

By going to the festival in large and representative numbers, by putting on a good exhibit with books and films and pictures, we could contribute to the ferment among Soviet youth. Instead, there is likely to be a makeshift American exhibit and a small, motley delegation. A month before her delegation was to leave, Barbara Perry could only count on 40 Americans, including "dancers, photographers, an economist, three teachers, and a nurse."

In Prague in 1947, this is substantially what happened. The State Department then discouraged American attendance and gave no help in arranging an American exhibit. As a result, among the 17,000 young people who came from all over the world there were only about a hundred Americans, and these included a number of Communists and fellow travelers.

The amateurish American exhibit stood in sharp contrast to the elaborate Soviet showrooms towering over it. When the youth from all over the world entered the American exhibit they saw a picture of a black man strung to a tree, with the caption:

Since V-J Day 70 Negroes were lynched in the United States

Let us assume the Moscow festival is stacked in favor of communism. If we wait to go to Russia until things are democratically set up there, we may have to wait until Khrushchev's shrimp learns to whistle. To be sure, the festival is sponsored by the Communist-dominated World Federation of Democratic Youth. But everything in the Soviet Union is run by the Communist Party or by the government.

So what? The important fact is that within this Communist society all is not forever settled. Changes have occurred and will occur—hopefully in the direction of greater freedom both within the Soviet Union and inside other nations allied to the Communist bloc. The demotion this month of such Stalinists as Molotov and Kaganovitch is only one more sign that the future internal developments of the U. S. S. R. are unpredictable and not necessarily bad from our democratic viewpoint. This is the moment for sounding out the Russians, for probing at first hand the extent and significance of changes—and not for a fearful pulling back from such contacts as the Russians allow.

Perhaps we should have done more to help Hungary, but it does not help the Hungarians for us now to discourage the conditions which made the revolt in Eastern Europe possible. As Cardinal Wyszynski has been saying ever since his release from confinement, the condition for the freedom of Poland—and, we may add, of Eastern Europe—is peace.

After the explosions of Hungary and Poland the Kremlin must be well aware of where the thaw in Stalinism and in the cold war can lead. There must still be Soviet officials in high places who will oppose any further relaxation. By now they know that every taste the Russian or satellite people get of a freer life only whets their appetite for more.

We can help to promote this change, and our understanding of it, by going through their curtain whenever they open it. It is quite possible that Khrushchev would not let in a large and representative delegation from the major American universities. But instead of calling his bluff, we are letting him call Eisenhower's.

It seems to me time to take the advice Jan Masaryk gave for Americans in 1947 when he talked to me about his disappointment in our performance at the first World Youth Festival.

"I had hoped this festival would be like a great baseball game, and I could act as umpire", he said. "Instead your State Department discouraged attendance of America's youth leaders, and you only had a sorry little team of fellow travelers which made America look silly.

"America could have taken this festival by storm if it had just sent Rita Hayworth, a jazz band—and the spirit of Abraham Lincoln."

HARRIS WOFFORD, Jr.

(NOTE.—Mr. Wofford is an attorney and lawyer practicing in Washington, D. C. He and his wife are coauthors of the book India Afire.)

Mr. HUMPHREY. Mr. President, significant editorials on this same subject have recently appeared in our leading newspapers. One, entitled "Chink in the Curtain," was published in the Washington Post and Times Herald for July 22. Another, entitled "Soapboxes in Moscow," was published in the New York Times for August 5. I ask unanimous consent that the two editorials be printed at this point in my remarks.

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

CHINK IN THE CURTAIN

From July 28 to August 11, the Sixth World Festival of Youth and Students will meet in Moscow. Like the preceding youth festivals held every 2 years since 1947, it is sponsored by international Communist-front organizations and is undoubtedly designed to advance the propaganda interests of the Soviet Union. We think it is all the more likely to succeed in this design because the American Department of State has strongly discouraged, although it has not forbidden, attendance by an American delegation.

Some 30,000 young persons from outside the U. S. S. R. are expected to attend, according to Soviet predictions. They will come in part from Soviet satellite countries; but a considerable number will be drawn from uncommitted or Western-oriented Western European and Asian countries. Many, perhaps, will be handpicked by Communist organizations. Unhappily, in view of the State Department attitude, this will probably be very largely the case with the small group going from the United States.

It would have been a great deal better, we think, if the State Department had given encouragement and assistance to a delegation of typical American students to attend the festival. We have no fear that students educated in American schools, bred

in the American tradition, committed to democratic principles, would have been subverted by contact with foreign Communists; it is much more likely that they might have won some converts to American ideas. At any rate, they could have presented a much more attractive picture of American life than the few Americans who will participate; and at the very least they would have refuted the Communist propaganda that Americans are confined behind an iron curtain.

A recent issue of The New Republic contains an interesting pair of articles debating the issue. Harris Wofford, Jr., who believes that it would have been wise to take advantage of this chink in Russia's iron curtain quotes in support of his position a statement made by President Eisenhower last September: "If we are going to take advantage of the assumption that all people want peace, then the problem is for people to get together and to leap governments—if necessary to evade governments—to work out not one method but thousands of methods by which people can gradually learn a little bit more of each other." This seems to us an impressive argument. We wish the State Department had heard it.

SOAPBOXES IN MOSCOW

Something of the atmosphere of London's Hyde Park has enveloped Moscow as the result of the current so-called World Youth Festival there, this newspaper's correspondent reports. Some American students are telling young Soviet citizens about the United Nations report on Hungary. Soapbox speeches are being made by foreign orators who do not follow the party line. When Moscow police broke up one large discussion of Soviet and foreign youngsters, the latter cried, "Oh, this is festival time. No. No."

All this suggests that the festival may be having some consequences not foreseen when it was first planned. The Kremlin can hardly desire that the already restive Soviet youth be exposed to truth and to uncensored foreign ideas, yet that is what is happening, at least on a small scale. In turn the outside world is getting a glimpse into the ferment among Soviet young people, and one report has it that a Moscow University student told an American youngster that 90 percent of the students at the university oppose the Kremlin line on Hungary.

This newspaper's Moscow correspondent quotes a young American there now as expressing regret that only a few of us whose heads are screwed on right are at present in that city to present the American point of view honestly. It is difficult to argue the point in the face of the reports telling of the impact the handful of sensible American youngsters in the total United States group there is having. Once again we seem to be seeing a major opportunity in the war of ideas wasted because of lack of imagination among those who set policy on such matters.

Mr. HUMPHREY. I should like to repeat, Mr. President, a paragraph from the Times editorial which I have just mentioned:

> It is difficult to argue the point in the face of the reports telling of the impact the handful of sensible American youngsters in the total United States group there is having. Once again we seem to be seeing a major opportunity in the war of ideas wasted because of the lack of imagination among those who set policy on such matters.

Mr. President, I suggest that not only are we missing a very great opportunity in not taking a positive attitude toward the sending of representative young Americans to every youth festival in the world, but we are missing an even more tremendous opportunity in not proposing a world youth festival here, in the United States.

I can see no harm—indeed, I can see a very concrete amount of good—which could come out of such a youth festival in our country. And the more youngsters from behind the Iron Curtain who come, the better.

I say once more: If we see an opening in the Iron Curtain, let us exploit it. That means encouraging more young people from the Soviet blocs to come to visit us, to have their eyes opened, to meet us face to face, faults and all. I think we will stand up. I think we will come off all right under the close scrutiny of a young man or woman from Russia, from Poland, from Czechoslovakia, or from China.

We have a pattern which should teach us what might be derived from such an attempt—the highly successful program of cultural exchanges between our country and the other countries of the Free World and the uncommitted world.

The magnificent Fullbright program, which last year permitted the exchange of more than 4,000 American and foreign students, ought to reassure us that an exchange with Soviet bloc students would be helpful and in the interest of the United States.

We should move more vigorously into the international fairs program. We have scored heavily wherever we have even cautiously ventured into such a trade fair.

The program by which American artists and performers travel abroad under the auspices of ANTA and the State Department has been a resounding success. We ought to expand this program. It is fruitful, productive. It is "showing the flag" in a very meaningful way.

We should seek to follow up officially on the breakthrough which our enterprising television people have made in their field. We should press for representation on the Soviet television and radio, and we should very candidly invite Soviet representation on our own networks. Again, let us compete.

Finally, we should expand and intensify every succesful program we now have to send our young people abroad, and to bring other young people in. Our church group exchange programs, our 4-H programs with their wonderful "Effies," the SPAN program in our colleges, the many other relatively small programs of this nature—all should be more strongly encouraged and supported by our Government.

And when we are told that there will be a World Youth Festival, why should we shudder? Why should we permit such an affair to become merely a Soviet propaganda forum, so far as our State Department is concerned? Why should we have to depend on a handful of enterprising young people to walk unaided and unsupported into an area where they must face the best cultural and educational resources of the Soviet world?

There is really no substitute for the genuine article itself. All the efforts of the Voice of America, and of the whole vast information effort of USIA, are valuable only because they reach a broad mass of people who might otherwise never have the opportunity to see the real America. We can get a broad—and shallow—effect from such informational programs, and they are necessary. They are doing a fine job, in my estimation.

But to make an impact—to really break through and create impressions and understanding in depth—we must turn to our people themselves. Here is where we can score. Here is our strong point: our native vigor, unconventionality, freshness, and openmindedness. Let these qualities have full play, and they can break down the most biased and indoctrinated of men. These qualities so common to our own young people cross language barriers, cultural barriers, political barriers, and create, if not friendship, at the very least an improved climate of trust and confidence.

It is important to counteract the long years of indoctrination by which an American has become, in the mind of the Soviet citizen, a warmonger, an imperialist, or a Fascist. A great part of our danger from the Soviet bloc comes from the blind, unreasoning fear of Americans that has been instilled—year after year—in the Soviet mind. It is this fear of us that is half the danger. It is this hatred and distrust, whipped up by the Communist-controlled press and radio, and school systems, which permit the Soviet leaders to marshall the Soviet people into almost superhuman production efforts. In the long tradition of dictatorships, it has been the common and accepted modus operandi to build up a foreign whipping-boy, to conjure up a foreign straw-man menace, and to focus the frustrations and despair of a people on an outside danger. That is what the Russian leaders have been doing. That is why they created their Iron Curtain—so that the truth could not leak in, so that the light would not dawn.

Now, when the curtain begins to crack, let us act firmly, resolutely, affirmatively to break through to the Soviet people—in any way we can, in any form, in every conceivable way. If they put up a propaganda balloon, let us use it. Let us not let them get away with it.

It can be done. And we do not have to spend a billion dollars to do it. A handful of young Americans showed us how to do it in Moscow, this month. Can we not see the way?

Mr. President, I desire to thank the Senator from Washington [Mr. MAGNUSON], who has been so courteous. Let me say that if he had been more persuasive with some of our colleagues, earlier today, I might not have spoken for so long.

FEDERAL POWER COMMISSION

The Senate resumed the consideration of the nomination of Jerome K. Kuykendall to be a member of the Federal Power Commission.

Mr. MAGNUSON. Mr. President, I have been glad to yield to the Senator from Minnesota [Mr. HUMPHREY], because he always has something of great interest to present to the Senate.

However, the Senate is now considering the nomination of Mr. Kuykendall to be a member of the Federal Power Commission; and in the closing days of the session, we try to make our remarks germane to the pending question.

Mr. President, there are several Senators who are vitally interested in this nomination, and who desire to address the Senate about it, in most cases, quite briefly.

Being chairman of the committee which reported the nomination favorably—although I signed the minority views, along with one of the other members of the committee—I have suggested that most of the members present their views to the Senate on tomorrow, when more Senators on both sides of the aisle will be present to hear what they have to say.

At this time, let me say that the hearing on the nomination was a long one, and involved much testimony by various witnesses, including a number of Members of Congress.

Mr. President, at this time I shall address myself briefly to the remarks made today by the Senator from Utah [Mr. WATKINS], who spoke in favor of the nomination. His remarks were made previous to those made by the Senator from Minnesota [Mr. HUMPHREY].

I understand that after my brief remarks this afternoon, my colleague, the junior Senator from Washington [Mr. JACKSON] desires to address the Senate and to state briefly his views on the pending nomination.

On tomorrow, the voting on the nomination will begin.

Mr. President, at this point—and in order that this statement may appear in the CONGRESSIONAL RECORD which will be available tomorrow, before the session of the Senate—let me say that this afternoon the Senator from Utah [Mr. WATKINS], in speaking on the nomination of Mr. Kuykendall, stated that a vicious attack has been made upon Mr. Kuykendall. I am sure the Senator from Utah did not mean to imply that anyone interested in this particular matter had made an attack on Mr. Kuykendall personally. Certainly, neither the Senator from Washington nor any of the other Senators who have testified regarding this matter or who have a keen feeling regarding the whole issue would ever participate in an attack upon Mr. Kuykendall personally. In my own case, I have known Mr. Kuykendall for many, many years. He comes from my home State, and we have a very fine personal relationship.

So I wish to point out, for the information of those who read the RECORD, including the statements made today by the Senator from Utah, that no attack whatever is being made upon Mr. Kuykendall as an individual or upon his integrity or his personal behavior.

The Senator from Utah stated that the reason why many of us are opposed to confirmation of the nomination of Mr. Kuykendall is that he, together with the other members of the Commission, voted to issue to the Idaho Power Co. a license for the construction of certain dams, in lieu of the Federal high dam at Hells Canyon. Mr. President, as the testimony will show, that is only one of the issues involved. Some statements were made regarding Mr. Kuykendall's activities in connection with the granting of that license. But that was only one of the matters on which those of us who oppose the confirmation of his nomination have based our opinion.

The Senator from Utah gave the Senate a very interesting and a very accurate history of the Federal Power Commission, including a statement of why it was formed; and he quoted from the remarks made by former Senator Wheeler, of Montana, who was chairman of the old Senate Committee on Interstate Commerce, in explanation of the law which was passed. The Senator from Utah was careful to point out that the Federal Power Commission was created to be an arm of the Congress, not to be subject to the executive branch of the Government or to the views of the executive branch; but that, on the contrary, the Commission was created to carry out the views of the Congress and to aid Congress by doing things which the Congress itself would not be able to do, including handling the details regarding the very important matter of the development of the Nation's natural resources.

Without going into detail at this time—on tomorrow I shall go into the details—let me say that the real basis of the opposition to confirmation of the nomination of Mr. Kuykendall is the fact that he has not represented Congress in connection with these matters, but, instead, has represented to a greater extent another philosophy, whether it be that of the Executive or of someone else. I think that is shown rather clearly in the testimony. The hearings include many admissions by Mr. Kuykendall that his philosophy regarding the development of the Nation's natural resources and his conduct as Chairman of the Federal Power Commission have not been in accordance with the actions or the views of the Congress, as he has seen them.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD—so that all Senators who read the RECORD on tomorrow may have the benefit of them—some excerpts from the testimony which was taken at the committee hearings. I think these excerpts cover in an objective way the testimony of the Senators and the Members of the House of Representatives who appeared at the hearing and who took their positions in opposition to confirmation of the nomination of Mr. Kuykendall. I have tried to be fair about the matter. I think the excerpts give a brief account of the activities of Mr. Kuykendall as Chairman of the Federal Power Commission during the past 5 years.

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

EXCERPTS FROM OPPOSITION TESTIMONY REGARDING THE ADMINISTRATION OF MR. KUYKENDALL

SENATOR JAMES E. MURRAY AND SENATOR MIKE MANSFIELD (JOINT LETTER, R. 330–332)

Section 167 of the Internal Revenue Code provides that all taxpayers are entitled to either the straight-line method of depreciation properties, the declining-balance method, or the sum of the years-rights methods. Alternative methods which will yield results not exceeding the declining-balance method also are permitted. The new methods of depreciation permit the taxpayer to claim larger depreciation deductions in the early years of the life of his investment, and lesser depreciation deductions in the later years than would have been permitted under the traditional straight-line method.

In the Amere case, docket No. G–6358, Mr. Kuykendall and fellow members of the Federal Power Commission authorized a tax manipulation under this section obviously never intended by Congress, and potentially far larger than the enormous windfalls under the defense accelerated amortization program for utilities.

Under the Amere decision the Commission allows the utilities to set their rates to consumers on a straight-line depreciation basis. Then, when the company calculates its income tax, it is allowed to take depreciation on the most liberalized basis under 167, greatly reducing the amount of taxes paid and allowing the utility owners to pocket the savings as deferred taxes.

This procedure is contrary to every principle of regulation ever propounded. The utility is entitled to recover from the rate payers only the taxes it pays, not additional "phantom taxes" which it does not pay.

But this is not all. Mr. Kuykendall and the Commission compound the unfairness to the rate payers by permitting the allegedly regulated utility to invest the deferred taxes, add the investment to the rate base and charge their customers 6 percent interest on the money although it owes no bondholder interest and no stockholder dividends on the funds.

Some defense has been offered for treating emergency certificates of defense necessity issued by the Office of Defense Mobilization in this way on the grounds that Congress intended that the stockholders should get windfall profits from charging ratepayers interest on the "deferred taxes" they have paid the utility. We do not believe Congress had such an intention. But no defense can be offered for treating the tax reduction permitted by liberalized depreciation under section 167 in this matter. There is no "deferral of taxes." The regulated companies getting this windfall will never pay any of this money to the Government. It is a permanent subsidy which Kuykendall and the Commission are forcing the ratepayers to give the company, over and above a fair return on its investment. * * * To make this entire affair even worse, we now have evidence that some companies, notably the Washington Water Power Co., of Spokane, Wash., among others, are treating their windfall profits from "liberalized depreciation" and "accelerated amortization" as moneys available for investment which thereby release depreciation accounts for return to stockholders. Thus, as much as 85 percent of the Washington Water Power Co.'s annual return to its stockholders for the past several years has been reported by the company as "returns of capital," not dividends on stock at all, and thus not subject to Federal personal income taxes. * * * In November 1954 Mr. Kuykendall appeared before the Joint Committee on Atomic Energy and testified before that group, representing both Houses of the Congress, that the Federal Power Commission's counsel had not reviewed the notorious Dixon-Yates contract when it was being developed in the executive departments; that it had not been referred to them.

Not until July 1955 was it revealed that in reality, two assistant counsels general in the FPC Bureau of Law had studied the proposed contract and sharply criticized it. Both had prepared written commentaries after review.

On July 28, 1955, when asked by a subcommitte on the Select Committee on Small Business of the House of Representatives about the status of the Idaho Power Co.

license applications, involving the Hells Canyon Dam site, Mr. Kuykendall apparently misrepresented the facts. He told the committee it would be improper for him to comment on a matter "before the Commission for decision."

The fact was that the commission had decided the matter the day before, but Mr. Kuykendall was engaged in concealing that fact until after Congress had adjourned. The decision, dated July 27, 1955, was released August 4, 1955, all too obviously to avoid possible review in Congress of the Commission's action in disregarding the request of a number of Senators to withhold action until Congress could consider the situation.

AMERICAN FEDERATION OF LABOR, CONGRESS OF INDUSTRIAL ORGANIZATIONS, ANDREW J. BIEMILLER, DIRECTOR, DEPARTMENT OF LEGISLATION (LETTER, R. 333–334)

Our organization is firmly opposed to the confirmation of Jerome K. Kuykendall as chairman of the Federal Power Commission. Our position is a result, primarily, of five actions which Mr. Kuykendall has taken or concurred in during his tenure in office. They are:

1. The apparently false statement which he made while appearing as a witness before the Joint Committee on Atomic Energy investigating the Dixon-Yates contract in November 1954. * * *

2. Certain misrepresentations made by Mr. Kuykendall in letters dated March 4 and 6, 1957, addressed to Representative AL ULLMAN, of Oregon, relaing to the inadequacy of the diversion tunnel constructed at the site of the Brownlee Dam on the Snake River.

3. The action of Mr. Kuykendall, revealed in hearings before the House Committee on Interstate and Foreign Commerce, in secretly securing the assistance of representatives of public and consumer interests, in the drafting of natural-gas legislation to be proposed by the administration.

4. The failure of the Federal Power Commission to exert effective regulation of independent producers of natural gas as required by law.

5. The action of the Federal Power Commission in permitting regulated utilities to collect and retain tax money from customers for taxes which may never be paid, through the device of permitting them to calculate taxes on a straight-line basis for ratemaking purposes while actual payment is on an accelerated depreciation basis.

You are familiar with Mr. Kuykendall's record in a number of power cases including Hells Canyon and Dixon-Yates. More recently, newspaper accounts have reported that Chairman Kuykendall has maintained close and secret relations with the natural-gas industry in the development of legislation which would free that industry from effective control. At the same time, many well-documented charges have been brought that existing laws relating to natural gas are being administered in a manner unnecessarily favorable to the industry and adverse to consumers. * * * The interest of the people of Pennsylvania as well as of other States, will be undercut and prejudiced if Mr. Kuykendall's renomination is confirmed. In the case of gas regulation, there is strong reason to believe that his conspicuous role as advocate for the producers has disqualified him from exercising in an impartial manner the quasi-legislative and quasi-judicial powers which are vested in him as a member of the FPC.

CONGRESSMEN JOHN DINGELL, THADDEUS MACHROWICZ, JOHN MOSS, B. F. SISK, AND CLEMENT ZABLOCKI (JOINT LETTER, R. 445–449)

Our opposition to Mr. Kuykendall's nomination is based on his disregard of, and lack of sympathy for, the obligations, duties, and responsibilities placed upon the Federal Power Commission by the Congress of the United States in committing to that Commission the preservation of the public interest in the development of the Nation's resources and the protection of consumers of electric energy and natural gas against exploitation at the hands of the electric and gas companies under the Federal Power Commission's jurisdiction and control.

SENATOR RICHARD L. NEUBERGER (STATEMENT, R. 2–20)

What is on review before this committee in the renomination of Mr. Kuykendall is the whole question of the role and the responsibilities of the Federal Power Commission in planning and safeguarding the comprehensive development of our water resources in the public interest. * * * From the very beginning of his service on the FPC 4 years ago, Mr. Kuykendall has permitted the FPC to be used as the tool of a political decision which has wholly destroyed a painstaking, detailed, integrated, comprehensive plan for the Nation's second largest river basin, prepared by thorough and objective engineering studies by the United States Army Corps of Engineers and the United States Bureau of Reclamation. * * * As Chairman of this Commission, ostensibly responsible for, and specifically charged by law with protecting comprehensive river plans, he has presided over the deliberate destruction of the comprehensive 308 report program for the Columbia River Basin beyond any hope of reconstruction, unless Congress acts, as in this confirmation hearing, to reassert its demand that such comprehensive plans be adhered to * * *. Mr. Kuykendall conveniently overlooked the Idaho Power Co.'s pending applications for accelerated tax amortization on its dams—on the ground that they probably would not be granted. Now we know, from Mr. Kuykendall's own chief accountant that the private utility's 2—not 3, but only 2—smaller dams will cost the taxpayers $83 million.

SENATOR WAYNE MORSE (STATEMENT, R. 20–50)

Mr. Kuykendall failed to deal candidly with Congress on at least one important occasion and possibly others. * * * In summary, Chairman Kuykendall during the Dixon-Yates controversy in Congress, testified in 1954 before the Joint Committee on Atomic Energy that the FPC Bureau of Law had not made any studies, or passed upon, the proposed Dixon-Yates contract when it was being processed by executive agencies. The facts were that two high officials of the FPC Bureau of Law, two assistant counsels, had made studies of the proposed contract and condemned it vigorously for its failure to protect the interest of the Government and the public (R. 21). Before coming to the Federal Power Commission Mr. Kuykendall was a member of the Washington Public Service Commission to which he had been appointed by former Governor Arthur Langlie, an outspoken foe of the high Federal Hells Canyon Dam. This association at least raises a question of bias in connection with the most important and controversial license proceeding in which he was to take part as Chairman. * * * When Mr. Kuykendall was called upon by the House Subcommittee on Regulatory Agencies to discuss on July 28, 1955, the Hells Canyon controversy, he declined to do so on the ground that the case was pending before the FPC. In fact, it had been decided the day before; the opinion and order bear the dates of July 27, 1955. They were released on August 4—only 2 days after Congress adjourned (R. 25). * * * Nonetheless Chairman Kuykendall evaded testifying on the ground that the case was pending. (R. 26.)

* * * * *

In August 1953, the Idaho Power Co. filed its applications for the [tax writeoff certificates] and in December 1953, the president of the company testified about them. Despite knowledge that the writeoff applications were pending, despite full realization of the cost to the Treasury of quick writeoff certificates, the FPC decision awarding licenses to Idaho Power Co. said that the public purposes to be served by the company projects "will be realized without expense to the United States to the extent that the projects are constructed by a non-Federal entity (opinion, p. 17)." The Federal Power Commission's opinion also stated—"development by applicant of the Hells Canyon reach of the Snake River would provide 1 million acre-feet of flood-control storage and the required streamflow regulation in aid of navigation on the lower river at no cost to the United States." These statements were misleading and accurate in the extreme in view of the company's applications for writeoff certificates, known to the Commission (R. 28).

CONGRESSMAN TORBERT H. MACDONALD (STATEMENT, R. 51–87)

I feel strongly that Mr. Kuykendall has not always carried out the main duty of his high office—namely, to protect the public interest.

[After referring to secret meetings with representatives of gas industry, at request of White House, Mr. MacDonald goes on:] Mr. Kuykendall made several denials before he finally admitted that he had indeed, originated a gas bill. The role and sole role, of the Federal Power Commission is to protect the public against the proven depredations of the gas industry. The shocking thing, in my mind, is that Chairman Kuykendall never consulted a single consumer group the entire time this legislation was under consideration. * * * I could never get a satisfactory explanation from him as to why the consumers were left out when his sworn job is to protect the public consumers against the manipulation of the natural-gas industry. * * * The fact that distributors were involved is of very little consequence for, as we all know, the distributors merely pass along any increased cost to the consumer.

CONGRESSMAN JOHN D. DINGELL (STATEMENT, R. 88–89)

I feel that Chairman Kuykendall has apparently never grasped the real nature of his duties as Chairman of the Commision. In stating this, I mean no inference against his character or integrity. I mean he has failed to understand his duty to the consuming public and to the Congress of the United States. I feel he has failed to act with proper independence from the White House, from the Departments, from the representatives of the industry he is to regulate. * * * Mr. Kuykendall further, according to his own admission, got together a group of three representatives of natural-gas producers, pipelines, and other people of the industry to draft a bill which would relieve producers of natural gas from Federal control or which would substantially reduce or eliminate the extent of Federal control over the producers. One thing which stands out in Mr. Kuykendall's testimony is that he expressly cautioned these three representatives of the natural gas industry to maintain strict and complete secrecy. It is my feeling that he would not have done so if he had not felt that such action was highly improper on his part.

CONGRESSMAN CHARLES VANIK (STATEMENT, R. 89–102)

All members of the Federal Power Commission are supposed to be public members, regulating and administering the public interest, and yet in the spring of 1955 we find the Federal Power Commission, under Mr. Kuykendall's leadership, did not want authority to control the prices of natural gas in the fields. Here is a public official, charged by law with the administration of the Natural Gas Act, with a fresh mandate by the Supreme Court in the Phillips decision, directing the Federal Power Commission to

regulate the production, gathering, processing, or sale of natural gas prior to its entry in interstate transmission and refusing to do the job on which he had a clear legal obligation and mandate.

* * * * *

The support for this legislation came solely from gas producers and the industry people within that orbit. * * * To date, the Federal Power Commission under Mr. Kuykendall's leadership has established no procedures or rules for considering gas-rate cases. Each case is theoretically heard on its own merits. In the billions of pages of testimony and evidence which have been submitted, no criteria for evaluation or rule-making has been established.

CLYDE T. ELLIS, GENERAL MANAGER, NATIONAL RURAL ELECTRIC COOPERATIVE ASSOCIATION, (STATEMENT, R. 114–145)

This is the first time, I believe, that anyone representing the National Rural Electric Cooperative Association has ever appeared in opposition to confirmation of a Presidential appointee to such an independent agency as the Federal Power Commission. I need not dwell on the obvious fact that the Rural Electric Cooperatives, which I represent, and their 4 million families, 13 million people, are vitally interested in and affected by the activities of the Federal Power Commission. * * * The rural cooperatives are primarily interested in the administration of part 1 of the Federal Power Act which establishes the Commission's authority over hydroelectric power development. * * * We feel that Mr. Kuykendall in his 4 years as Chairman of the FPC has clearly demonstrated his lack of sympathy with the intent of Congress embodied in this part of the Federal Power Act. Instead, he has interpreted the law in such a way as to favor the very monoply control of the Nation's power supply against the fathers of the conservation movement, of which part 1 of the Federal Power Act is the child, so vigorously warned.

(In licensing the Idaho Power Co.'s three small dams as a substitute for the proposed Federal high dam, Mr. Ellis charged that Mr. Kuykendall violated the intent of the law in three ways:)

1. He violated the intent of Congress that a project so approved be best adapted to a comprehensive plan for improving or developing a waterway or waterways for the use or benefit of interstate or foreign commerce, for the improvement and utiliziation of water power development, and for other beneficial public uses, including recreational purposes.

2. Mr. Kuykendall violated the intent of the Congress by substituting the criterion of maximum use of resources as a basis for approving the lesser projects.

3. Mr. Kuykendall violated the intent of Congress by substituting the phony Power Trust political argument that the Idaho Power Co. project would be built without cost to the taxpayers for the broad public purposes on the basis of which the Commission had the discretion under section 7 (b) of the act to recommend to Congress that the development which qualified as best adapted to the real comprehensive plan for development of the Columbia River Basin be undertaken by the United States itself.

ANGUS M'DONALD, NATIONAL FARMERS UNION (STATEMENT, R. 145–148)

The record of Mr. Kuykendall may be summarized as follows:

1. He deceived the Joint Atomic Energy Committee in 1954 in an attempt to cover up the Dixon-Yates contract.

2. He deceived Subcommittee No. 1 of the House Small Business Committee in July, 1955 as to the status of the Hells Canyon case.

3. He participated in the Hells Canyon case before the Commission despite his connection with the utility companies and his service to the State of Washington's governor, who had opposed the high Hells Canyon Dam and had intervened before the Commission to favor the Idaho Power Co.

4. He misrepresented the facts about the flood washout of the Idaho Power Co. Brownlee Dam and tried to cover up the failure of the company and the dereliction of the Commission in regard to the diversion tunnel.

5. He favors abandonment of FPC regulation of producers of natural gas contrary to the public interest.

KEN BILLINGTON, WASHINGTON PUBLIC UTILITY DISTRICTS' ASSOCIATION (STATEMENT, R. 149–152)

Our association membership includes 23 public-utility districts in the State of Washington which provide electric and water utility service for more than 230,000 customers. * * * By action of our board of directors, on June 15, 1957, we are opposed to the confirmation of Jerome K. Kuykendall to the important post of Chairman of the Federal Power Commission. * * *

(After referring to Mr. Kuykendall's testimony of a misleading character on the Dixon-Yates contract and the Hells Canyon decision, the decision in the Idaho Power Co. license application which overlooks the pending certificates for tax write-off, the lack of consideration for the proposed study by the Department of the Interior with reference to a Federal dam at Nez Perce, extension of FPC licenses beyond the 50-year limit in the statute, and failure of the FPC to comply with the policy of section 7 (b) of the Federal Power Act, Mr. Billington concluded by stating:)

Although as a Washington State group, we would like to see a home-state man, which Mr. Kuykendall happens to be, in such a nationally important position, we feel that Mr. Kuykendall's lack of objectivity in a position requiring objectivity disqualifies him for the Federal Power Commission chairmanship or membership, and under Mr. Kuykendall's chairmanship the FPC, as a licensing agent of Congress for the Nation's waterpower sites, has ceased to protect the public interest in matters concerning the utilities.

SENATOR HENRY M. JACKSON (STATEMENT, R. 152–154)

Referring to the testimony of Mr. Kuykendall before the House Committee on Interstate and Foreign Commerce, on June 4, 1957, relating to the Olin Gas Transmission Co., which received a 100 percent price increase, in which Mr. Kuykendall noted that if the case had "been contested more vigorously we would have had a lot more trouble in finding evidence to make a finding that this was warranted," Senator JACKSON stated, "Mr. Kuykendall apparently feels that if there is no one present—in this case perhaps a distributing company or a consumers group—to contradict or question the testimony of producers, it is not up to the Commission to protect the public interest by doing so. For the record shows that the Federal Power Commission's own staff opposed the Olin rate increases and the Commission took the private companies' figures over its own staff's position. * * * I am confident that the record shows and the committee will find that Mr. Kuykendall's philosophy is not compatible with the policies and programs laid down by Congress for the Federal Power Commission to administer."

Senator JACKSON also submitted a statement from the Washington State Grange appearing on pages 155 to 157 of the record, opposing the nomination for specific reasons set forth therein.

JAMES T. MARR, PRESIDENT, NATIONAL HELLS CANYON ASSOCIATION, INC. (STATEMENT, R. 159–170)

Mr. Kuykendall has disregarded the public interest, especially the interest of the consumer, contrary to the duties and responsibilities of his high office.

1. Under his chairmanship, the Federal Power Commission, in the Hells Canyon case, has rendered a decision which destroys several decades of comprehensive river-basin development work of other agencies.

2. Mr. Kuykendall's actions in another case, affecting the Nez Perce site, indicate that he is bent on further destruction of the same kind.

3. Under Mr. Kuykendall's chairmanship, the Commission has advocated and promoted legislation adverse to the interests of the public and the consumer. Apart from its role in relaxing public-interest regulation of the natural-gas industry, the Commission under Mr. Kuykendall's leadership, has supported bills to exempt utilities from the Public Utility Holding Company Act; to make private hydro projects more profitable at the expense of the Federal projects; and to remove the preference accorded to States and municipalities in the recapture of hydroelectric projects at the end of their 50-year license.

II. Mr. Kuykendall has practiced deception upon committees and Members of the Congress.

1. He denied to the Joint Committee on Atomic Energy that Federal Power Commission lawyers had ever passed on the Dixon-Yates contract—when two of these lawyers had, in fact, severely criticized the contract.

2. He claimed that he could not discuss the Hells Canyon case with a House Small Business Subcommittee because it was still pending before the Commission, when, in fact, it had been decided on the previous day.

3. Mr. Kuykendall misled a Member of the Congress about the Idaho Power Co.'s construction activities in Hells Canyon, and tried to cover up the company's departure from the designs approved by the Commission and the inadequate supervision exercised by Federal Power Commission engineers.

Mr. MAGNUSON. Mr. President, in concluding at this time—and then I shall desist until tomorrow, when I shall discuss the matter in greater detail—let me say that I believe the Senate should know that, although the hearings lasted for a number of days, and although notice of the hearings was given to everyone who was interested or concerned, no witness appeared in favor of confirmation of the nomination of Mr. Kuykendall to be a member of the Federal Power Commission. Mr. Kuykendall was given the privilege—and rightly so, I believe—of hearing the testimony of all the witnesses who appeared, and then testifying in his own behalf for as long a time as he wished, and then placing in the record whatever documents he wished to place in it, in order to attempt to refute or explain, if he could, the statements made at the hearings by the great number of witnesses who appeared in opposition to confirmation of his nomination.

No Senator who supports confirmation of the nomination appeared in support of it at the hearing except, of course, that the members of the committee, who at the committee meeting voted in favor of the nomination, were present during the taking of much of the

testimony. Some of them were at the hearing a part of the time, but most of them were there during the greater part of the hearing. Of course they did not express their opinions publicly, but they did ask many questions.

But, despite the fact that the hearing was widely heralded and that notice was given to all persons concerned, no one who appeared at the hearing testified in behalf of confirmation of Mr. Kuykendall's nomination. The Senator from Utah [Mr. WATKINS] did not appear at that time. Perhaps there was some good reason why he did not. Perhaps it was felt that no witnesses in behalf of confirmation of the nomination needed to appear at the hearings.

However, I wish the Senate to know that at the hearings we proceeded in a quite unusual way, in the case of hearings on nominations. Usually the appointee appears first and makes his statement, and then answers questions and discusses his experience and his philosophy and his record; and then other witnesses appear. In this particular case, because there were so many witnesses in opposition to confirmation of the nomination, we thought it fair to allow Mr. Kuykendall to hear all the testimony and then, after that, to state what he had to say regarding the entire matter. He did so.

Mr. President, the majority report comprises 2½ pages. There are also minority views. I recommend them to the reading of Senators tonight or tomorrow morning before the Senate meets.

With that, I yield the floor until tomorrow morning.

Mr. JACKSON. Mr. President, it is a painful duty to stand up and say a citizen of one's own State is not fit for continued service on one of the most important regulatory bodies of our Government. It is especially painful when one has had a friendly acquaintanceship with that man, as I have had with Jerome K. Kuykendall.

Mr. President, I have been asked to declare Mr. Kuykendall personally obnoxious to me, and in this way to effectively block his confirmation to another term on the Federal Power Commission. I cannot in good faith do this. I can, in good faith, declare that Mr. Kuykendall is not qualified for the position by virtue of his lack of understanding of what constitutes the public interest, which he is sworn to uphold. I rely, therefore, not on senatorial privilege, but on the good and honest judgment of my colleagues.

Mr. Kuykendall's renomination must be rejected. It must be rejected for the sake of the public that depends upon him and his colleagues on the Commission for representation of their interests, for protection of their pocketbooks, and for preservation of the public domain.

There is no question what the job of the Federal Power Commission is. Its job, and that of the other regulatory agencies, is to protect the broad mass of consumers, that one big group that has no voice or representation in proceedings that affect them, other than what protection is accorded them by Commission members.

Mr. Kuykendall knows what the duty of the Commission is. In his own testimony, on page 197 of the hearings before the Senate Committee on Interstate and Foreign Commerce, on his nomination, he said:

> The Federal Power Commission, or any regulatory agency, is more than a mere group of judges or an arbiter of disputes. We are there to protect the public interest, and those commissions have been found to be necessary because the public isn't capable of protecting itself. It isn't organized, it doesn't have any technical knowledge.

So I say Mr. Kuykendall knows what the duty of the FPC is. He just does not understand how to perform it, or else he is paying lipservice to it.

For the record is studded with proof that Mr. Kuykendall has looked first to the welfare of the private interests the FPC was established to regulate.

How does his stated appreciation of the responsibility of the FPC to protect the consumer stack up against his performance in, for example, the Olin Gas Transmission Corp. rate increase case? Recently, last May 15, Olin was granted a 100 percent rate increase. In hearings before the House Committee on Interstate and Foreign Commerce on June 4, 3 weeks later, Mr. Kuykendall was asked if the company would have gotten a lesser price for its gas if the case had been contested more vigorously. Mr. Kuykendall replied, and I quote from the hearings:

> No, I don't think they would have gotten a lesser price, but I think that it is possible that if it had been contested more vigorously that we would have had a lot more trouble in finding evidence to make a finding that this was warranted. Now, they had a pretty good spokesman for the company there—and we quoted some of his testimony—who was quite persuasive, and he didn't happen to get contradicted very much.

It is thus clear that Mr. Kuykendall feels no compulsion to take the initiative to protect the public. His philosophy is clear: If there is no one adequately to oppose the applicant for a rate increase, it is granted. It is true that in a court of law, questions of this sort are decided on the basis of the preponderance of evidence. But the FPC is not a court of law. It is a quasi-judicial arm of the Congress established, in Mr. Kuykendall's own words, as "more than a group of judges of an arbiter of disputes" and, more important, "to protect the public interest, because the public is not capable of protecting itself."

Permit me to give my colleagues another example of Mr. Kuykendall's conception of protecting the public interest. It has been established that Mr. Kuykendall helped, in a large way, to draft new natural-gas legislation for consideration by Congress. Mr. Kuykendall admits that he sought the assistance of representatives of the gas producers, the pipeline companies, and the distributing companies—but not a single consumer group. Mr. Kuykendall has explained, rather lamely, that the distributing companies stand for the consumer interest. Now, this is news to me, and apparently it was news, also, to Mr. John E. Heyke, Jr., of the Brooklyn Union Gas Co., who is president of a council of local gas companies. Mr. Heyke, testifying in a House hearing, declared that "gas distributing companies are little more than sales agents for producers and pipelines."

Distributors only pass along increases to their customers. If anyone has any doubts on this point, let me cite an example from my own State. I am about to quote from a news story that appeared on page 1 of the Seattle Post-Intelligencer last Wednesday, August 7. It begins:

> Pacific Northwest Pipeline Corp., which supplies natural gas to Washington, Oregon, Idaho, Utah, and Colorado, petitioned the Federal Power Commission Tuesday for a $5½ million a year rate increase.

That is the first paragraph. Now let me read the second paragraph, which is the part pertinent to this discussion. It reads:

> The action was immediately reflected—

Let me repeat that—

> immediately reflected in Olympia where five natural gas companies operating in Washington petitioned the State public service commission for permission to increase their rates to consumers, the Associated Press reported.

This is the manner in which the distributing companies, which Mr. Kuykendall says represent the consumers, react to rate increases by the pipeline companies.

Mr. Kuykendall's record in the Hells Canyon case gives us further insight into his lack of qualification for membership on the Federal Power Commission. I do not propose to dwell at length on an issue that has been settled in the Senate, but rather only to draw some conclusions from the case. Not only did Mr. Kuykendall and the FPC disregard the public interest in this case, but they violated their responsibility to Congress by rendering a political judgment as to what Congress would or would not do, rather than a judgment based on fact. The FPC examiner found, as we all know, that the Federal high dam was clearly superior to the Idaho Power Co.'s low-dam scheme in terms of power, flood control, navigation, irrigation, and other multiple benefits. Yet, the FPC examiner concluded, and the FPC acted on this basis, that Congress was unlikely to authorize the high dam—even though it had been proved best—and therefore the low-dam scheme should be licensed. Yet, as my senior colleague, the Senator from Washington [Mr. MAGNUSON], pointed out on page 361 of the hearings on Mr. Kuykendall's nomination, the Federal Power Act specifies:

> That in case the Commission shall find that any Government dam may be advantageously used by the United States for public purposes in addition to navigation, no license shall be issued until 2 years after it shall have reported to Congress the facts and conditions relating thereto.

I say that we in the Congress are entitled to be presented the facts, to make decisions in accordance with the law. It is a sad day for this body when regulatory agencies make our decisions for us on the basis of a political guess. I am

happy to say that in the Senate we have proved how bad that guess was. Just the same, I think we should give notice now to all agencies upon which we rely for factfinding that we will make our own decisions and not tolerate political judgments on their part.

It is a dangerous precedent to put the Senate stamp of approval on a man who has used his office to bypass the Congress.

It may be said by others of my colleagues, but it bears repeating, that we in the Congress have not enjoyed the frankness to which we are entitled from Mr. Kuykendall. I refer, particularly, to his withholding of information from Congress in both the Hells Canyon case and the Dixon-Yates case.

In the first instance, Mr. Kuykendall was asked by a House committee on July 28, 1955, about the Hells Canyon case, and replied that he could not comment on a matter before the Commission for decision. This, remember, was July 28, 1955. We know, now, that on the day previous, July 27, 1955, the FPC made its decision to license the low dams. The decision was not announced until August 4, 2 days after Congress adjourned. This timing despite the known desire of a number of Senators, that the FPC not act on the private power company's application until the Congress had had a chance to act on then-pending bills to authorize the high dam.

In the second instance, in testimony before the Joint Committee on Atomic Energy, Mr. Kuykendall suppressed the legal opinion of two of the FPC's top lawyers, that the proposed contract was unfair to the Government. The details of this are stated in the hearings before the Senate Interstate and Foreign Commerce Committee on Mr. Kuykendall's renomination.

In my own testimony before the committee, I made the point that the FPC had not accepted the staff position in the Olin case, where the staff favored the consumer, and had not accepted the examiner's findings in the Hells Canyon case, where the examiner found the high dam superior in nearly every respect. Mr. Kuykendall has replied that "this criticism proves nothing except the fact that the Commission has made its own decisions, as it should do." I submit that it proves something further, namely, that where there is a difference of opinion between the examiner and the staff, the Commission will accept the position favoring the private interests every time.

Mr. President, I think it is significant to take note of who opposed Mr. Kuykendall's renomination and who remained silent. The purpose of the hearings before the Senate Interstate and Foreign Commerce Committee was to take evidence concerning Mr. Kuykendall's fitness for office. Naturally, those who do not think he is fit could be expected to appear to say so. The witnesses against Mr. Kuykendall included representatives of the REA's, the PUD's, the National Hells Canyon Association, unions, the Grange, and other farmers groups—all speaking for consumer groups or, to put it another way, the public. No group testified in his behalf. I am sure the reason for this is that the only ones who would desire to testify in his behalf would be the private utilities he regulates. They apparently felt the best way to help Mr. Kuykendall would be to stay away from the hearings. To have testified in his behalf would have been too obvious.

There are numerous other points to be made against Mr. Kuykendall. The record of the hearings contains most of them. I have tried to summarize only the high points. I think these constitute sufficient ground to reject Mr. Kuykendall's nomination, and I am willing to rest the case in the hands of my colleagues on the basis of this record.

For I believe Senators on both sides of the aisle will see their duty to overlook partisan politics and regional selfishness. I would hate to think, for instance, that supporters of natural gas legislation among us would vote to confirm Mr. Kuykendall because he has failed to protect the public interest with respect to natural gas rates. It is one thing for my colleagues to argue that the small producers of natural gas are not getting a fair price, and that natural gas legislation will not drive prices up. It is quite another to vote to confirm the nomination of a man who has permitted rate increases, as in the Olin case, and who in so many other ways has failed to protect the consumer. To vote for this man because he may be friendly to natural gas producers can be done only at the risk of destroying the whole concept of Federal regulatory agencies and establishing a precedent that will live to haunt us all.

Mr. KENNEDY. Mr. President, I wish to compliment the Senator from Washington [Mr. JACKSON] for his very fine speech. I think he has rendered a service in bringing these matters into the open.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, August 14, 1957, he presented to the President of the United States the enrolled bill (S. 2130) to amend further the Mutual Security Act of 1954, as amended, and for other purposes.

ADJOURNMENT

Mr. MANSFIELD. Mr. President, in accordance with the order previously entered, I move that the Senate now adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 30 minutes p. m.) the Senate in executive session adjourned, the adjournment being, under the order previously entered, until tomorrow, Thursday, August 15, 1957, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate August 14, 1957:

UNITED STATES ATTORNEY

Peter Mills, of Maine, to be United States attorney for the district of Maine for a term of 4 years. He is now serving in this office under an appointment which expired August 5, 1957.

UNITED STATES MARSHAL

Harry W. Pinkham, of Maine, to be United States marshal for the district of Maine for a term of 4 years. He is now serving in this office under an appointment which expired August 5, 1957.

AIRWAYS MODERNIZATION BOARD

Elwood R. Quesada, of California, to be Chairman of the Airways Modernization Board.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 14, 1957:

DEPARTMENT OF STATE

William B. Macomber, Jr., of New York, to be an Assistant Secretary of State.

DIPLOMATIC AND FOREIGN SERVICE

The following-named persons for promotion or appointment in the diplomatic and Foreign Service to the grades indicated:

Robert F. Cartwright, of the District of Columbia, to be a Foreign Service officer of class 1, consul general, and secretary.

Elias A. McQuaid, of New Hampshire, to be a Foreign Service officer of class 2, consul, and secretary.

Arthur E. Beach, of the District of Columbia, to be a consul general.

Charles S. Stokes, of Maryland, to be a Foreign Service officer of class 3, consul, and secretary.

Wilfred V. Duke, of Oregon, to be a Foreign Service officer of class 4, consul, and secretary.

William S. Peacock, of Florida, to be a Foreign Service officer of class 4, consul, and secretary.

Daniel L. Williamson, Jr., of Virginia, to be a Foreign Service officer of class 5, consul, and secretary.

Hubert H. Buzbe, Jr., of Alabama, to be consul.

To be Foreign Service officers of class 6

Richard D. Forster, of Colorado.
Chris C. Pappas, Jr., of New Hampshire.

To be Foreign Service officers of class 6, vice consuls of career, and secretaries

Michael Buzan, Jr., of Florida.
Mrs. Flora E. Jones, of Louisiana.
Loren E. Lawrence, of California.
Byron P. Manfull, of Utah.

To be Foreign Service officers of class 8, vice consuls of career, and secretaries

Neil P. Anderson, of Minnesota.
David W. Burgoon, Jr., of Illinois.
George A. Furness, Jr., of Massachusetts.
Alan F. Lee, of Illinois.
Alan G. Mencher, of California.

The following-named Foreign Service staff officers to the grade indicated:

To be consuls

David G. Briggs, of the District of Columbia.
Warren M. Robbins, of Massachusetts.

The following-named Foreign Service Reserve officers to the grade indicated:

To be consuls

Mark B. Lewis, of Pennsylvania.
William P. MacLean, of Wisconsin.
Philip F. Snare, of Virginia.
B. Franklin Steiner, of California.
Robert Taylor, of Florida.
Robert L. White, of Colorado.

To be vice consuls

Joseph I. Saltzman, of Montana.
Eugene F. Sillari, of New York.

To be secretaries in the diplomatic service

John G. Anderton, of California.
Stephen W. Baldanza, of New Jersey.
Peter Ferguson, of the District of Columbia.
John P. Kennedy, of Vermont.
Richard S. McCaffery, Jr., of New York.
Burtt F. McKee, Jr., of Alabama.
Robert B. Moore, of Maryland.

William G. Norris, of Maine.
Harold S. Nelson, of Massachusetts.
Ralph L. Powell, of New Jersey.
Joseph P. Redick, of Maryland.
John S. Tilton, of Virginia.

COLLECTOR OF CUSTOMS

George W. O'Sullivan, of New Mexico, to be collector of customs for customs collection district No. 50, with headquarters at Columbus, N. Mex.

WITHDRAWAL

Executive nomination withdrawn from the Senate August 14, 1957:

POSTMASTER

William M. Toland to be postmaster at Browing in the State of Illinois.

HOUSE OF REPRESENTATIVES

WEDNESDAY, AUGUST 14, 1957

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Eternal and ever-blessed God, Thou hast given us the night, which is now past, for rest and refreshing sleep and the new day, upon which we have entered, for work and service.

May the struggles and strains, the hardships and hazards of life never tempt us to yield to doubt and despair and cause us to be careless and cynical, for Thou art here and everywhere and we are never alone.

Emancipate us from all feelings of scorn and self-pity as our finite and fallible minds face so much that is obscure, and so many problems for which we do not seem to have a satisfactory and right solution.

Grant that we may be inspired and sustained by a sense of Thy greatness and goodness whenever we encounter arduous tasks and difficult decisions.

Hear us in Christ's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McBride, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1386. An act to authorize the Interstate Commerce Commission to prescribe rules, standards, and instructions for the installation, inspection, maintenance, and repair of power or train brakes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2130) entitled "An act to amend further the Mutual Security Act of 1954, as amended, and for other purposes."

The message also announced that the Senate agrees 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. 8090) entitled "An act making appropriations for civil functions by the Department of the Army and certain agencies of the Department of the Interior, for the fiscal year ending June 30, 1958, and for other purposes."

The message also announced that the Senate agrees to the amendment of the House to Senate amendment No. 24.

The message further announced that the Senate recedes from its amendment No. 3 to the above-entitled bill.

THE LATE THOMAS L. BLANTON

The SPEAKER. The Chair recognizes the gentleman from Texas [Mr. BURLESON].

Mr. BURLESON. Mr. Speaker, I rise to announce the death of one of my predecessors in the Congress from the 17th District of Texas.

He is the Honorable Thomas L. Blanton, who served in the House of Representatives from 1917 to 1937.

There are several Members of this body who served with Mr. Blanton and remember him as a man of great courage, unbounded energy, and with perhaps as keen an initiative as has ever been possessed and exercised by any Member.

The records indicate that in the early days of his career in this House, Mr. Blanton recognized the menace of communism and spoke out his sentiments. His concern with the evils of communism was expressed in a day and time when little was known about it, and few people had an interest in combating it. He maintained this same attitude to the very end of his life.

During his years in the Congress Mr. Blanton was a battler in support of woman suffrage and vigorously fought waste, extravagance, and graft in public office. An editorial in the Dallas Morning News of August 13, 1957, had this to say:

In Congress, he wanted more efficient government for the District of Columbia than he thought it had. He was against Treasury raids. He did yeoman service in breaking up a racket in guardianships for former servicemen. He stepped on a lot of bureaucratic toes and enjoyed the crunching thereof. Undoubtedly he made himself hard to get along with in Congress. It is not the best recommendation for a Congressional post that you are easy to accommodate. Blanton was not.

Above all, Tom Blanton was a fighter and did not care with whom he tangled. He might not win the battle, but he did not dodge the fight.

Mr. Blanton was born in Houston, Tex., October 25, 1872, and, after completing his public-school education, graduated from the Law School of the University of Texas in 1897. He was admitted to the State bar of Texas in that same year. From Cleburne, Tex., where he first started in the practice of law, he moved to Albany, Tex., where he lived until his death on last Sunday, August 11, 1957.

Judge Blanton was elected judge of the 42d Judicial District in 1908 and served in that capacity until elected to Congress in 1917.

Mrs. Thomas L. Blanton was of the Matthews family, of Albany, Tex. The names Blanton and Matthews are widely known in Texas as having contributed greatly to the development of the wide area where their great influence has been felt through these many years.

The passing of Judge Thomas L. Blanton takes away another of the very few remaining pioneers representing an era which is rapidly fading from the memory of the modern generation, and it behooves us to look back with appreciation to their accomplishments which have made the way easier for those of us who follow.

I know those of us here who knew former Congressman Blanton and friends of the Blanton and Matthews families in west Texas join with me in expressing condolence to Mrs. Blanton, who survives her husband, and other members of the immediate family, composed of three sons and a daughter.

Mr. Speaker, I yield to the gentleman from Texas [Mr. PATMAN].

Mr. PATMAN. Mr. Speaker, I desire to associate myself with the remarks made by the distinguished gentleman from Texas [Mr. BURLESON] concerning the late Honorable Thomas L. Blanton, a former Member of this House. I had the privilege of serving with Judge Blanton for a number of years. He was not only one of the ablest Members of the House but one of the best parliamentarians I have ever known. He was a hard working Member of the House. He knew more about more subjects, I believe, than any other one Member who served with him at the time. He had the courage to tackle the toughest and most unpopular problems that he believed should be dealt with in the public interest. His service was very constructive and his footprints may be seen on practically every law of major importance passed during the time he was a Member of the House of Representatives. He was a great American and a loyal, sincere friend. My deepest sympathy to his loved ones.

Mr. BURLESON. I thank the gentleman from Texas very much.

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

Mr. BURLESON. I am glad to yield to my colleague from Michigan.

Mr. HOFFMAN. Mr. Speaker, it was my good fortune to serve 1 or 2 years while our distinguished former colleague, Mr. Blanton, was here. While we did not always agree, being on opposite sides of the Chamber, there was no question but that the man had sincere, patriotic convictions and most ably expressed them. He was absolutely fearless. Members of the House who were here at that time were kept on the right track when one or two of the publications then in Washington tried to lead them astray. I am sure the gentleman remembers how our colleague used to come to the well of the House almost every day and in no uncertain terms set us right when some of the tempters downtown were trying to lead us on another and the wrong course. When he left the House we lost a source of inspiration—the Nation a devoted champion.

Mr. BURLESON. I thank the gentleman very much.

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