

Alabama for a term of 4 years (reappointment).

Herbert Barnes, of Delaware, to be United States marshal for the district of Delaware for the term of 4 years, vice Clarence H. Spence, term expired.

Harry Jennings, of Michigan, to be United States marshal for the western district of Michigan for a term of 4 years (reappointment).

Paul Johnson, of Oklahoma, to be United States marshal for the eastern district of Oklahoma for a term of 4 years (reappointment).

Harold Sexton, of Oregon, to be United States marshal for the district of Oregon for a term of 4 years (reappointment).

#### INTERSTATE COMMERCE COMMISSION

The following-named persons to be Interstate Commerce Commissioners for the terms indicated:

Anthony F. Arpaia, of Connecticut, for the term of 7 years expiring December 31, 1964 (reappointment).

Rupert L. Murphy, of Georgia, for the term of 7 years expiring December 31, 1964 (reappointment).

Abe McGregor Goff, of Idaho, for the remainder of the term expiring December 31, 1959, vice Owen Clarke, resigned.

#### NATIONAL MEDIATION BOARD

Leverett Edwards, of Oklahoma, to be a member of the National Mediation Board for the term expiring February 1, 1961 (reappointment).

#### IN THE COAST GUARD

Capt. Richard M. Ross for promotion to the permanent rank of rear admiral in the United States Coast Guard.

The following-named persons to be captains in the United States Coast Guard:

Alvin H. Giffin	Peter J. Smenton
James A. Alger, Jr.	Thomas R. Midtlyng
Albert J. Carpenter	John B. Oren
Willard J. Smith	Harry E. Davis, Jr.
Emmet T. Calahan	Joseph Howe
John H. Forney	George W. Holtzman
Eugene A. Coffin, Jr.	William W. Chidress
David O. Reed	John H. Wagline
Edward W. Laird	John J. Hutson, Jr.
Verne C. Gibson	Robert E. McCaffery
Charles R. Monteiro	Albert E. Harned
Hugh D. Wear	Richard F. Rea
Daniel J. Lucinski	Louis M. Thayer, Jr.
Hubert R. Chaffee	

The following-named persons to be commanders in the United States Coast Guard:

Daniel C. Dickert	Albert Frost
Lloyd R. Morrison	William F. Adams
Cyril L. Heyliger	William F. Rea, III
Frank F. Elliott	James L. Lathrop
Henry C. Keene, Jr.	Vincent J. Cass
Ellis L. Perry	Austin C. Wagner
Loy W. A. Renshaw	Stephen G. Carkeek
Cecil E. Meree, Jr.	Norman L. Horton
Clyde L. Olson	Henry A. Pearce, Jr.
Joseph G. Bastow, Jr.	William A. Jenkins
Bob Kirsten	John Natwig
John B. Speaker, Jr.	Roy M. Hutchins, Jr.
Louis F. Sudnik	John F. Thompson, Jr.
William E. Chapline	

The following-named persons to be lieutenant commanders in the United States Coast Guard:

Stephen Varanko	Donby J. Mathieu
John R. Mackey	David W. DeFreest
Joseph F. Furlough, Jr.	Robert L. Lawlis
Ottis H. Abney	James W. Dodson
Curtis H. Jurgens	George D. Winstein
Allen E. Armstrong	William W. Richter
Charles D. Budd	John A. Corso
Howard A. Linse	William H. St. George
Harry E. Chapin	George T. Trefts
James McMenamin	Robert J. Bloxson
	Joseph W. Finnegan

The following-named persons to be lieutenants in the United States Coast Guard:

Jack A. Howell	Arthur W. Gove
Russell P. Combs	George J. Weldner
William E. Heath	Carl E. Rodehau
Justin J. Bonanno	Raymond W. Bernhardt
Lenard Fielding, Jr.	
John F. O'Connor	Edward S. Davis, Jr.
Richard A. Bauman	Robert C. Pittman

The following-named persons to be lieutenants (junior grade) in the United States Coast Guard:

Domenic A. Callicchio	James N. Schenk
William Drew	John H. Guest

#### IN THE REGULAR AIR FORCE

The following-named officers for promotion in the Regular Air Force under the provisions of sections 8298 and 8299, title 10, United States Code. All officers are subject to physical examination required by law.

#### First Lieutenant to captain

##### CHAPLAIN

Rathjen, David E., 32432A.  
Kiryuk, Nicholas T., 32433A.

#### Second Lieutenant to first Lieutenant

##### MEDICAL SERVICE CORPS

Higgins, Donald D., 32497A.  
Hankins, John W., 32498A.  
Rosenthal, Harry, 32499A.  
Slagel, Ronald V., Jr., 32500A.  
Aaron, Robert V., 32501A.  
Mugford, Frank M., 32502A.

NOTE.—Dates of rank of all officers nominated for promotion will be determined by the Secretary of the Air Force.

#### IN THE NAVY

Capt. Lot Ensey, United States Navy, to be Director of Budget and Reports in the Department of the Navy for a term of 3 years with the rank of rear admiral.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate Thursday, January 23, 1958:

##### INTERNATIONAL ATOMIC ENERGY AGENCY

Robert M. McKinney, of New Mexico, to be the representative of the United States of America to the International Atomic Energy Agency.

##### POST OFFICE DEPARTMENT

Edson O. Sessions, of Illinois, to be Deputy Postmaster General.

##### DEPARTMENT OF THE TREASURY

Julian B. Baird, of Minnesota, to be Under Secretary of the Treasury for Monetary Affairs.

Tom B. Coughran, of California, to be an Assistant Secretary of the Treasury.

A. Gilmore Flues, of Ohio, to be an Assistant Secretary of the Treasury.

##### ADMINISTRATOR OF VETERANS' AFFAIRS

Sumner G. Whittier, of Massachusetts, to be Administrator of Veterans' Affairs.

## HOUSE OF REPRESENTATIVES

THURSDAY, JANUARY 23, 1958

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

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Isaiah 26:3: "Thou wilt keep him in perfect peace whose mind is stayed on Thee."

O Thou whose name is love and in whom we find that perfect love, which casteth out all fear, help us to meet our

daily duties and difficulties with faith and fortitude.

Grant that in these strange and strenuous days we may never lose heart or hope.

Humbly we confess that we are frequently more conscious of our problems and perplexities than we are of Thy gracious providence and Thy peace which passeth all understanding.

We thank Thee for Thy servant, one of our colleagues, who now dwells with Thee in eternal blessedness. Give unto his bereaved family the consolations of Thy grace.

Thou didst not lose him in giving him to us. So we have not lost him by his return to Thee, for what is Thine is ours always.

Hear us in Christ's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

#### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries.

#### INVITATION TO MEMBERS TO DEBATE FOREIGN POLICY ON MONDAY, JANUARY 27

Mr. REUSS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. REUSS. Mr. Speaker, the shape of United States foreign policy is a matter of vital importance to every Member of the Congress, to every person represented by us here, and, in fact, to all the peoples of the world.

America's standing in the world community is under constant challenge, and not only from the Communist countries. Long-term pressure on the United States as guardian of the Free World and leader in the struggle for peace has been enormously intensified by the success of Russian sputniks and ballistic missiles, and the apparent growing effectiveness of Communist diplomacy in many parts of the world.

Some of our best friends have added to the pressure. They look to the United States not only for armed might, but for energetic leadership in the policy field—for creativeness, ingenuity, positive new ideas, ability to adapt to new situations, to get out of the rut and back on the road.

In the House we debate foreign policy matters often, but in the context of considering specific pieces of legislation. With many of my colleagues, I believe that the House can profitably spend more time discussing the broad, overall aspects of foreign policy, as the other body so often does.

On next Monday afternoon, January 27, under special orders obtained by myself, the gentleman from Arizona [Mr. UDALL], and the gentleman from California [Mr. ROOSEVELT], we shall have 2 hours to discuss our foreign policy. We

cordially invite all Members to participate. Indeed, we want to get the ideas of everyone.

Countless questions can be raised. Among the most important, we think, are:

Should the United States not consider, with our allies, proposals for a troop disengagement in Middle Europe?

How effective are our military and economic assistance programs? Are we overemphasizing military aid? Is our economic assistance going for the right kinds of projects? Is Congress able properly to judge the worth of assistance programs in view of the "secret" label applied to the 80 percent of our aid program which is either military assistance or defense support?

Are we starving our most effective programs of technical assistance, while pouring more and more into military hardware that frequently offends those whose friendship we seek? Should we give greater attention to cultural and educational exchange programs with all nations?

What have we to offer that the Communists do not? Are we getting through to the people we want to reach?

My colleagues and I do not pretend to have all the answers to all these questions. But we hope through an exchange of ideas and discussion on the floor to develop a record that may lead to a new approach in foreign policy. Again I invite all Members on both sides of the aisle to join in our discussion Monday afternoon.

#### PRICE SUPPORT ON WHEAT

Mr. McGOVERN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. McGOVERN. Mr. Speaker, on yesterday I introduced an emergency measure to prevent the Secretary of Agriculture from slashing the price support on wheat 22 cents a bushel. This bill would simply maintain the Government support on wheat at \$2 a bushel for the 1958 crop. Should Mr. Benson's price-cutting order on wheat as well as dairy products be successfully maintained, it will result in a drop of a quarter of a billion dollars in the upper Midwest region. The wheat farmers of this country have faithfully cut their production a tremendous amount throughout the past 5 or 6 years. Mr. Benson's reward now is to further slash the price on a much lower production figure. I submit that this is not an act of good faith on the part of the Secretary. This drastic cut which Mr. Benson is dictating will have a profound effect not only on the farmers but on the entire economy of this Nation. It is only wise and just, I believe, at a time when unemployment is extremely high that we maintain the purchasing power of farmers. To allow it to drop will only further compound this most serious problem.

#### THE ROSE—NATIONAL FLOWER OF THE UNITED STATES

Mr. SCOTT of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SCOTT of Pennsylvania. Mr. Speaker, I have today introduced a resolution to make the rose the national flower of the United States. To mark the event every male Member of the House of Representatives received a single rose for his lapel and our lady Members received a rose corsage.

The United States is the only major Nation in the world without a national flower. The vast majority of Americans is partial to the rose. A Gallup public opinion poll indicated that the rose is favored over any other flower by a margin of 19 to 1.

The rose is the oldest flower known to man. Fossil remains of roses judged to be some 35 million years old have been found by geologists. The rose has been honored by civilizations since the dawn of recorded history and as long ago as 4000 B. C. the Greek poetess Sappho named it the "Queen of Flowers," a title which it still bears.

America today is believed to be the largest producer of roses in the world. Leading growers estimate that more than 40 million American gardeners grow and display roses each year. They also point out that four States—New York, Iowa, Georgia, and North Dakota—and the District of Columbia, already honor the rose as their official flower.

The rose has played an important part in human culture since ancient times. It is known in religion, art, literature, heraldry, and a host of other fields.

National Rose Week, inaugurated in 1954, is now an official annual event. Cities and towns all over the United States join in honoring the Queen of Flowers during this special observance.

I am introducing the bill at the request of Pennsylvania gardeners and rose lovers and I expect the bill to receive wide support from garden clubs, women's organizations, horticultural societies and rose lovers everywhere.

A vase of yellow roses was presented to the Speaker in honor of the Yellow Rose of Texas. Minority Leader JOSEPH W. MARTIN, JR., has been presented with a vase of white roses. A vase of red roses were sent to Mrs. Mamie Eisenhower.

The text of my resolution follows:

Joint resolution designating the rose as the national flower of the United States

Whereas the rose is universally regarded as a symbol of peace in a troubled world; and

Whereas the rose is internationally recognized as the badge of courage, loyalty and devotion; and

Whereas the rose is known to be the favorite of the American people by a margin of almost 20 to 1; and

Whereas several of the States of the Union already honor the rose as their official flower; and

Whereas the United States is the only major power in the world that lays claim to no national flower: Therefore be it

Resolved, etc., That the flower commonly known as the rose is hereby designated and adopted as the national flower of the United States, and the President is requested to declare such fact by proclamation.

#### A NATIONAL LOTTERY WOULD END CONFUSION

Mr. FINO. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FINO. Mr. Speaker, in view of the complete confusion that appears to exist here in the Nation's Capital, I don't blame our hard-pressed American taxpayers if they are finding it more and more difficult to understand what is going on here in Washington.

In answer to our taxpayers' plea for immediate tax relief, we offer inconsistent and incongruous statements and speeches which are enough to create more confusion than they would find in Times Square on New Year's Eve.

Mr. Speaker, allow me to illustrate each successive act of confusion which has placed our overburdened wage-earner in a state of total bewilderment.

Act of confusion No. 1: In hitting our taxpayers with a staggering peacetime spending budget of almost \$74 billion, we destroyed all hopes for present and future tax relief. But we assured our taxpayers who are pleading for a tax cut that there will be no new taxes proposed.

Act of confusion No. 2: We added fuel to the fire by telling the workers in this country that because of the urgent need for the expenditures of additional billions of dollars for defense we might have to do some deficit spending. Although we know that deficit spending in the past has been one of the main causes for our devalued dollar, we reassure our taxpayers that this action would be better than raising taxes.

Act of confusion No. 3: Our Secretary of the Treasury tells our American taxpayers that because of the current business recession a tax cut is possible only if the recession deepens. This viewpoint adds to the perplexity because it does not conform with the ideas expressed by our former Secretary who opposed cutting taxes to brake a recession. Certainly a tax cut to the 4 million unemployed is no comfort. If anything, it is like tossing a punctured life-saving tube to a drowning man.

Act of confusion No. 4: The White House informs the people that it would rather have a budget deficit than ask for a tax increase if the recession worsens.

Act of confusion No. 5: Today, this Congress is asked to raise the national debt limit by \$5 billion because of the necessary increase in defense spending. To the confused taxpayer we say: It is better at this time to raise the debt ceiling rather than to raise taxes.

Mr. Speaker, why all this confusion? We can avoid all of this perplexity and



solve all of our financial woes if we display enough courage and enact a national lottery bill.

A national lottery would provide \$10 billion a year in additional revenue to our Government Treasury which would take care of all of our fiscal problems and at the same time ease the heavy unconscionable burden borne by our American taxpayers. How much longer are we going to confuse our taxpayers?

#### TAXING INCOME OF LIFE INSURANCE COMPANIES

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means have until midnight tonight, January 23, 1958, to file a report on the bill H. R. 10021, a bill to provide that the 1955 formula for taxing income of life insurance companies shall also apply to taxable years beginning in 1957.

The SPEAKER. Is there objection? There was no objection.

#### NATIONAL WOOL ACT

Mr. DIXON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Utah? There was no objection.

Mr. DIXON. Mr. Speaker, I have introduced a bill, H. R. 10049, to extend the National Wool Act for another 4-year period.

The National Wool Act of 1954 set up a goal for national security of 300 million pounds annual production of domestic shorn wool. Up to 70 percent of the funds from import duties are used to make incentive payments to wool producers, when the price level drops below the established incentive price.

Our domestic wool industry was in serious trouble at the time the Wool Act was passed.

Domestic wool production is a vital element of our defense posture. Its unsurpassed warmth, as well as its moisture absorbent qualities, flame resistance, and other characteristics which cannot be duplicated, make it essential in time of war.

The principal areas from which the United States imports its wool are Australia, New Zealand, Argentina, and South Africa. All of these countries lie in the Southern Hemisphere. They are located from 6,000 to 11,000 miles from the United States, and highly vulnerable sea lanes must be used to transport the wool. The new Soviet submarine threat makes it more important to have a domestic supply of a vital commodity, such as wool, than at the time the Wool Act was passed.

At the time the Wool Act was passed, our sheep population had severely dropped 45 percent, from 49 million in 1949 to approximately 29 million in 1957. Yet, in spite of this serious drop in sheep population, wool tariff cuts had allowed foreign wools to capture the American markets, so domestic wool piled up in Government storehouses. By 1955 more

than 160 million pounds of wool were under the control of the Commodity Credit Corporation.

Under the Wool Act the CCC has been able to dispose of all its wool holdings, and the domestic wool industry has started to recuperate and lay the foundation for growing to the military defense target of 300 million pounds of domestic production. In the 35 States not drought-ridden production increased by 5.7 percent. However, in the 13 drought-ravaged States, production dropped 3 percent. The Nation is now virtually free of the drought. Consequently, a continuation of the incentive-payment program should bring a wool-production expansion in all regions of the country.

#### RAISING THE DEBT LIMIT IS AN INVITATION TO SPEND MORE MONEY

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, just as a surplus of cash in one's pocket or in the bank tends toward unwise spending, so ever raising the limitation on Federal spending tends to loosen the Federal purse strings.

The Defense Department has unobliquely \$8.1 billion.

The echoes of the President's warning that, if wages and prices are increased and Federal spending continued at the present or an accelerated rate, we would go into a tailspin that would end in a disastrous depression, have not yet died away.

We are told that additional billions must be appropriated to meet the challenge of the sputnik—to provide other munitions of war, including more submarines, aircraft, missiles, anti-missile missiles—and the Congress will vote billions for those purposes because it has no adequate, accurate knowledge of just what is needed, hence must rely upon our experts.

All right, we can go along with requests for funds for necessary purposes, but there is no reason why sputnik should open the door for unlimited appropriations.

But one thing is sure, our natural and scientific resources being limited, and they are, we cannot avoid economic disaster—and that means not only a slackening of business, of production, an increase in unemployment, but in the end a lessening of our ability to provide the means to protect ourselves—if we grant every request for more money.

So it is that, when the President asks the Congress to increase the wages of Federal employees, to appropriate billions for worthy but not absolutely necessary projects, and to raise the debt limit so that we may borrow the money to do unnecessary things, I am compelled to vote against authorizing an increase in our national debt limitation.

We are now paying \$7.5 billion annually in interest. Our national debt is larger than the national debt of all other countries.

One sound, sensible answer to our problem is to quit borrowing money in order to implement new, additional social reforms, to more wisely spend what we have.

It is not only absurd, but it is ridiculous that we are so lacking in common sense and sound business practices that the richest, the most productive nation in all the world must borrow money, pay \$7.5 billion interest annually. And that in peacetime. Spenders can always find excuses for an ever-heavier burden upon the taxpayer.

The thing for us to do is to put our house in order; conduct our national affairs as the average thrifty, industrious American carries on his own business. Our national income is sufficient not only to insure our national security, insofar as money can do so, but, if wisely used, to enable us to maintain a sound domestic economy.

#### COMMITTEE ON MERCHANT MARINE AND FISHERIES

Mr. ALBERT. Mr. Speaker, at the request of the gentleman from North Carolina [Mr. BONNER], I ask unanimous consent that the Committee on Merchant Marine and Fisheries may sit today during general debate.

The SPEAKER. Is there objection? There was no objection.

#### COMMITTEE ON BANKING AND CURRENCY

Mr. ALBERT. Mr. Speaker, at the request of the gentleman from Georgia [Mr. BROWN], I ask unanimous consent that the Committee on Banking and Currency may sit today during general debate.

The SPEAKER. Is there objection? There was no objection.

#### INCREASING THE PUBLIC DEBT LIMIT

The SPEAKER. The unfinished business is the vote on the motion of the gentleman from Wisconsin [Mr. BYRNES] to recommit the bill (H. R. 9955) providing for a temporary increase in the public debt limit.

The Clerk will again report the motion.

The Clerk reported the motion to recommit.

The SPEAKER. The question is on the motion.

The question was taken, and the Speaker announced the yeas appeared to have it.

Mr. BYRNES of Wisconsin. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken, and there were—yeas 115, nays 275, answering "present" 1, not voting 37, as follows:

[Roll No. 5]

YEAS—115

Abbutt	Dorn, S. C.	Minshall
Abernethy	Dowdy	Moulder
Adair	Fino	Murray
Alexander	Fisher	Neal
Alger	Flynt	Nimtz
Andersen,	Fountain	Norblad
H. Carl	George	O'Hara, Minn.
Andrews	Griffin	Patman
Ashmore	Gross	Poff
Aspinall	Gwinn	Polk
Avery	Haley	Robeson, Va.
Baring	Harden	Robison, Ky.
Baumhart	Harrison, Nebr.	Rogers, Fla.
Beamer	Harrison, Va.	Scherer
Bentley	Harvey	Schwengel
Berry	Hays, Ohio	Scott, N. C.
Betts	Hemphill	Scrivner
Bosch	Henderson	Shuford
Bow	Hoeben	Siler
Bray	Hoffman	Simpson, Ill.
Broomfield	Jackson	Smith, Calif.
Brown, Ohio	Jensen	Smith, Kans.
Brownson	Johansen	Smith, Va.
Budge	Jonas	Springer
Byrd	Jones, Mo.	Tewes
Byrnes, Wis.	Kitchin	Thomas
Cannon	Knox	Thompson, La.
Cederberg	Krueger	Thomson, Wyo.
Chilperfield	Laird	Tuck
Church	Latham	Van Pelt
Collier	Lennon	Weaver
Colmer	McCulloch	Wharton
Cramer	McMillan	Whitener
Cretella	McVey	Whitten
Cunningham,	Mack, Wash.	Williams, Miss.
Nebr.	Mason	Willis
Dawson, Utah	Matthews	Wilson, Ind.
Dennison	Michel	Winstead
Derounian	Miller, Nebr.	Withrow

NAYS—275

Addonizio	Curtin	Hébert
Albert	Curtis, Mass.	Herlong
Allen, Calif.	Curtis, Mo.	Heseltin
Allen, Ill.	Dague	Hess
Anderson,	Davis, Ga.	Hiestand
Mont.	Davis, Tenn.	Hill
Anfuso	Delaney	Hillings
Arends	Dellay	Holmes
Ashley	Dempsey	Holt
Auchincloss	Denton	Holtzman
Ayres	Devereux	Horan
Bailey	Diggs	Hosmer
Baker	Dingell	Huddleston
Baldwin	Dixon	Hull
Barrett	Dollinger	Hyde
Bass, N. H.	Donohue	Ikard
Bass, Tenn.	Dooley	James
Bates	Dorn, N. Y.	Jarman
Becker	Doyle	Jenkins
Beckworth	Durham	Jennings
Bennett, Fla.	Eberhart	Johnson
Bennett, Mich.	Edmondson	Jones, Ala.
Blatnik	Elliott	Karsten
Blitch	Engle	Kean
Boggs	Evins	Kearney
Boland	Fallon	Kearns
Bolling	Farbstein	Keating
Bolton	Fascell	Kee
Bonner	Feighan	Keogh
Boykin	Fenton	Kilburn
Boyle	Flood	Kilday
Breeding	Fogarty	Kilgore
Brooks, La.	Forand	King
Brooks, Tex.	Ford	Kirwan
Brown, Ga.	Forrester	Kluczynski
Brown, Mo.	Frazier	Lafore
Broyhill	Frelinghuysen	Landrum
Burleson	Friedel	Lane
Bush	Fulton	Lankford
Byrne, Ill.	Garmatz	LeCompte
Byrne, Pa.	Gary	Lesinski
Canfield	Gathings	Libonati
Carrigg	Gavin	Long
Celler	Glenn	Loser
Chamberlain	Gordon	McFall
Chelf	Granahan	McGovern
Chenoweth	Green, Oreg.	McIntire
Christopher	Gregory	McIntosh
Clark	Griffiths	Machrowicz
Clevenger	Hagen	Madden
Coad	Hale	Magnuson
Coffin	Halleck	Mahon
Cooley	Hardy	Mailliard
Corbett	Harris	Marshall
Coudert	Haskell	Martin
Cunningham,	Healey	May
Iowa		

Metcalf	Reece, Tenn.
Miller, Calif.	Reed
Miller, Md.	Rees, Kans.
Miller, N. Y.	Reuss
Mills	Rhodes, Ariz.
Mitchell	Rhodes, Pa.
Montoya	Riehlman
Morano	Riley
Morgan	Rivers
Morris	Roberts
Moss	Robison, N. Y.
Multer	Rodino
Mumma	Rogers, Colo.
Natcher	Rogers, Mass.
Nicholson	Rogers, Tex.
Norrell	Roosevelt
O'Brien, Ill.	Rutherford
O'Brien, N. Y.	Sadlak
O'Hara, Ill.	Santangelo
O'Neill	St. George
Osmer	Saund
Ostertag	Saylor
Patterson	Schenck
Pelley	Scott, Pa.
Perkins	Scudder
Pfost	Seely-Brown
Philbin	Selden
Pilcher	Sheehan
Poage	Shelley
Porter	Sheppard
Powell	Sieminski
Preston	Sikes
Price	Simpson, Pa.
Prouty	Sisk
Rains	Smith, Miss.
Ray	Stauffer

Steed	Sullivan
Taber	Talley
Talle	Taylor
Teague, Calif.	Teague, Tex.
Teller	Thompson, N. J.
Thompson, N. J.	Thompson, Tex.
Thornberry	Tollefson
Trimble	Udall
Ullman	Utt
Vanik	Van Zandt
Vinson	Vorsell
Vorsell	Watts
Westland	Westland
Widnall	Wier
Wigglesworth	Wilson, Calif.
Wolverton	Wright
Yates	Younger
Zablocki	Zelenko

vote "nay." I voted "yea." Therefore, I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the passage of the bill.

Mr. MILLS. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 328, nays 71, answered "present" 1, not voting 28, as follows:

[Roll No. 6]

YEAS—328

Addonizio	Derounian	Kee
Albert	Devereux	Keogh
Allen, Calif.	Diggs	Kilburn
Allen, Ill.	Dingell	Kilday
Anderson,	Dixon	Kilgore
Mont.	Dollinger	King
Anfuso	Donohue	Kirwan
Arends	Dooley	Kluczynski
Ashley	Dorn, N. Y.	Knox
Aspinall	Doyle	Knutson
Auchincloss	Durham	Lafore
Avery	Dwyer	Landrum
Ayres	Eberhart	Lane
Bailey	Edmondson	Lankford
Baker	Elliott	Latham
Baldwin	Engle	LeCompte
Barrett	Evins	Lesinski
Bass, N. H.	Fallon	Libonati
Bass, Tenn.	Farbstein	Lipscomb
Bates	Fascell	Long
Baumhart	Feighan	Loser
Becker	Fenton	McCulloch
Beckworth	Fino	McFall
Bennett, Fla.	Fisher	McGovern
Bennett, Mich.	Flood	McIntire
Bentley	Fogarty	McIntosh
Betts	Forand	Machrowicz
Blatnik	Ford	Mack, Ill.
Blitch	Forrester	Madden
Boggs	Fountain	Magnuson
Boland	Frazier	Mahon
Bolling	Frelinghuysen	Mailliard
Bolton	Friedel	Marshall
Bonner	Fulton	Martin
Bosch	Garmatz	May
Bow	Gary	Metcalf
Boykin	Gathings	Michel
Boyle	Gavin	Miller, Calif.
Brooks, La.	George	Miller, Md.
Brooks, Tex.	Glenn	Miller, N. Y.
Broomfield	Gordon	Mills
Brown, Ga.	Granahan	Minshall
Brown, Mo.	Gray	Mitchell
Brown, Ohio	Green, Oreg.	Montoya
Broyhill	Gregory	Morano
Budge	Griffin	Morgan
Burleson	Griffiths	Morris
Bush	Gubser	Moss
Byrd	Hagen	Moulder
Byrne, Ill.	Hale	Multer
Byrne, Pa.	Halleck	Mumma
Canfield	Hardy	Murray
Carrigg	Harris	Natcher
Cederberg	Haskell	Nicholson
Celler	Hays, Ark.	Norblad
Chamberlain	Hays, Ohio	Norrell
Chelf	Healey	O'Brien, Ill.
Chenoweth	Hébert	O'Brien, N. Y.
Chilperfield	Herlong	O'Hara, Ill.
Christopher	Heseltin	O'Hara, Minn.
Clark	Hess	O'Neill
Clevenger	Hill	Osmer
Coad	Hillings	Ostertag
Coffin	Hoeven	Patman
Cooley	Hollifield	Patterson
Corbett	Holmes	Pelley
Coudert	Holtzman	Perkins
Cramer	Horan	Pfost
Cretella	Hosmer	Philbin
Cunningham,	Huddleston	Pilcher
Iowa	Hull	Poage
Curtin	Hyde	Polk
Curtis, Mass.	Ikard	Porter
Curtis, Mo.	James	Powell
Dague	Jarman	Preston
Davis, Ga.	Jenkins	Price
Davis, Tenn.	Jennings	Prouty
Dawson, Ill.	Johnson	Rains
Dawson, Utah	Jones, Ala.	Ray
Delaney	Karsten	Reece, Tenn.
Dellay	Kean	Reed
Dempsey	Kearney	Rees, Kans.
Dennison	Kearns	Reuss
Denton	Keating	Rhodes, Ariz.
		Rhodes, Pa.

ANSWERED "PRESENT"—1

O'Konski

NOT VOTING—37

Barden	Holland	Morrison
Belcher	Judd	Passman
Buckley	Kelly	Pillion
Burdick	Lipscomb	Rabaut
Carnahan	McCarthy	Radwan
Dawson, Ill.	McCormack	Rooney
Dies	McDonough	Spence
Grant	McGregor	Staggers
Gray	Macdonald	Wainwright
Green, Pa.	Mack, Ill.	Walter
Gubser	Meador	Williams, N. Y.
Hays, Ark.	Morrow	
Hollifield	Moore	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. O'Konski for, with Mr. McCormack against.

Mr. Passman for, with Mr. Rooney against.

Mr. Dies for, with Mr. Buckley against.

Mr. McGregor for, with Mr. Dawson of Illinois against.

Mr. Barden for, with Mr. Judd against.

Mr. Radwan for, with Mr. Moore against.

Mr. Walter for, with Mrs. Kelly against.

Until further notice:

Mr. Spence with Mr. Belcher.

Mr. Hollifield with Mr. Wainwright.

Mr. McCarthy with Mr. Lipscomb.

Mr. Macdonald with Mr. McDonough.

Mr. Morrison with Mr. Williams of New York.

Mr. Rabaut with Mr. Pillion.

Mr. Hays of Arkansas with Mr. Burdick.

Mr. Grant with Mr. Gubser.

Mr. Mack of Illinois with Mr. Morrow.

Mr. Staggers with Mr. Meador.

Mr. BOLAND changed his vote from "yea" to "nay."

Mr. McFALL changed his vote from "yea" to "nay."

Mr. DAGUE changed his vote from "yea" to "nay."

Mr. MACK of Washington changed his vote from "nay" to "yea."

Mr. O'KONSKI. Mr. Speaker, I have a live pair with the distinguished gentleman from Massachusetts [Mr. McCormack]. If he were present, he would



Riehlman	Sheppard	Trimble
Riley	Sieminski	Udall
Rivers	Sikes	Ullman
Roberts	Simpson, Pa.	Vanik
Robison, N. Y.	Sisk	Van Zandt
Robison, Ky.	Smith, Miss.	Vinson
Rodino	Smith, Va.	Vorys
Rogers, Colo.	Staggers	Vursell
Rogers, Fla.	Stauffer	Walter
Rogers, Mass.	Steed	Watts
Roosevelt	Sullivan	Westland
Sadiak	Taber	Whitener
Santangelo	Talle	Widnall
St. George	Taylor	Wier
Saund	Teague, Calif.	Wigglesworth
Saylor	Teague, Tex.	Willis
Schenck	Teller	Wilson, Calif.
Scherer	Tewes	Withrow
Scott, Pa.	Thomas	Wolverton
Scrivner	Thompson, La.	Wright
Scudder	Thompson, N. J.	Yates
Seely-Brown	Thompson, Tex.	Young
Selden	Thompson, Wyo.	Younger
Sheehan	Thornberry	Zablocki
Shelley	Tollefson	Zelenko

## NAYS—71

Abbitt	Gwinn	Neal
Abernethy	Haley	Nimitz
Adair	Harden	Poff
Alexander	Harrison, Nebr.	Robeson, Va.
Alger	Harrison, Va.	Rogers, Tex.
Andersen,	Harvey	Rutherford
H. Carl	Hemphill	Schwengel
Andrews	Henderson	Scott, N. C.
Ashmore	Hiestand	Shuford
Baring	Hoffman	Siler
Beamer	Holt	Simpson, Ill.
Berry	Jensen	Smith, Calif.
Bray	Johansen	Smith, Kans.
Breeding	Jonas	Springer
Brownson	Jones, Mo.	Tuck
Byrnes, Wis.	Kitchin	Utt
Cannon	Krueger	Van Pelt
Church	Laird	Weaver
Colmer	Lennon	Wharton
Cunningham,	McMillan	Whitten
Nebr.	McVey	Williams, Miss.
Dorn, S. C.	Mack, Wash.	Wilson, Ind.
Dowdy	Mason	Winstead
Flynt	Matthews	
Gross	Miller, Nebr.	

## ANSWERED "PRESENT"—1

O'Konski

## NOT VOTING—28

Barden	Kelly	Passman
Belcher	McCarthy	Pillion
Buckley	McCormack	Rabaut
Burdick	McDonough	Radwan
Carnahan	McGregor	Rooney
Dies	Macdonald	Spence
Grant	Meador	Wainwright
Green, Pa.	Morrow	Williams, N. Y.
Holland	Moore	
Judd	Morrison	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. McCormack for, with Mr. O'Konski against.

Mr. Rooney for, with Mr. Passman against.

Mr. Buckley for, with Mr. Dies against.

Mrs. Kelly for, with Mr. Barden against.

Until further notice:

Mr. Spence with Mr. Judd.

Mr. Rabaut with Mr. Moore.

Mr. Green of Pennsylvania with Mr. Wainwright.

Mr. Grant with Mr. McGregor.

Mr. Carnahan with Mr. Pillion.

Mr. Holland with Mr. Radwan.

Mr. McCarthy with Mr. Morrow.

Mr. Macdonald with Mr. McDonough.

Mr. Morrison with Mr. Williams of New York.

Mr. O'KONSKI. Mr. Speaker, I have a live pair with the gentleman from Massachusetts [Mr. McCORMACK]. If he were present he would have voted "yea." I voted "nay." Therefore I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. WEAVER. Mr. Speaker, I am opposed to an increase of \$5 billion in the public debt limit today just as I was when a similar measure was approved over 2 years ago.

The whole purpose of limiting our national debt is so that we can control our spending and the responsibility for spending properly rests with the Congress, not with the executive branch of the Government. There can be no control or restraint on spending as long as we are content to make borrowing easier.

Such a debt extension, I feel, should not be granted—

First. Until all agencies of Government are directed to freeze any and all unobligated funds, as of the date, so that a close reexamination of expenditure requirements can be made. A good example of what I am talking about, Mr. Speaker, is the \$3.1 billion of unobligated funds for foreign-aid spending.

Second. Until we have evidence of a realistic dollar saving reorganization of the Defense Department which now is spending more than half of each tax dollar.

Sputnik is serious, but we should keep our equilibrium and not lose our heads. Going further into debt before it is necessary is only giving aid and comfort to the enemy.

## PARLIAMENTARY INQUIRY

Mr. GUBSER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GUBSER. Mr. Speaker, I should like to inquire if the bells in the Old House Office Building were in working order during rollcall No. 5, on the motion to recommit.

The SPEAKER. The Chair was not there, so he cannot say.

## PERSONAL ANNOUNCEMENT

Mr. GUBSER. Mr. Speaker, I know that I did not hear them, and I know two other Members did not hear them. I should like to announce at this time that had I been present, I would have voted "nay."

## SUBCOMMITTEE ON GENERAL EDUCATION

Mr. BAILEY. Mr. Speaker, I ask unanimous consent that the Subcommittee on General Education have permission to sit during general debate today.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

## LABOR-MANAGEMENT RELATIONS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 316)

The SPEAKER laid before the House the following message from the President of the United States, which was read and

referred to the Committee on Education and Labor and ordered to be printed:

## To the Congress of the United States:

There are submitted herewith for the consideration of the Congress, recommendations for amendments to the Taft-Hartley Act and for additional legislation to provide greater protections for the rights of individual workers, the public, and management and unions, in labor-management relations.

I

No labor-management relations legislative program today can ignore the disclosures of corruption, racketeering and abuse of trust and power in the labor-management field. Many of these disclosures have been made in Congressional hearings and in investigations by grand juries and local law enforcement agencies. In the various States vigilant attention by law enforcement officials, and public interest in the effective enforcement of existing laws against criminal activity, are doing much to eliminate many of the evils and abuses which have occurred. Union officials—most of whom are decent, honest Americans—are also doing much to eliminate the few in the ranks of organized labor who are corrupt. However, the importance to American workers and to the public of preventing the impairment of the individual rights of employees and the fact that voluntary action is inadequate in this respect have become increasingly evident. In order to protect the basic rights of the individual worker and to maintain the integrity of trade unionism itself, action on the part of the Government is needed.

The American public is in need of reassurance:

1. That the funds which are set aside for the benefit of working men and women in health, welfare and pension plans are accounted for.

2. That the moneys which are contributed by workers to union treasuries are being used solely to advance their welfare.

3. That organizations in which working people associate together voluntarily to improve their status through collective action will be administered in such fashion as to reflect their will.

4. That working people are more fully protected from dealings between representatives of labor and management which have the effect of preventing the full exercise of their rights to organize and bargain collectively.

5. That the public is protected against unfair labor and management practices within the collective bargaining relationship which give rise to the exercise of coercive power by one as against the other tending to impede the peaceful development of that relationship, or which infringe the legitimate rights of innocent third parties.

The Secretary of Labor has recommended to me a comprehensive program of legislation which, if enacted, will, I believe, give that reassurance to the American public. His recommendations constitute the program of this administration in the labor-management field,

and the administration urges the Congress to enact legislation:

1. To require the registration and detailed annual reporting to the Department of Labor, with appropriate disclosure, of all plans which provide health, welfare or pension benefits to working men and women, whether administered by employers, by unions, or jointly by both. The administration made specific legislative recommendations in this respect in 1956 and 1957.

2. To require:

(a) That all labor organizations, having members employed in industries affecting commerce or which receive benefits of tax exemption under the Internal Revenue Code, including regional and local conferences and councils, shall:

(1) File with the Department of Labor detailed annual financial reports, which shall be available for public examination.

(2) Maintain proper financial books and records open to the scrutiny of all of their members.

(b) That officers of such labor organizations who handle union funds be held to the highest degree of responsibility for the funds committed to their care by union members; and that the members of such organization be given an unequivocal right to sue in Federal or State courts to enforce these responsibilities. This would not supersede existing State statutes or judicial remedies.

3. To require that all labor organizations:

(a) File annually with the Department of Labor detailed information as to their constitutions, bylaws, and organizational structure and procedures.

(b) Show by appropriate reporting that their members have the right and opportunity to elect and have elected at intervals of not more than 4 years their local officers directly by secret ballot and their national officers either directly by secret ballot or through delegate bodies elected directly by the membership by secret ballot, with due notice of any election being given to the members. The Department of Labor would be authorized to make full public disclosure of these reports.

4. To require:

(a) That all employers report to the Department of Labor all financial dealings with labor organizations or their representatives either directly or through a third party, but exempting those employer payments specifically authorized by law or reported under other requirements of law; to require that all labor organizations and representatives of labor organizations report to the Department of Labor all such financial dealings with employers either directly or through a third party; and to authorize the Department of Labor to make full public disclosure of these reports.

(b) To prohibit by the application of appropriate civil and criminal laws financial dealings between employers and labor unions which operate to impair the rights of working people to organize, to select their bargaining representative, or effectively to bargain collectively; specifically to amend the Taft-Hartley Act to prohibit payments made

to employee representatives by employer agents or representatives, as well as those made directly by employers, except as authorized by law; to cover employer payments to an employee representative other than a representative of his employees; to prohibit payments over and above payments for regular job duties made by an employer, his agent, or representative to an employee or group or committee of employees to influence other employees in the exercise of their right of self-organization or the selection of a bargaining representative; and to make it clear that employer payments to trust funds for apprenticeship and training purposes are not prohibited.

5. For effective administration of this program of reporting and disclosure of general union funds, conflicts of interest, union organization and structure, and also the program for reporting and disclosure of welfare and pension plans, the administration recommends that there be created in the Department of Labor a Commissioner of Labor Reports, who would be responsible to the Secretary for the performance of duties under the new legislation. The Commissioner should be appointed by the President with the advice and consent of the Senate. In the administration of these reporting requirements the Commissioner of Labor Reports would be empowered through authority derived from the Secretary of Labor to:

(a) Make full public disclosure of all information contained in the reports;

(b) Seek injunctions against violations;

(c) Investigate reports of violations of the reporting requirements, including the accuracy of reports filed, and charges that union election or procedural practices are not in accordance with the reporting requirements; and

(d) Issue subpoenas for the production of all appropriate books and records and compel testimony by witnesses.

6. In order to insure the effective enforcement of this program, the administration recommends that the following criminal and administrative sanctions be enacted into law:

a. Criminal:

(1) The embezzlement of general union funds, false statements or entries, or willful destruction of books should be made punishable as a felony.

(2) The Criminal Code provisions relating to filing of false information should be made specifically applicable to these reports.

(3) The failure of an employer or a union to file required reports should be made a misdemeanor.

(4) A new bribery section should be added to the Criminal Code making it a felony for an employer, or his agent or representative, or any union official or representative, to make or receive any payments to influence improperly the actions of the other in labor-management matters. To facilitate prosecutions of violations of this section, there should be included a provision for immunity to witnesses.

b. Administrative:

At the present time any labor organization covered by the National Labor Re-

lations Act is denied access to its processes if it fails to file financial and organizational reports. This should be continued. In addition subject to the requirements of the Administrative Procedure Act, including judicial review, for the willful failure to file true and proper reports the administration recommends that:

(1) All labor organizations and employers be denied all rights or privileges available to them under Federal labor-management relations laws.

(2) All labor organizations be liable to revocation of any outstanding certification as bargaining representative under any law of the United States.

(3) All labor organizations be liable to the forfeiture for an appropriate period of tax exemptions available to them under the Internal Revenue Code.

7. Certain provisions of the National Labor Relations Act afford opportunity for labor or management to coerce the other, often with detrimental effect on individual employees, innocent third parties, and the general public. The administration recommends that the ambiguities and inequities that exist in these provisions be removed by amending them as follows:

(a) Amend the secondary boycott provisions of the act to make it clear that they prevent—

Direct coercion of an employer to cease doing business with another;

Coercion of employers by inducement or encouragement of individual employees to refuse to perform services;

Coercion of secondary employers who do not come within the act's definition of "employer"; and

Coercion of employers to enter into or to enforce agreements to cease using the products of, or to cease doing business with, another person.

To further amend the secondary boycott provisions to make it clear that they do not prevent—

Activity against a secondary employer who is performing "farmed out" work in behalf of a struck employer; or

Activity against secondary employers engaged in work on a construction project with the primary employer.

(b) Amend the act to make it an unfair labor practice for a union, by picketing, to coerce an employer to recognize it as the bargaining representative of his employees or his employees to accept or designate it as their representative where—

The employer has recognized in accordance with law another labor organization;

The employees, within the last preceding 12 months, have rejected the union in a representative election; or

It is otherwise clear that the employees do not desire the union as their bargaining representative.

(c) Amend the act to eliminate the statutory prohibition which bars economic strikers who are not entitled to reinstatement from voting in representation elections.

II

In addition to the above the administration recommends that several other changes be made in the Labor-Management Relations Act of 1947. Some of



these changes have been proposed before, some are new, but all are intended to strengthen and improve the act where experience has shown that correction is needed. These proposals are as follows:

1. Amend the act to eliminate the jurisdictional gap referred to in recent Supreme Court decisions by authorizing the States to act with respect to matters over which the National Labor Relations Board declines to assert jurisdiction.

2. Amend the act to authorize the Board, under appropriate circumstances, to certify as bargaining representatives, without a prior election, unions acting in behalf of employees primarily engaged in the building and construction industry.

3. In view of the enactment of the Communist Control Act of 1954, amend the act to eliminate the provision requiring the filing of non-Communist affidavits by officers of unions seeking to use the act's processes.

4. Amend the act so that parties to a valid collective bargaining agreement may not be required to negotiate during the life of the agreement unless it provides for reopening or the parties mutually agree to its being reopened.

5. Amend the act to make it clear that when the Office of the General Counsel becomes vacant the President may designate some other officer or employee to serve as Acting General Counsel during the vacancy.

These legislative recommendations are designed to benefit and protect the welfare of American workers and the general public, to curb abuses, and to provide greater harmony and stability in labor-management relations. They take into consideration the fundamental principle that an effective right to organize and bargain collectively is an essential part of this Nation's free and democratic society.

I urge that the Congress give speedy consideration to these proposals.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, January 23, 1958.

#### SUPPLEMENTAL DEFENSE APPROPRIATION BILL—1958

Mr. MAHON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 10146) making supplemental appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 10146, with Mr. PRICE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, the gentleman from Texas [Mr. MAHON] had remaining 1 hour and 47 minutes; the gentleman from Massachusetts [Mr. WIGGLESWORTH] had remaining 2 hours and 30 minutes.

The Chair recognizes the gentleman from Massachusetts [Mr. WIGGLESWORTH].

Mr. WIGGLESWORTH. Mr. Chairman, I yield myself 30 minutes.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. JONES of Alabama. Mr. Chairman, I ask unanimous consent to extend my remarks immediately following the statement of the gentleman from Massachusetts.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WIGGLESWORTH. Mr. Chairman, last summer this House reduced appropriations for our own military programs by \$2½ billion. It also reduced the military programs for our allies by three-quarters of a billion dollars or thereabouts.

These reductions, it will be recalled, were made despite the opposition of the President, of the Secretary of Defense, of the Chairman and members of the Joint Chiefs of Staff, and of the Secretary of State. The atmosphere has now changed.

The country is alerted to the growing danger which confronts us, and the Congress will of course respond to the demand for effective action.

#### THE DANGER CONFRONTING AMERICA

To play down that danger is, in my judgment, unwise. The people ought to have the facts. But, Mr. Chairman, to paint a false picture of weakness and disunity in America is, in my judgment, highly dangerous, and a disservice to the Free World. There has been far too much of this.

It tends to shake the confidence of our allies. It tends to undermine the courage of neutral nations. It plays directly into the hands of the Kremlin. It tends to invite the catastrophe which the world seeks to avoid.

What is needed, Mr. Chairman, in my judgment, is less hysteria, cooler appraisal of the facts; and, above all, insofar as it is humanly possible, a united front regardless of political affiliation, in the interest of national security and world peace.

In principle, Mr. Chairman, that united front ought to include the administration, the Congress, the press, and the people.

#### OUR MILITARY POWER

During recent years we have built tremendous military power in this country of ours. It is greater today than it has been at any time in our history. It is increasing steadily. It is in addition to the military power of our allies.

President Eisenhower, with his vast and successful military experience, in his message on the state of the Union here on January 9, stated to the entire world that—

"As of today" we have the necessary power to "present to any potential attacker who would unleash war upon the world the prospect of virtual annihilation for his country."

Then he added:

Every informed government knows this. It is no secret.

Mr. Chairman, the world should know that this is the fact. It should also know that as long as present conditions prevail

we intend to retain that position, cost what it may.

Given that power, we can hope to find the roads that lead to world peace. Without it, we cannot hope to do so.

Mr. Chairman, the danger which confronts us is not so much a danger of today as a danger of tomorrow. United action is called for at this time, however, because what we do or do not do today will determine our position tomorrow.

#### BALLISTIC MISSILES

Recent developments have focused the attention of the world on the scientific and technological accomplishments of the Communist Government of Russia.

They have made clear the vital importance of stepping up some of our military programs, particularly in the field of ballistic missiles.

Mr. Chairman, I do not pretend expert knowledge in the ballistic-missile field.

I have lived closely, however, now for years with the activities of the Department of Defense.

I have recently visited with other Members of this Committee the principal production and test facilities in this field from coast to coast, as well as the Air Force ballistic missile headquarters on the west coast, the Army missile agency at the Redstone Arsenal in Alabama, and the missile test range at Cape Canaveral in Florida.

Along with my colleagues, I have had briefings in this field by top civilian and military officials both in connection with the trip and in connection with this bill.

I have learned enough to know, Mr. Chairman, that much of what the public has read and listened to in the last 3 months has been greatly exaggerated, unwarranted by the facts, politically motivated and, in my judgment, harmful to our position in the world.

The President also said, and I quote:

At the moment the consensus of opinion is that we are probably somewhat behind the Soviets in some areas of long-range ballistic missile development. But—

He adds—

It is my conviction based on close study of all relevant intelligence, with the best information that scientists can bring to me, that if we make the necessary effort we will have the missiles in the needed quantity and in time to sustain and strengthen the deterrent power of our increasingly efficient bombers.

The necessary effort must and will be made.

Whatever our position at the moment may be, Mr. Chairman, in my opinion, it is well to assume as a basis of policy that we are not ahead in this race. That assumption carries with it the best possible assurance that no stone will be left unturned in securing the necessary quantity and types of missiles at the earliest possible moment.

I want to say, Mr. Chairman, that, personally, I am very much encouraged by what I have seen and heard during the last few months.

If we are not further ahead at this time, the main reason, in my judgment, has been very simply stated by the Director of the Development Operations Division of the Redstone Arsenal, probably our top expert in this field, Dr.

Wernher von Braun, when he said on November 10 last year—and I know that many of you are familiar with the quotation:

The main reason is that we had no ballistic missile program worth mentioning between 1945 and 1951. These 6 years, during which the Russians obviously laid the groundwork for their large rocket program, are irretrievably lost. Our dilemma is not due to the fact that we are not working hard enough now, but that we did not work hard enough during the first 6 years.

His conclusion is concurred in by Dr. Edward H. Teller, who developed the hydrogen bomb. On November 25, 1957, he said:

In 1946, right after the end of the war, we could have said let us develop ballistic mis-

siles. Well, we did go into the development of ballistic missiles, but at an exceedingly slow and small rate . . . years later we . . . determined to start a very vigorous program on the guided missile, on the ballistic missile. . . . It has been an excellent and excellently managed program but it came too late. The Russians have started on their ballistic missile program, from all we know, right after the war, and they kept at it.

Mr. Chairman, I call attention to a table appearing on page 370 of the hearings, showing the amounts made available in this field in each and every fiscal year from 1945 to 1958, inclusive, which under leave to extend my remarks, I insert at this point in the RECORD:

*Department of Defense, obligational programs for missile systems,<sup>1</sup> fiscal years 1947-59*

[In millions of dollars]

	IRBM and ICBM program	Long-range surface-to-surface missile program	Surface-to-surface missile program	Grand total, all missile programs
Fiscal year 1946 and prior	(2)	7	19	70
Fiscal year 1947	(2)	6	20	58
Fiscal year 1948	(2)	10	36	81
Fiscal year 1949	(2)	12	45	98
Fiscal year 1950		16	65	134
Fiscal year 1951	0.5	70	186	784
Fiscal year 1952	.8	103	240	1,058
Fiscal year 1953	3	179	406	1,166
Fiscal year 1954	14	213	350	1,067
Fiscal year 1955	161	330	559	1,470
Fiscal year 1956	515	519	902	2,270
Fiscal year 1957	1,365	1,587	1,968	4,470
Fiscal year 1958 (preliminary total)	2,070	2,248	2,669	5,060
Funds available	(1,387)	(1,565)	(1,986)	(4,377)
Supplemental appropriation request	(683)	(683)	(683)	(683)
Fiscal year 1959 (projected) <sup>2</sup>	1,941	2,086	2,610	5,729

<sup>1</sup> Program data contained in this table cover the developmental and capital costs involved in missile programs, i. e., the cost of bringing missile systems to an operational status plus the costs of procuring missiles for operational purposes. These figures include all procurement, construction and research and development funds directly associated with missile programs. These figures do not include military pay, operation and maintenance costs for operational missile units and sites and include only those shipbuilding and aircraft costs directly associated with providing missile capability.

<sup>2</sup> Excludes \$2.3 million programed in fiscal year 1946-49 for the Air Force MX-774 ballistic missile research program, which was a precursor to the Atlas ICBM.

<sup>3</sup> Based on fiscal year 1959 budget request. Does not include Advanced Research Projects Agency programs.

NOTE.—Each successive classification is contained within the broader classification in the following column.

You will note that the figures support the foregoing conclusion.

From fiscal 1945 to 1953 the total made available for the entire period amounted to about \$6.6 million. In each and every year since that time there has been substantial increase until in the fiscal year 1958 the total amounted to just over \$2 billion.

Despite a slow start, Mr. Chairman, we have made tremendous progress since fiscal 1954.

For more than 2 years we have had what Dr. Von Braun characterizes as "an all-out crash program difficult to substantially accelerate."

Real acceleration is now possible, largely due to very recent scientific breakthroughs and technological developments.

Only recently we have seen the Air Force missiles Thor and Jupiter ordered into production for operational use. We have also seen the Navy Polaris program advanced some 27 months.

We are confronted by a tough job, Mr. Chairman, a tough job of vital importance, but it can and will be done.

SLASH IN 1958 APPROPRIATIONS

Mr. Chairman, reference has been made to the action taken by the Con-

gress last summer, the action which resulted in a reduction in our military appropriations to the extent of \$2½ billion, of which over \$800 million were taken out of "no-year" funds.

The impact of that action, Mr. Chairman, is not spelled out in detail in these hearings, which obviously deal with only a very few items in the defense picture.

Even if we look only at the few items carried in this bill, however, Mr. Chairman, it will be noted that the record indicates that as the result of the action taken, the Navy lost not only a seaplane tender but a guided-missile frigate to which it attached great importance.

It lost among other things some \$44,317,000 in ordnance for guided missiles.

It states that the Navy canceled the Triton missile toward the end of the summer, a very promising missile as a follow-on to the Regulus II missile, because of lack of funds. It also appears that the Navy has borrowed substantially to help out its Polaris program from such programs as the Tartar program, the Talos program, and other programs of equal urgency, and that it is imperative to repay the amounts borrowed out of the bill now under consideration lest those programs be badly crippled.

Mr. Chairman, I do not subscribe to what has been said in regard to excess funds. It is absolutely clear to my mind from the record, first, that the unobligated balance which is to be carried over into fiscal 1959 will, as of June 30th next, amount to some \$3 billion less than the balance carried over the year before into fiscal 1958.

It is equally clear that ever cent of the total, including the amount carried in this bill, will, on June 30, 1958, be legally committed or earmarked and required for items to finish specific projects such as ships, aircraft, and construction, which are now actually under way.

The \$900 million which has been referred to is a part of this picture.

Under our present system of financing, unless funding in full is put into effect by earmarking the funds to cover the entire cost of a project, the project just does not start.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield to the gentleman from Texas.

Mr. MAHON. I am a little bit shocked at the gentleman's statement that he does not believe the Defense Department has funds that are excess to the fiscal year 1958 when the testimony, which is printed and which is quoted in the committee report, shows very clearly, for example, in aircraft and related procurement, that there are \$569 million that are not used, and Secretary McNeil says that those funds could be transferred to the necessary programs and the supplementary budget request could be reduced by those sums. Of course, Congress would have to approve those transfers. I think the gentleman and all members of the subcommittee will be compelled to agree that the funds provided last year are not all being utilized and that there are excess funds that will not be used until the new fiscal year and they are being applied to the 1959 budget. That is so clear and noncontroversial, I regret to see my friend cloud the issue. I hope he does not.

Mr. WIGGLESWORTH. In reply to my good friend from Texas, I will say that the statement he has just made could be made in any fiscal year under our present requirements for the full funding of our long-range programs. His statement is limited to the fiscal year 1958. In other words, it ends on June 30, 1958. But, we have obligations for ships, for all sorts of long-lead items, and there must be money over and above that to be used in fiscal 1958 or in any fiscal year under our present policy.

Mr. MAHON. It is clear we have to have large unobligated balances, but by our action last year we reduced somewhat the large unobligated balances.

But the testimony clearly shows that while we will still have a large unobligated balance, and much of it is required, there is at least \$889 million, according to Secretary McNeil—and I could read that statement from his testimony—of funds which are not required for the fiscal year 1958 and would not have been requested for the fiscal year



1958 had it been known that they would not have been required.

Mr. WIGGLESWORTH. They may not be required for fiscal year 1958 expenditure but they are required in the fiscal year 1958.

Mr. MAHON. I think that is not a correct statement.

Mr. WIGGLESWORTH. I am sorry to disagree with my good friend, and I would like to conclude this aspect of my statement by quoting from Assistant Secretary McNeil, at page 31 of the hearings.

He gives the total unobligated funds as of June 30, 1958, and indicates that about two-thirds of these funds will be legally committed as of that date. Then he goes on to say:

The balance is reserved and will be committed after the first of the year for items to finish specific projects—ships, aircraft, and construction that is under way. Unless funds are available and reserved to complete approved programs and items, we get in the position of partial financing and installment buying, which is bad.

I know that my chairman does not believe in installment buying or partial financing.

Mr. MAHON. No. But if the gentleman will yield further, there is a key word there. These are funds which are not required. They are being reserved to apply to the next year, the fiscal year 1959 budget. You might say, maybe we should give the services \$10 billion and they could plan for the use of it and reserve it for the fiscal year 1959 or the fiscal year 1960 and thereafter. But the implication of Mr. McNeil's testimony is so clear; and when we get back into the House I shall ask for permission to revise and extend my remarks and put his statement in the Record at this point.

In order to make my point clearer and having received unanimous consent to do so, I insert in the Record a statement made by Assistant Secretary of Defense McNeil before the committee on January 15, and which will be found on page 315 of the printed hearings as follows:

On the basis of the planned obligations against currently available fund resources—and excluding for the moment the pending supplemental—we would expect to have a total unobligated balance of \$7.8 billion to be carried over into fiscal year 1959. This unobligated balance of \$7.8 billion, including reimbursements to be received subsequent to June 30, 1958, from orders on hand as of that date, is earmarked for the completion of programs already under way or approved by the Congress or already applied as a credit to the fiscal year 1959 request. The amounts applied as a credit to the fiscal year 1959 requests are \$569 million in the case of the Air Force, \$205 million in the case of the Army, and \$125 million in the case of the Marine Corps.

The above quote makes clear the point that the Department of Defense has on hand the large sums stated during 1958 which will not be used in 1958. They are excess to 1958 but they are being used as a credit on the 1959 request. If Congress desired, most of these excess funds could be applied to the supplemental bill. This would, of course, require an increase in the 1959 budget. No one in the Pentagon, in my opinion, will challenge this statement.

Mr. MILLER of Maryland. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield to the gentleman from Maryland.

Mr. MILLER of Maryland. Mr. Chairman, in connection with the point that the gentleman from Massachusetts and our distinguished chairman were discussing, I refer to the testimony in the hearings at page 332. While it applies to this request, it certainly applies to the preceding one. At that time I pointed out to Mr. McNeil, who was the witness, that we were going to have more than \$1,280,000,000 in carryover funds marked "unobligated"; so why, then, was it necessary to have a supplemental? And to that Mr. McNeil replied:

In the first place, two-thirds of the unobligated balances are committed. These funds cover items for which procurement directives have been issued, and even though we cannot record the transactions as legal obligations, the procurement is in process. We would not in any case transfer those funds from one account to another under such conditions.

If that is the situation so that we need a supplemental bill or money at this time, it would certainly apply to last year also, would it not?

Mr. WIGGLESWORTH. I assume it would—the present system may be right, it may be wrong, but as long as it is in effect, we must have funds available and reserved to complete approved programs and items now under way, as Secretary McNeil expresses it.

#### THE BILL UNDER CONSIDERATION

Mr. Chairman, more specifically in respect to the bill, it will be found that it carries a total of \$1,260,000,000 in new funds plus about \$150 million in transfer authority.

The fiscal 1959 bill, the consideration of which is to start almost immediately, requests a further increase of from \$2.5 to \$3 billion in various high-priority areas and contemplates an estimated expenditure overall in the missile program of \$5,729,000,000.

Broadly speaking, this bill calls for the acceleration of work in five vital areas.

There is \$218.6 million to accelerate the Strategic Air Command's alert and dispersal programs and the tanker redeployment base program.

There is \$334 million to accelerate three Air Force ballistic-missile programs, the Atlas, Thor, and Jupiter.

There is \$350 million to accelerate one Navy ballistic-missile program, the Polaris.

There is \$358 million to accelerate the work on the ballistic-missile detection system and essential development of SAGE.

The bill also provides for the transfer of \$10 million and other available funds to permit a new agency, the Advanced Research Projects Agency in the Department of Defense, to take complete control of and develop and accelerate as rapidly as possible all projects in the antimissile missile field, in the outer space field, and such other projects as may be subsequently turned over to this Agency.

There are transfers provided of \$100 million to the President's Emergency

Fund, of \$20 million to accelerate the Redstone follow-on solid propellant missile and of \$20 million to accelerate the Army "second generation" divisional and corps-type missiles.

Essentially, Mr. Chairman, this bill is the first installment of the 1959 budget. It is made now to permit acceleration in high priority areas, an acceleration which is largely possible as a result of technological progress of very recent date.

It is made fundamentally to purchase 6 months of precious time.

To defeat the bill would simply be to throw that time away.

Mr. Chairman, Secretary McElroy, in whom I have the greatest confidence, has told your committee that in his judgment as of the date of his testimony, which was just about 2 weeks ago, the amount carried in this supplemental bill is sufficient.

He has also indicated that there are various further items under immediate and detailed consideration by the Department, and that he will not hesitate to come here at any moment to ask for the acceleration of further items when and if it appears that it is desirable to do so.

I know the Congress will cooperate in every way with any such submission by giving it immediate consideration.

#### CONCLUSION

The dollars and cents involved here, Mr. Chairman, are not as important as usual. If the items were not here they would be before us in the big bill for fiscal 1959. There will be ample time in connection with the detailed consideration of that bill to make any necessary adjustments. From the taxpayer's viewpoint it should make little or no difference.

Mr. Chairman, I hope that this bill will pass and I hope that it will pass unanimously, as an indication to the world of our unanimous determination to meet any challenge which may be presented by the Communist Government of Russia in its search for world domination.

Mr. JONES of Alabama. Mr. Chairman, eventual passage of the supplemental defense appropriation bill for the fiscal year of 1958, we can predict with certainty will meet with approval of all of us, concerned with the acceleration and improvement of our national defense.

Its approval by the Congress will mark the end of the somewhat casual, leisurely pace which characterized progress in some aspects of our defenses, particularly in the field of missiles, rocketry and interplanetary research. It should give our people a renewed feeling of assurance and we hope, pride that we are not content to be second rate in comparison with any other nation.

It is highly commendable that the funds asked in this bill are really an advance installment on our defense budget for 1959. Making this money available to the Department of Defense will speed vital, high-priority defense projects, which could have been delayed for months, or possibly a year.

The commendation is due to the far-seeing Members of Congress who saw and proposed this shortcut.

Personally, this so-called supplemental defense appropriation bill is of immense satisfaction. It is indicative of the status, prestige and growing importance of the Army Ballistic Missile Agency and the Redstone Arsenal, which are located at Huntsville, Ala. The Redstone Arsenal has a crucial, life-or-death role in our national defense and it already has made notable advances.

When it was assigned to rocket and missile development in 1949, Redstone Arsenal was given one of the greatest scientific challenges of our age.

That its skilled and dedicated personnel have met the enormous tests given it is readily evident, for Nike, Honest John, Hermes, Corporal, Redstone, and Jupiter are already historic names, associated closely with the Huntsville facility.

Redstone Arsenal is the control center for the Army's activities in the guided-missile and rocket-weapons field. Its objective is not only to do the basic research and development, but to train the personnel who will maintain and use these weapons.

The Redstone really is an intellectual powerhouse, which generates activity around the country. Missiles are not manufactured there, but only designed, developed, and tested. After a project is fully developed, it is given to private industry for actual manufacture, using an amazing number of materials and engaging the brains and brawn of thousands of workers in many industries.

Passage of this bill asking advance funds for missiles and rockets development not only will aid national morale, but certainly will have a tonic effect on the 15,000 or so employees of Redstone Arsenal in giving them another assurance that their efforts are not only vital to all of us but also appreciated.

The outstanding scientists and the highly competent managers of the Redstone Arsenal can take this Congressional action as personal applause for their fine accomplishments.

Mr. MAHON. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. SHEPPARD].

Mr. SHEPPARD. Mr. Chairman, I listened very attentively to the comments of my colleague who just completed his presentation. As a result of his discussion, I think there are some comments that I might make which would have a clarifying effect. For example, in discussing the reductions made in the fiscal year 1958 budget he referred to the cut of \$70 million in shipbuilding and conversion, Navy. The committee reduction was \$70 million, including the conversion of a seaplane tender for the P6M seaplane which had not been flown successfully then and has not been successfully flown to this date. Second, to make up the remainder of the reduction, the Navy chose to defer a DLG, that is, the guided-missile frigate, rather than some other ship of lesser priority or use of unobligated balance.

As a result of this decision, the Navy now has \$58 million uncommitted which it will apply in the fiscal year 1959 budget for the procurement of electronic equipment.

The \$58 million which the Navy chose to withhold from the fiscal year 1958 program and apply to the fiscal year 1959 program exceeds the total estimated cost of the DLG deferred by the Navy.

Furthermore, with reference in general to the reductions that were made, there was not one man from either side of the aisle who sits on our committee and who was present at the hearings who was not told by the then Secretary of the Treasury that while it was a good budget, it could be cut and that it was within the purview of the Congress whose privilege it was to do so.

Prior to that time, throughout the press of the entire country, he had been quoted as saying that the budget ought to be cut or we might suffer a so-called hair-curling episode. I listened very attentively to the comments of my colleague about cooperation and what should be done by the Congress. I assume his purpose was to convey to all of us the expression of a great spirit of cooperation and that we should not become involved in political controversy which would mislead some of our associates throughout the other portions of the world. I think that was a very splendid and constructive admonishment. I would like to suggest to the gentleman that he should take that portion of his speech and send it to Sherman Adams.

Mr. Chairman, the President invited Congress to cut the budget.

When Congress did cut the budget, the President cut it further by withholding funds. For example, Congress cut the Air Force nonballistic missile program \$75 million, but the Air Force cut it \$100 million or \$25 million more than Congress did.

The Navy has not been able to place three of the nuclear guided missiles submarines funded in fiscal year 1958 under construction principally due to the expenditure limitations placed on the Navy by the President.

Now, with reference to the ordnance appropriation mentioned by the gentleman from Massachusetts [Mr. WIGGLESWORTH]. Committee action last year was based on use of unobligated balances and increased MDAP reimbursements. The committee used as a basis for their action the testimony of the Chief of the Bureau of Ordnance. The committee report on this point is quite clear, and is as follows:

When the committee believes that some reduction can be made in the conventional ammunition programs including ammunition support funds, the reduction is primarily based on the unobligated balances available in this appropriation item including MDAP reimbursements and the history of poor past performances in achieving the obligatory rates justified to the committee. \* \* \* On page 783 of the committee hearings Admiral Withington, Chief of the Bureau of Ordnance, estimated that \$10 million of such anticipated reimbursements will be available as a result of the sale of such items which do not require replacement in kind. \* \* \* Congressman SHEPPARD asked

the following question which the Chief of the Bureau of Ordnance answered:

"Congressman SHEPPARD. On this basis, how firm is the estimate of unobligated balances for the end of fiscal year 1958 of \$39.5 million?"

"Admiral WITHINGTON. I think this is low. It is unrealistic to assume that all our money will be apportioned to us. I cannot predict how much higher the figure will be."

The committee sees no reason to disagree with the Chief of the Bureau of Ordnance relative to this unobligated balance and the anticipated reimbursements from sales to the MDAP program and has made appropriate reductions in the budget estimates.

Any reduction in even the Terrier missile program was a result of departmental decisions and not based on committee action, since the committee suggested reductions only in the conventional ammunition programs.

The amount of funds available for direct obligation in this account in fiscal year 1958 is \$7 million greater than that anticipated in the President's budget prior to the Congressional reduction of \$70 million. Anticipated MDAP reimbursements are \$23 million greater than anticipated in the budget. Twenty-three million dollars is reserved for carryover into fiscal year 1959 in this account, exclusive of other unobligated balances uncommitted and evidently not necessary for the fiscal year 1958 program.

At no time in the debate on the House floor on the fiscal year 1958 Defense Department appropriation bill did anyone on either side of the aisle propose increases in the ordnance appropriation. The gentleman from California [Mr. BALDWIN] did propose an addition to the shipbuilding and conversion appropriation, but this was overwhelmingly defeated by a majority of Members from both sides of the aisle.

The final action on the fiscal year 1958 appropriation bill was the conference report on the bill. After long and deliberate conference action this report was formulated and reported to the House signed by every member of the conference committee except the gentleman from Mississippi [Mr. WHITTEN] and that included the gentleman from Massachusetts [Mr. WIGGLESWORTH] and his Republican colleagues.

Mr. Chairman, as the gentleman from Texas [Mr. MAHON] has so aptly stated now is the time to lay aside party politics and get on with these essential programs. The President has asked for this same type of action. The Democratic Party in the Congress is willing to give him just that type of action. Let us hope his own party in the Congress and those in his official family will change their present positions and be willing to implement his request.

Mr. SIKES. Mr. Chairman, will the gentleman yield?

Mr. SHEPPARD. I yield.

Mr. SIKES. I would like to emphasize that we are not being asked by the Department of Defense to put back money that Congress eliminated from the fiscal year 1958 budget. Those funds are not in controversy insofar as the development of this emergency pro-



gram goes. I do not think we should lose sight of that.

Mr. FLOOD. Mr. Chairman, will the gentleman yield?

Mr. SHEPPARD. I yield.

Mr. FLOOD. During the period from 1945 to 1949 when the ballistic and guided missile program was operating, to which the gentleman from Massachusetts referred, under the jurisdiction of the Army, the Army Chief of Staff in those 4 years who did not make any additional requests was the distinguished General Eisenhower.

Mr. FORD. Mr. Chairman, if the gentleman would be good enough to yield, I think if you look at the testimony in the military appropriation committee's hearings for the fiscal years 1947 and 1948, and there are copies of those hearings here, you will find that the then General Eisenhower, now President Eisenhower, gave forceful and effective testimony urging that the Congress should not, under any circumstances, lose sight of the fact that we needed missiles in the future as quickly as possible and that funds in those budgets were necessary for research and development in the modern weapon fields. The funds which were sought then for research and development were to be used for the initiation of our supersonic, long-range missile programs.

Mr. FLOOD. Mr. Chairman, will the gentleman yield?

Mr. SHEPPARD. I yield.

Mr. FLOOD. Then, of course, the gentleman from Michigan [Mr. FORD] is aware, based upon the statement he makes in the same record, that all of the existing operational guided missiles, without exception, were created, established, researched, and developed and made operational during the same period of time.

The CHAIRMAN. The time of the gentleman from California [Mr. SHEPPARD] has expired.

Mr. WIGGLESWORTH. Mr. Chairman, I yield 30 minutes to the distinguished gentleman from Kansas [Mr. SCRIVNER].

Mr. SCRIVNER. Mr. Chairman, the President, in his state of the Union message, received one of the biggest bursts of applause with this statement:

Another requirement of military organization is a clear subordination of the military services to duly constituted civilian authority.

A military force without discipline is noneffective and little better than a mob. A military force infiltrated by insubordination is without adequate discipline. Any person, for reasons best known to themselves, in or out of Congress, who incites insubordination or goads a witness into, or close to, insubordination is doing this Nation a disservice. To infer that our military forces are split by dispute and dissension undoubtedly results in some comfort to an enemy.

It is perfectly proper to have any military officer give his views and opinions, but for political prophets of gloom and doom to go further and to shove him into the political arena and "egg him on" to such a point as to be in open conflict

over a decision which his military and civilian superiors has made, helps no one and cannot help but convey to the world the inference that we are hopelessly divided and that we are helpless to deter attack. We are not hopelessly divided. We are not helpless. We are strong. There is no reason for us to cringe in fear. And we are far more united than many would make it appear.

A military organization to be effective must have one head. Our Constitution makes that one head the President as Commander in Chief of the Army and Navy. The President "calls the shots," those subordinate to him have the duty of carrying out his direction.

A successful football team can have only one quarterback. It is his job to call the plays. Three or four other team members think they could do better. Ten or twelve players over on the bench are quite confident that they could "call 'em better." Thousands in the stands, and viewing TV, know they could call much better plays.

A quarterback has the duty and responsibility of directing the strategy of the game. The team members, if they are to be winners, must carry out the play to the best of their ability whether they agree or not.

As important as this is in football, it is all the more important in our military activities.

There is no place for party politics in our military program and thus our military leaders should not be drawn into party politics. That is no place for them. So, let us forget party politics and continue giving this country the best possible, adequate defense at the lowest cost possible. And just remember, never in our history has Congress ever, even during wars, given the military every dollar someone wanted. If we had granted every military request, our national debt would now be at the trillion dollar mark. If we are to listen to every military complaint about not getting as much as he asked for we can never finish our hearings and we will accomplish nothing.

Furthermore, if we jump every time Russia "pops off," they control us. We should control ourselves. Let us chart our course, then pursue it.

Congress has been asking for decisions and actions. You are getting them.

Secretary of Defense McElroy, who has been praised by our subcommittee, has made decisions. In fact, he has taken 14 steps toward continuing our military supremacy:

First. Removal of overtime limitations on top priority programs.

Second. Restoration of basic research programs.

Third. Army authorized to proceed with launching a satellite by use of a Jupiter-C test vehicle. Both Vanguard and Jupiter satellite programs assigned top priority.

Fourth. Authorized production and operational development of both Thor and Jupiter missile systems.

Fifth. Acceleration of the Atlas program.

Sixth. Acceleration of fleet ballistic missile weapons system—Polaris—for

fiscal year 1958 supplemental appropriation.

Seventh. Army authorized to proceed immediately with the development of a solid propellant missile as a replacement for the Redstone.

Eighth. Establishment of the Office of the Director of Guided Missiles.

Ninth. Establishment of the Advanced Research Projects Agency.

Tenth. Increased antisubmarine capability for fiscal year 1959 budget; also acceleration of research and development of antisubmarine warfare.

Eleventh. Strategic Air Command alert, dispersal, and relocation of tankers to northern bases.

Twelfth. Air Force authorized to proceed with program to install an early warning system for detection of intercontinental ballistic missiles.

Thirteenth. Defined Army and Air Force responsibilities and reemphasizing the urgency for the development of defense against the ICBM. Top priority confirmed for anti-ICBM and military satellite projects.

Fourteenth. Appointment of full-time special assistant and group of consultants to advise the Secretary as to the organization of the Defense Department.

Mr. Chairman, as far as the Soviet satellites are concerned I see no reason why any American—and we are all anti-Communist—should build up the Russian ego by adopting their name for it. Sputnik as you know, means fellow traveler. I think it would be much better to talk about the Soviet satellite and forget about the other word.

But my guess is that these Soviet satellites will probably cost the taxpayers of the United States far more dollars than they cost the Russians, and practically every move that is going to be made to spend more and more will probably have a Soviet satellite under the program as a lever to raise it.

We should not let these satellites cause us to rush pell mell into a spending spree, because an ill-conceived program could be costly. At the same time there is neither room nor time for complacency or resting on our efforts and depending on what has already been done. But as the President has assured the country, we will continue to build our strength so we may continue to keep America strong—stronger than Russia.

Every dark cloud has a silver lining if you just look for it. The Soviet satellite is not as dark as some people have painted the project. It, too, has a silver lining. The Soviet satellite may be the thing that has cost Russia more trouble than they ever dreamed of, because the satellite has aroused the thought of the American people and the Members of the United States Congress. We know, as we have demonstrated time and time again, that an alert, aroused United States can, and will, use its scientific and productive genius to keep us ahead of the Russians in our defense efforts and keep us so strong that our power of devastation will be such that Russia cannot afford to accept the losses we can inflict if Russia ever dares to attack us.

Mr. Chairman, the gentleman from Texas [Mr. MAHON], chairman of the subcommittee, said something yesterday about the days being gloomy, and the gloomy prospects. Yesterday was a gloomy day in more ways than one; the skies were heavy, our hearts were heavy because we had lost one of our most valuable Members. But I cannot share with him the gloom that our chairman shares. I am far more optimistic. I am not the least bit gloomy about the prospects and the strength of our defense. I told you a year ago, two years ago, and three and more years ago, that I think we should stop worrying about Russia attacking the United States, and that I have not, and tonight will not, lose one wink of sleep because of fear of a Russian attack on us.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. SCRIVNER. I yield to the gentleman from Texas.

Mr. MAHON. I said in my opening remarks yesterday that the atmosphere was heavy and the sky was dark, and paraphrasing an old hymn that I know the gentleman is familiar with I said: "We meet amid encircling gloom." I also stated I was not superstitious and that it was not, after all, an ill omen. I do not want to be misunderstood.

Mr. SCRIVNER. I am delighted that the chairman is taking a more pleasant outlook on the matter today than he did yesterday. As a matter of fact, some people have been talking about certain progress that has been made, but it is interesting to know that in 5 years this Nation has made not only as great but greater advance in our missile program than Russia has made in the past 12 years. They had a need for it. Their situation militarily is nothing like our own because they are completely surrounded and we are not. I do not mean by that that we should underestimate the ability of the Russians because their ability is great and gray matter in a Russian skull works just as well as the gray matter in an American's skull. They are as smart, they are as capable. There is no boundary on knowledge. What they can learn we can learn and what we can learn they can learn, and as an old song stated, "What they can do we can do better."

Mr. Chairman, the committee report which has been prepared is a very good one. I am not going to go into it in great detail, but if you really want to know why this \$1,300,000,000 has been asked for at this time and the purposes for which it is to be used, all you need to do is turn to page 11 and you will see it spelled out in full, perhaps too fully. We tell too much. There are too many facts in these brief hearings here, there is too much in the report, there is too much in the papers. One of the Tass newspaper reporters is eligible to sit up in the press box above us. They do not have to have a far-flung intelligence service because they can pick up the newspapers and the scientific magazines, our committee hearings, and we tell the whole story to them. We tell them the mistakes we make. They avoid them. They can

save time. Russian agents have been busy in this country, and are still busy in this country, men who will take whatever they can get in the way of military secrets and see that they get back immediately to their superiors.

Mr. Chairman, I would like to comment on one or two things. You have heard mentioned ARPA. It is not very good to just mention alphabetical agencies because even we on the committee are sometimes confused. ARPA means Advanced Research Projects Agency. I share some of the views of the gentleman from Texas [Mr. MAHON] on this. I hope, I trust, and I think perhaps under the new Secretary of Defense it will accomplish the purpose for which it is designed; namely, to have in one place an agency that will go into all of these programs we have been talking about, the anti-missile-missile, the space flights and the flight to the moon, man-made missiles which are still in the realm of the future. But if this agency acts as it should—I hope it will, I am sure that it will—then in the fields I have mentioned in which all of the services are now busy and taking part, the Army, Navy, Air Force, substantial progress will be made. All three services are talking about anti-missile-missiles and space flights. This agency should avoid the Thor-Jupiter conflict and get on with the job and not have so many go in so many different directions on the same program. Thereby, we will conserve the use of our scientists, engineers, and our production facilities.

As far back as 10 years ago when we were talking about the scientists and they were saying, "We are going to the moon," all I asked them was: "Why and when?" Why and when, that is all, because they will do it. But, of course, the cost of the ticket for a trip to the moon is measured in billions of dollars and not mere thousands.

Now, much has been said about satellites and there has been some comment about our own satellite program. I would like to point out and make definitely clear again, as I have tried to do so many times, that our satellite program is not a military undertaking. Our satellite program is simply a civilian scientist undertaking as a part of our contribution to the International Geophysical Year. And, it just happens that that was the most convenient way that the National Science Foundation could get some funds to go into this particular activity. And, they did not give it any particular stress. I have read all the hearings on IGY; that they have gone to the Committee on Independent Offices about their International Geophysical Year and the satellite program, but they never gave it any big headline, and I never heard of any Member of the Congress up to recently that did, either. It was not stressed last year. As a matter of fact, if you go back to the proceedings here on the floor of the House of Representatives when that bill was up last year, it was not even mentioned by anybody.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. SCRIVNER. Certainly, I must.

Mr. MAHON. Does the gentleman from Kansas, who has an established reputation for fairness, not regret the statements that have been made that Congress has in the past cut the funds for the satellite program? Now, that is as completely in error as anything could be. Would the gentleman like to join with me in condemning that misstatement?

Mr. SCRIVNER. I cannot agree with the gentleman, because if I read the report of the independent offices for last year, and I have, and if I read the debates that took place on the floor of the House, the national science fund was cut \$25 million, and if I am not mistaken, that had something to do with their satellite program. Perhaps not. But, they got their funds from the Navy; they got funds for it from the President's emergency fund, and I do not think, as far as I can recall, any specific cut which specifically states that we are cutting the IGY civilian scientist satellite undertaking, or any reduction which would hold back the satellite program.

Mr. MAHON. Is it not true that Admiral Bennett and Dr. Hagen came down before our subcommittee on defense appropriations and said, "We want you to let us have something in the area of \$35 million for the project"?

Mr. SCRIVNER. Something like that.

Mr. MAHON. And did we not give them every cent of it?

Mr. SCRIVNER. Yes. But they never stressed the importance highly. They talked about it, sure, as an interesting scientific exploration into outer space.

Mr. MAHON. They did not realize that it was going to rock the world and fire the imagination of the American people.

Mr. SCRIVNER. Neither did I and neither did you nor any other Member.

Mr. MAHON. Neither did I and neither did you. Probably somebody in or out of the Government should be assigned the task of evaluating things of this kind.

Mr. SCRIVNER. I expect probably you are right. I have suggested facetiously but with a little bit of seriousness behind it, maybe this Government should set up a rumor factory, and I expect you heard me say in committee we could take a couple of men from this tall-tale club up in Wisconsin, the Paul Bunyan group, and a couple of men from Texas, put them in a room, and we could start turning out rumors that would drive the Russians nuts.

Mr. MAHON. Let me ask the gentleman this. It has been said that in the supplemental bill last year, that the committee of which he is a member, the Committee on Appropriations, cut funds for the satellite program.

Mr. SCRIVNER. I do not recall any item for the earth satellite in that construction bill.

Mr. MAHON. That was in the \$35 million we were talking about a few minutes ago.

Mr. SCRIVNER. That was a transfer, as I recall it.

Mr. MAHON. A transfer of funds.

Mr. SCRIVNER. The transfer granted is where they got the money, and that is where the Navy comes into it, because



the Science Foundation knew the Navy could get the dough and they could not.

Mr. MAHON. But it has been said that in that bill we did cut the funds for the satellite program. That is not correct, if it has been said.

Mr. SCRIVNER. I do not recall that that was said. But let me continue. Another thing that should be thoroughly understood by all is the fact that when the IGY satellite program was undertaken, it was undertaken with the distinct understanding that it should not delay our military missile program as much as a single day. And if it had interfered, if the satellite had delayed the missile program by as much as a single day, if you think there has been some squawk about what has or has not happened, the comparison would be that of a whisper to a shout.

Mr. SHEPPARD. Mr. Chairman, will the gentleman yield?

Mr. SCRIVNER. I must yield to the gentleman from California, yes.

Mr. SHEPPARD. Taking all of this discussion together, some of it good and some of it bad, in the final analysis, after the Congress has made appropriations in whatever amount, we have people at the Pentagon who are there for the purpose of deciding what should be done in these guided-missile programs, is that not the fact?

Mr. SCRIVNER. Why, certainly. It seems a rather simple thing to some people to get these guided missiles into the air. One man says that the Titan is the one; the other says the Atlas; but in the Pentagon we have men who are recognized in the field of knowledge, in the field of science. They know more about it than I do by far. It is their job, it is their responsibility, and it should be, to decide scientific programs. We are not in a position to make these decisions. There have been many decisions made that I have not agreed with. But that has been true all my life, and even though most of my future is behind me, as time goes on there will be many more decisions made, even in our own subcommittee, with which I shall not agree. But when a decision is made, then let us go on from there.

Another question was asked and that is this. If these things about which we are talking here today are so important, why have they not come before us sooner? As a matter of fact, you will recall that we had our appropriation bill up last year and we adjourned shortly before Labor Day. The reason these programs were not in sooner was because we have just convened this month. Many of the things that happened during the past 4 or 5 months since we adjourned, made it possible for them to see that now the program was realistic, and that they should go ahead and advance with it. There would have been no factual reason 6 months ago for us to have given any additional money for the Polaris missile for submarines. But now they have made a scientific breakthrough; now it is a reality. The same thing is true of the other missiles, the Jupiter, the Thor, the Atlas, the Titan, and many others.

Let me say here that with the new change in the subcommittee setup I

suppose that we would do well to complete our hearings on the military program by Thanksgiving. Of course, we shall move faster than that, if we can. But I was about to say that before we report a bill for appropriations for the fiscal year 1959 for the defense program, our scientists, and our production men probably will come through with other breakthroughs which will justify the Department of Defense coming before us and asking for money for those programs, to expedite them. And we shall do it, because speed and progress is what you have been asking for, and that is what you are going to get.

Perhaps that will answer the question as to why these programs were not suggested sooner.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. SCRIVNER. I yield to the gentleman from Iowa.

Mr. GROSS. That is exactly what I was trying to get at. First of all, I want to commend the very able presentation of the gentleman from Kansas. But did I understand from the statement of the gentleman from Massachusetts [Mr. WIGGLESWORTH] that the \$1.5 billion approximately provided in this bill is a down payment or an installment on the regular appropriation bill?

Mr. SCRIVNER. That is right.

Mr. GROSS. That the regular appropriation bill will be reduced in the amount of this bill?

Mr. SCRIVNER. That is correct. What we are doing in substance, as you have been told several times, is buying time so that we can get on to some of these programs 6, 9, or 12 months ahead. These items would have been included in the fiscal year 1959 program, so it is just a question of whether you are going to give them \$1.3 billion right now to get on with the job, get these things built, or wait until August, or later before making the funds available. You are buying time, and it is a purchase that is very well made.

Mr. GROSS. I thank the gentleman.

Mr. FORD. Mr. Chairman, will the gentleman yield?

Mr. SCRIVNER. I yield to the gentleman from Michigan.

Mr. FORD. I think it ought to be made clear that this \$1.3 billion has already been reflected in the budget for fiscal 1959, so the budget as submitted in the dollar amount cannot be further reduced another \$1.3 billion. It has already been reduced.

Mr. SCRIVNER. Mr. Chairman, I have covered in at least part the salient points. We are buying time for these various programs. The financial picture, the numbers and all, have been clearly given to you by the other members of the committee. It is all set out very clearly in the committee report. I cannot agree with all of that report because I cannot agree with the statement in the committee report that our vast superiority has receded. I do not think it has. But I do agree that our military superiority overall is greater than that of Russia. They do have a bigger army, more men, no question about it. They have had it ever since 1946. So, that

is no reason for alarm. They do have more submarines of various types. Many of them are for their own defense. It is nothing new. That force has been there for some long time.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. SCRIVNER. I yield to the gentleman from Texas.

Mr. MAHON. The gentleman is quoting words from the report which I wrote with my own hands.

Mr. SCRIVNER. I still cannot agree with it.

Mr. MAHON. I stated that after World War II, or words to that effect, we were vastly superior to the Soviet Union in military strength. We had the atomic bomb and they did not, and so forth. The point that we were trying to make was that this gap between the Soviet Union and the United States has been narrowing, and our relative position has receded.

Mr. SCRIVNER. I know, but when a man is at the bottom of the hill he has no place to go but up. When we get to the peak, he is going to start catching up if he keeps climbing; sure.

Mr. MAHON. It just so happens that the Soviet Union is ahead of us in some of these space areas.

Mr. SCRIVNER. And we are ahead of them in other space areas.

Mr. MAHON. They are ahead of us in the number of airplanes, fighter aircraft, and so forth.

Mr. SCRIVNER. They have had a need for more fighters because they had a greater threat against them. They still have a greater threat because our Strategic Air Command today can visit all the death and destruction that is necessary to deter war. It is so great that the Russians do not dare accept that cost of that devastation.

Mr. MAHON. The object of our program is to have something more effective when the Strategic Air Command loses its maximum effectiveness.

Mr. SCRIVNER. That is right.

Mr. MAHON. When it begins to lose in importance we will have something to take its place.

Mr. SCRIVNER. That is why we are going to have missiles. It is to augment the Strategic Air Command and the Tactical Air Force. If it is not going to help, we have no business spending the money.

Mr. THOMSON of Wyoming. Mr. Chairman, will the gentleman yield?

Mr. SCRIVNER. I yield.

Mr. THOMSON of Wyoming. The statement was made that we were ahead at the end of World War II, but with regard to missiles we were starting out both even because we both captured V-2's and some German scientists, did we not?

Mr. SCRIVNER. Yes, we did. As a matter of fact, one of the reasons, perhaps, that Russia is ahead of us in submarines is that the Russians got the German submarine pens, they got the German submarine scientists, they got the plans and blueprints for the snorkels, 36 of them, and the 6 that were completed were divided between us, England, and France. But that is past history. I am not so much concerned about the

past as the future. You remember Kettering of General Motors said, "It is not the past that concerns me so much; what I am concerned about is in the future, because that is where I'll spend the rest of my life."

Let us look ahead and quit looking back. We will accomplish more and get further. I do not agree with all this language, but the chairman does point out that even though there are fields of disagreement, whether we think one way or think the other we realize we must maintain our superior defense position if we are to remain at peace. That is one of the reasons we are here today, buying time for \$1,270 million. I hope, as has been expressed here on the floor of the House, that this bill will be completed today. It should receive a unanimous vote which will get it on its way to be sent to the other body and let them act on it expeditiously so that the Department of Defense can get on to the job preparing this much-needed program.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. SCRIVNER. I yield.

Mr. GROSS. I suppose the gentleman saw in yesterday morning's papers the statement of the Secretary of Defense that 25,000 people would be added to the payroll of the Department of Defense.

Mr. SCRIVNER. Yes; and that is a comment that has not been verified.

Mr. GROSS. The question I wanted to ask the gentleman is whether there is any money in this bill to pay for those people to be added to the Department of Defense, or to be restored.

Mr. SCRIVNER. No. The purposes of the money in this bill, as I said a while ago, are set out on page 11. That answers the gentleman's question.

Mr. GROSS. I thank the gentleman.

Mr. MAHON. Mr. Chairman, I yield 10 minutes to the gentleman from Florida [Mr. SIKES].

Mr. SIKES. Mr. Chairman, this is not a crash program in any sense. It is a very moderate approach to the correction of a dangerous situation—Soviet superiority in certain advanced weapons and in some phases of scientific achievement. And I tell you these exist. This is not a large expenditure as modern defense expenditures go, but the hearings before you will show repeated testimony that a greater expenditure at this time is not justified—the state of the art of American know-how is not sufficiently advanced for the Department of Defense to ask for more money.

Very probably more money will be added by the Senate, and the House may agree to it. But the amount of money before you is all that the Air Force and the Navy say that they can properly use now. The Army testified they needed more money. That is included. But, I should point out that none of the money which is included for the Army was cleared by the Bureau of the Budget or by the Department of Defense. This committee took arbitrary action because we felt their case justified it. But all of the services have stated they will come back to the Congress when they can show definitely a need for more funds in these important fields.

I think that is assurance enough to go on, certainly for the time being.

Mr. Chairman, there is no question about the wisdom of the action that is requested now. I consider it essential. We are not in a helpless position, but we are behind in critical areas of defense and we must catch up. Any official in a position of responsibility in our Government who orders less than an all-out effort in these critical areas fails in his duty.

Now, how did we get ourselves into a situation of this kind? I am not going to try to assess the blame, although that is becoming a popular pastime just now. What is more important is for us to pull together and get our ox out of the ditch.

I want to state very positively I am disappointed with the delays in pushing ahead after the present situation became known. I am seriously concerned with what appears to be a lack of information in the high places in our Government on what is happening in the world. We have a very costly intelligence system. Its expenditures have almost no Congressional screening or control. Yet it apparently has not been capable of obtaining comprehensive, up-to-the-minute information for our Government on world events. On every major crisis we appear to be the last to find out what is going on.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. SIKES. I yield.

Mr. MAHON. I think the gentleman might agree with me that perhaps there is certainly more than a grain of truth in what appears to be the assertion of Mr. Allen Dulles, the Director of Central Intelligence. It is indicated in the morning paper that he has reported many things to the Government with respect to the peril which has confronted us, but the people responsible for decisions have not been willing to listen to him and take action as a result of what he has reported. That was the import of what I read in the morning paper. But it seems to me there is a lot of truth in that, because I think the Intelligence Service has made many reports which have gone unheeded, and therein lies a danger. I understand Mr. Dulles in the future is to polish these presentations up and add charts and red arrows indicating the danger areas. Maybe that will enable us to interpret his reports more carefully. I believe the CIA has done a better job than it has received credit for.

Mr. SIKES. I do not know whether the major crises that have occurred in recent years have been reported to the people in high places in our Government or not. I have evidence they were not. But if our officials knew of those grave conditions, then they failed to impart their knowledge to the Congress and to the American people, and they failed to take advantage of repeated assurances that the Congress will give all the help it can by legislation or by appropriation. I cannot believe that has always been the case. If they knew of these things I say again there was no inkling to the Congress from the agencies of the administration of the impending breakthrough by the Russians in the satellite and missile fields as late as August 30, 1957, when the Congress was still in session. That

was just a little more than a month before the first sputnik was launched. Yet even after it was launched there appeared to be little apprehension among Government officials of the seriousness of Soviet progress.

I call attention to the fact that 45 days after the first sputnik was launched, when this committee met to seek the facts on the missile program, the full go-ahead on our missile and satellite program still was entangled in the Pentagon maze. The services then had not been told to go ahead and expedite this program as fast as they could. Now, 3 months later, we have this moderate request for funds. The Pentagon tells us that the state of the art will not permit a proper and orderly use of additional funds. That does not speak very well for the state of the art in this country when you consider that all we hope to do at the moment is cut down the lead which the Russians appear to have; when you consider that Congress repeatedly has voted the money requested for research and development, and that is where know-how originates.

Mr. FLOOD. Mr. Chairman, will the gentleman yield?

Mr. SIKES. I yield.

Mr. FLOOD. Of course the gentleman is aware of these fantastic and sometimes arbitrary and absurd performances at the Bureau of the Budget, getting in the way of the Secretary of Defense and of the Joint Chiefs of Staff, even exercising what amounts to a veto over the acts of Congress.

Mr. SIKES. I am fully aware that the Bureau of the Budget has frequently impeded Congressional attempts to bolster the national defense.

You have already learned what this bill contains and I shall not detail it again. I do not need to tell you in the House of Representatives that morale is down in this Nation, or that our prestige is down abroad. I do not need to tell you that America must move ahead, must recapture the initiative; cannot afford to be second best. The race is to the strong. Russia knows our weaknesses. The world knows our weaknesses. Perhaps the American people know them least of all, but the American people want action today.

The Congress today must base its action on the information given to us by those who are considered experts. We have depended on these sources of information in the past and sometimes they have been inaccurate. We have no other choice but to follow the best advice we can get. We can however insist that every possible step be taken without interservice bickering and jealousy to put America out in front in the shortest possible time.

I said this is not a crash program. I believe there should be a crash program where there is a sufficient knowledge to justify working around the clock to improve our defense posture. This appropriation bill will help. It will not do all of the job or even a substantial part of it.

This much is sure, we cannot match Soviet military forces man for man or even weapon for weapon. Theirs is a controlled economy which can ignore domestic civilian needs; our economy



cannot and would not, except in direct emergency. We must therefore rely principally upon one or more major deterrents to war which the Soviets fear so greatly they will not risk conflict.

We must follow through to the perfection of those deterrents to aggression as fast as we can with every action and every dollar that is needed to insure that America goes out in front and stays in front just as long as danger threatens.

Mr. WIGGLESWORTH. Mr. Chairman, I yield 30 minutes to the gentleman from Michigan [Mr. Ford].

Mr. FORD. Mr. Chairman, as we all will recall, last May there was a considerably different atmosphere in this Chamber when we were considering the fiscal 1958 military appropriation bill. The atmosphere, in my opinion, is infinitely better today than it was, for example, on May 29 of 1957. Perhaps the situation is something like the oft-quoted comment in reference to the weather: If you do not like the weather, wait a minute. If you do not like what the Congress did in May, June, July, and August of 1957 in reference to military appropriations, if you will wait a minute I think perhaps some errors may be remedied and changes made.

It is not often I disagree with my very good friend and extremely able colleague, the gentleman from Florida, in reference to military appropriations, but I think it is fair and proper to say in light of what he said just a minute ago that in this supplemental appropriation bill for the Department of Defense, there is over a billion dollars for ballistic missile detection systems, the acceleration of the Atlas, Thor, and Jupiter ballistic missiles program and the acceleration of the Polaris ballistic missile submarine program. This bill does provide for the urgent acceleration of those programs. I think it is also fair and proper to say that within the last week or two decisions have been made which give to the Army the authority to proceed more rapidly with their Nike-Zeus program, which is an anti-missile missile program. In addition, the Air Force has been told to proceed in the same way with their part of the anti-missile missile program, the radar detection system. I personally feel these programs are proceeding well and rapidly.

Mr. SIKES. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Florida.

Mr. SIKES. I have the very greatest respect for my able and distinguished colleague from Michigan. He and I have worked very closely together for years for a stronger defense and I respect him in every way. However, I do want to quote to the gentleman a statement by Secretary McElroy supporting my position. I refer to a statement on page 2 in the report which accompanies this bill.

The report says:

This is not in any way a true 1958 supplemental. It does not represent resubmission of requests for purposes heretofore budgeted and denied either in fiscal 1958 or any prior year.

At the same point Secretary McElroy is quoted as saying:

The programs covered by the supplemental request are all part of the 1959 budget but have been advanced into fiscal year 1958 in order to get them under way as quickly as possible.

Then, further, the statement of the Comptroller of the Department is quoted from page 314 of the hearings:

As indicated earlier in these hearings, this supplemental request does not include any amounts for programs previously submitted to the Congress for fiscal year 1958.

I believe this makes the situation perfectly clear.

Mr. FORD. I would like to respond to the gentleman's statement. It is absolutely proper and accurate to say that there are no programs in here which were submitted in the regular 1958 military budget. There is no doubt about that. These are new programs. However, I think it should be said that to the extent of \$303,500,000 out of the \$1,260,000,000, we are being asked in this appropriation bill to replenish accounts which were reduced by the Congress in the last session.

Let me point them out. In the last session the Congress cut the Navy shipbuilding and conversion account—I want to be fair and accurate—to the extent of \$70 million. In this supplemental appropriation bill we are being asked to replenish that account to the extent of \$296 million.

In the Navy account, procurement of ordnance and ammunition, the Congress in the last session cut it \$80 million. In this supplemental appropriation request the Congress is being asked to replenish that account to the extent of \$31,800,000.

In the Air Force procurement other than aircraft account, last year the Congress cut it \$53,500,000. In this supplemental there is a request to the extent of \$360 million for this account.

In the Air Force military construction account in the last session the Congress cut it \$100 million. In this supplemental bill there is a request to replenish that account to the extent of \$520 million.

I want to reemphasize that although these are new programs, we are being asked as a Congress to replenish these accounts which the Congress cut last year. If Congress had not reduced the funds in these accounts in the last session, the Navy and the Air Force in these accounts would have had more obligatory authority available for the new programs submitted in the supplemental bill.

Mr. WIGGLESWORTH. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Massachusetts.

Mr. WIGGLESWORTH. I am not sure whether they are included in the figures you have just given, but it is true, is it not, that a substantial portion of these funds are to be used to replenish the accounts for the Tartar and the Talos and other programs of that kind against which borrowings have been made in the current fiscal year?

Mr. FORD. Certainly in the case of the Navy, as I understand the testimony,

all of the Navy program here submitted to us has already been moved ahead and obligations have been made, so all we are doing by this particular supplemental, as far as the two Navy accounts are concerned, is to replenish the accounts so that they may proceed with other programmed projects that are urgent.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Texas.

Mr. MAHON. I realize that the gentleman from Michigan voted for many of the cuts that were made last year in the defense bill.

Mr. FORD. He also, if I might say, opposed many.

Mr. MAHON. The gentleman from Michigan opposed many of them. But, it is perfectly clear, and I believe we all agree, that the Defense Department has not come back and said, "We asked you for money for the Polaris submarine and we asked you for money for the Air Force Alert, we asked you for money to expedite the missile program, and you did not give it to us, and we now again ask you for it." They did not do that. Is it not true that the Defense Department came before us and said, "Gentlemen of the committee, we have some new projects never before presented to the Congress, and we need the financing." Should we have financed these projects before the Defense Department knew there were any such projects in the making? It seems to me, if we want to cast away every vestige of control of the purse, we should give them these blank checks and say, "If you dream up some project, you will have the excess money from which to finance it." I realize there are many who say we hurt the Defense Department last year by cuts, and everybody in the House knows we did not, because ceilings were imposed by the Bureau of the Budget and the services could not spend the money we gave them. Does the gentleman not know that there is \$569 million in the aircraft and related procurement account of the Air Force that is not being used and is being applied as an excess against the 1959 budget?

Mr. FORD. If the gentleman would let me take my time—and I know he is not the kind that imposes on others—I would like to discuss that particular point to which he refers. He made a statement in the bill's debate yesterday which I think ought to be explained. It relates to what the gentleman has just said. On page 741 of the Record for yesterday, the gentleman from Texas said this:

It is unmistakably clear and now undisputed from any responsible source that last year Congress gave the Department of Defense several hundred million dollars more than is being used for this year's operation. The amount as given by the Assistant Secretary of Defense, Mr. McNeil, is \$899 million.

Now, I am afraid that the gentleman's remarks of yesterday, which I have just quoted, could lead to an erroneous impression. I know that he has been in the forefront for as long as I can remember for a sound and constructive policy of full funding. As a matter of fact, last May 15 the chairman, the gentleman from

Texas [Mr. MAHON], wrote to Mr. Wilson, then Secretary of Defense, and said this on behalf of the committee in reference to the problem of full funding:

Certainly the practice of partial funding under appropriations provided on a fully funded basis is not in accord with the present understanding between the committee and the Department.

Now, it is my belief—and I think it is substantiated by the testimony—that the statement made by the gentleman from Texas, which I quoted in the testimony yesterday, is not accurate, if we really believe in the policy of full funding. Now, if we are going to disregard the policy of full funding, which I am sure he does not agree with, and which I do not agree with, then his statement could possibly create the wrong impression.

Let me just proceed for a minute. On page 316 of the hearings Mr. McNeil, in his prepared statement, said:

Unobligated balances carried over into fiscal year 1959 would total \$8.1 billion—that is, after taking into account the \$326 million that would be in the commitment status from the supplemental—\$5.5 billion of which would be legally committed and \$2.6 billion would be reserved for completion of programs under way.

The \$569 million to which the gentleman refers in the Air Force account, the \$205 million to which he refers in Army P. and P., and the \$125 million to which he refers in one of the Navy accounts—I believe it is a marine account—are all within the \$2.5 billion which, according to the Comptroller of the Department of Defense, is needed for full funding. And I refer to a further statement that he makes at page 315:

Such earmarking of funds to complete approved programs is essential in order to implement the full-funding principles which this committee has advocated.

Let me go a little further. At page 9 of the hearings you will find this statement by Mr. McNeil, the Comptroller of the Department of Defense:

It is unobligated, but with minor exceptions it is all earmarked to complete ships, aircraft, or bases, and so forth. It gets back to this basic question: Are we going to go on a partial financing basis, or are we going to continue to fund ships, aircraft, and other programs completely in line with the policy of this committee and the Congress?

It is also true in the testimony—and it runs throughout a number of pages—that that go along with the idea that they had or have too much money in the Department of Defense, we have first to assume that every Department recoupment and every interagency reimbursement that they forecast would come due on July 1, 1958. The facts are, as my chairman knows, that those recoupments and those reimbursements from the MDAP account come into being over the 12-month period. If we were not going to make any new obligational authority available here, rely on what the chairman has inferred might be done and go back to the unsound partial or installment funding program, the least we would have to do would be to give transfer authority over some of the accounts which are overfunded, if you believe in installment buying. However, if you be-

lieve in full funding, as our chairman does—and it is the right thing—there are no excess funds in this bill.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. FORD. Surely.

Mr. MAHON. I am shocked and disappointed at my friend's statement, because if there is anything true about the hearings, in my judgment it is that the hearings so clearly point out that we could very well, instead of appropriating \$1,200,000,000 here, transfer, say seven or eight or nine hundred million dollars, probably more safely \$700 million in available excess funds, and make up the rest by cash appropriation in this bill without in any way jeopardizing the full funding principle. If we wanted to throw overboard full funding we would have about \$30 billion plus that could be used in that kind of operation. The gentleman from Michigan [Mr. Ford] will remember that last year we reduced the budget for Army procurement by half a billion dollars. The President stated that the Army people would like to have that but it would not make much difference, if we wanted to cut it out it would be all right. That is my understanding of excess funds. If we cut it out the President said it would be all right. We did and we still have excess dollars yet in that account.

Mr. FORD. Assuming all the reimbursements from MDAP come into being, and they do not all come into being on July 1, 1958.

Mr. MAHON. The point I make is that if you departed from full funding you would have about \$30 billion plus additionally that you could use to finance the Department of Defense without any new appropriations now. But without resorting to full funding the evidence is abundantly clear and fully substantiated in the hearings that you could deny about six hundred or seven hundred or eight hundred million dollars in this supplemental bill if you wanted to, give the services transfer authority, and proceed with full funding. If they were going to commit these funds, if they were going to obligate these funds such as the \$567 million in the Air Force procurement fund, if they were going to obligate these funds during this fiscal year, of course they would have to have the money. But what they are doing is keeping them in excess, and next year they would have it in the 1959 budget. So the full funding principle is not in this picture. I wish my friend from Michigan would reread the hearings, because the point he made cannot be substantiated, in my judgment.

Mr. FORD. I am sorry to disagree with my chairman, but I have read and reread the hearings and I am thoroughly convinced that my position is correct and that his is in error.

If I may turn to another part of the bill and I think it is important to do so. In the hearings our chairman got into a subject which I am sure will be debated back and forth across the country from now until next November. The subject was brought up some time in late August by several newspaper

columnists and perhaps some people in the Congress. The problem relates to the alleged slowdown in the authority to obligate funds for the research and development programs of the three services. The allegation has been made that on August 17 the Department of Defense by an order slowed down, hampered, and hindered the research and development programs of the three services to the extent of approximately \$150 million. The chairman, as I said, brought the matter up in the committee hearings, and I was delighted that he did because there had been a tremendous amount of misinformation spread from one end of the country to the other on this subject matter.

Those who are interested in reading certain parts of the testimony can refer to pages 319, 321, 373, and 345 of the hearings. However, on page 319 of the hearings our chairman, the gentleman from Texas [Mr. MAHON] brought up this problem and Mr. McNeil, Comptroller of the Department of Defense, said:

As to the research category, it was never intended by the Secretary of Defense that there would be any withholding, for the year as a whole, of any research funds as appropriated by the Congress last year. Secretary Wilson did ask or instruct that the Army, Navy, and Air Force take their research programs and go through them and take out 10 percent, with the idea that when the 10 percent had been taken out, as he said, "We are hoping we will sort out any dry holes we are digging," and the 10 percent thus made available would then be applied to research efforts that either had not been in the original program and looked more promising, or to research we were planning to finance under procurement.

Let us get the chronological history of this situation. Last year the President asked, for Army research and development, \$400 million. He asked for \$505 million for Navy research and development. He asked for \$661 million for Air Force research and development. Rightly or wrongly, depending on how you felt, this subcommittee, the full committee, and the House of Representatives confirmed reductions in the President's research and development program as submitted to the extent of \$8 million for the Army, \$10 million for the Navy, and \$12 million for the Air Force, a total of \$30 million. The other body raised the amount to the President's budget figure. In conference we restored the full amount of the President's research and development budget request to the total of \$1,566,000,000. On August 2, 1957, the military appropriation bill for fiscal year 1958 became law—incidentally, over 30 days after the fiscal year began. In order to keep the Department of Defense going during the first month of the fiscal year, while Congress had not completed action on the military appropriation bill, we gave them authority to obligate one-twelfth of the smallest, that is the lesser amount, which had been made available by either body of the Congress in any account. So in the month of July in research and development for the Army, Navy, and Air Force, because of House action, they could obligate one-twelfth of the lesser or reduced figure. On



August 17, this directive from Mr. Wilson's office became effective. What did it do? It gave to the Army, Navy, and Air Force the right to obligate 90 percent of the total amount that Congress had made available—90 percent of \$1,566,000,000. You could do an awful lot of research on \$1,400,000,000. In other words, in the first 45 days of the fiscal year the Army, Navy, and Air Force got 90 percent of their total funds for the full year. There was no order precluding them from the possibility of having the remainder of the 10 percent before the end of the fiscal year. All that Mr. Wilson was trying to do was to get the three services to review their research and development programs and, perhaps, to reprogram, if they found some research and development programs which were not proceeding satisfactorily or which were for one reason or another unproductive.

You know, Mr. Wilson, as Secretary of Defense, must have been reading the debates in the House of Representatives last year on May 29 with reference to research and development when he issued that order. I would like to read some excerpts from the debate on that day, because I think they are pertinent and because they coincide precisely with what Mr. Wilson decided to do in research and development. As you may remember on May 29, I offered an amendment to increase the research and development appropriations for the Army by \$8 million, to restore back what the subcommittee cut below the President's budget. During the course of the debate, my real good friend, our chairman, the gentleman from Texas, had this to say in opposing the amendment restoring research and development funds. I quote:

Mr. Chairman, the Subcommittee on Defense Appropriations, after meeting for 4 months, sat down and marked up the bill and agreed on cutting research and development a little bit in the Army, a little bit in the Navy, and a little bit in the Air Force in an effort to get more efficiency and economy in the program.

Then, he goes on to say:

We have been so kind toward research and development that some have tried to make a grabbag out of it. That is exactly the situation I am inclined to exclaim, "Oh, what crimes have been committed with the taxpayers' money in the name of liberty and in the name of research and development. This is such a popular area."

Then, he goes on to say later:

I agree with Mr. James M. Bridges, who was director of electronics in the office of an Assistant Secretary of Defense speaking in Washington on the 22d of May, who said: "If this country is to stay ahead in weapons' development without going into bankruptcy, we must find ways to be more economical in the conduct of our program."

Then, after that quote, our chairman says:

Is there anything wrong with that?

Mr. MAHON. Mr. Chairman, will the gentleman yield since I have been quoted?

Mr. FORD. I yield.

Mr. MAHON. I want to say I find no fault with those words, and I am sure they are quoted not out of context.

Mr. FORD. The gentleman can be sure I have tried not to do so.

Mr. MAHON. I find no fault with the statements I made at that time. I was saying at that time in effect that many crimes have been committed in the name of research and development, and that if the taxpayers knew how many crimes were committed, they would probably be very disturbed. But there can be no crime committed in the name of research and development if we are really doing the essential thing. We were complaining last year because they were taking research and development dollars in the service to crash automobiles to try to do something about traffic accidents. That is important but we should not have to do such things in a defense bill. Then the Army had a project study on sleep. There were people in the Government who probably needed that research program, because they were asleep to the dangers that were about us at the time.

Mr. FORD. All I am saying to my distinguished chairman is that Mr. Wilson, when this order was written on August 17, must have just a day or so before read the statement of my chairman who urged on May 29 precisely what the August 17 directive ordered.

Mr. MAHON. What the Secretary of Defense did was to cut back research and development funds by 10 percent, as the gentleman has so well pointed out. He said later after the Soviet satellite that they would be released. Really what the Secretary of Defense was doing was trying to keep the Department of Defense from spending forty or forty-two billion dollars that had been given to the Department to expedite these defense procurements. The Secretary of Defense, after clearing with the Bureau of the Budget, was compelled to cut down defense spending. He said we ought not to have to do it, but he did it by reason of the orders he received from the Bureau of the Budget and higher authority. So the reason we gave too much for the Department of Defense last year for the program was that our Defense Department was held back as the result of a budgetary order.

The CHAIRMAN. The time of the gentleman from Michigan [Mr. FORD] has expired.

Mr. WIGGLESWORTH. Mr. Chairman, I yield the gentleman 8 additional minutes.

Mr. FORD. May I say in addition that during the debate on this issue of whether or not we were going to increase Army research and development, as I had suggested on May 29, the gentleman from Florida [Mr. Sikes] had something to say about research and development. As I say, he and I have worked long and hard together, and seldom do we disagree. But I think that his statement on the floor of the House on May 29 is also in support of the decision made by Mr. Wilson on August 17.

The gentleman from Florida's statement is as follows:

I make that statement frankly and freely. I felt that a small reduction in research and development service areas would require economic belt tightening all the way along the line. I would not vote for cutting re-

search and development excessively, but I do not rule out the possibility of wide reprogramming, which will eliminate unnecessary and obsolescent projects.

That is precisely what Mr. Wilson's order of August 17 had in mind. On October 25 this order was rescinded. It is interesting to note the impact of that order from its inception to its conclusion. If you will turn to page 345 of the hearings, you will find a statement by the Army, the Navy, and the Air Force as to whether or not this order by Mr. Wilson had any adverse impact. The Army and the Navy say it had none. The Air Force says, with a long and rather windy explanation, that it could have, that it might have, and so forth. But they say the reduction had no effect on the ballistic missile program. So on the missile program this order as far as the Air Force was concerned had no adverse impact. It may have had in some, temporary and insignificant impact on their other research and development programs; armywise and navywise, no.

It is also important to take a look at the Army research and development program to see how their rate of obligation stands. If you will turn to page 375 of the hearings you will see what their obligation rate has been from July 1 of this fiscal year and what it will be to June 30 at the end of this fiscal year. It shows that \$459,900,000 will be obligated, which is \$59 million more than the Congress gave them in the area of research and development. This greater figure is possible because of certain transfers into the account from the emergency fund and the greater use of unobligated funds from fiscal year 1957.

Mr. BROWN of Missouri. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield.

Mr. BROWN of Missouri. I have listened with a great deal of interest to this explanation of what has been called in the newspapers, arbitrary administrative restrictions on defense funds. Would the gentleman not admit that it did eliminate overtime in missile plants?

Mr. FORD. If the gentleman will turn to page 345, as I have indicated, he will see that as far as the Army and Navy are concerned it indicates there was no adverse impact on their research and development program. In the case of the Air Force there was for a limited period of time, a reduction, as I understand, from either 3 or 2 shifts or from 2 to 1 shift. The pertinent part of that Air Force statement seems to indicate that as far as ballistic missiles are concerned there was no adverse effect.

Mr. BROWN of Missouri. I am disturbed, as I think the American people are, by the confusing statements that come out about our defense. I have a newspaper article before me from the New York Times dated January 13, 1958. Overtime restrictions still exist. I quote an article by Milton Becker in which he says:

Because of restrictions on overtime at the Air Force missile base center, activities at Canaveral tend to slacken over weekends. Since launchings require many hours of preparation even before the start of the final countdown, most of the rockets have been fired on a Wednesday, Thursday, or Friday.

So, overtime restrictions must affect Army and Navy, too, because the Vanguard and the Jupiter C are certainly not in the Air Force operations. They are Navy and Army; are they not?

Mr. FORD. The Jupiter-C program is an Army research and development program. The Navy Vanguard is in the Navy research and development, as I understand it. I think the testimony, as far as I can assess it, shows there is no restriction on research and development overtime at the present time and has not been since about October 25, 1957. As far as I can recall that was the testimony before our committee.

In conclusion, Mr. Chairman, let me say that in my judgment our subcommittee has done a very good job in trying to get at the facts as set forth in the hearings. I personally think we have done the right thing in reporting the bill as it is. I am particularly pleased to know that we took some affirmative action of our own as far as the Army was concerned; it was necessary and essential. It simply means that we do not have to put up new money but take unused money from their military personnel account to handle the follow-on for the Redstone missile and the second generation missiles such as Lacrosse, Little John, and the Sergeant. I think the Committee of the Whole can very well endorse the bill as it has been prepared by this subcommittee. It is a good bill. I personally favor it in every provision that is before us.

Mr. Chairman, I yield back the balance of my time.

Mr. MAHON. Mr. Chairman, I yield 15 minutes to the gentleman from Mississippi [Mr. WHITTEN].

Mr. WHITTEN. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Mr. MAHON. Mr. Chairman, I move that the Committee do now rise, and on that I demand tellers.

Tellers were ordered and the Chairman appointed as tellers Mr. MAHON and Mr. WIGLESWORTH.

The Committee divided, and the tellers reported that there were—ayes 5, noes 110.

So the motion was rejected.

The CHAIRMAN. The gentleman from Mississippi [Mr. WHITTEN] is recognized.

Mr. WHITTEN. Mr. Chairman, I have served on this committee for a number of years. I have listened to the testimony of witnesses from the various departments in our Defense Establishment. As some of you may recall, trying to learn as much as I could I went to Russia in 1956, spending my time with our own people from our own Embassy and traveling over the country. I have made every effort to make myself as well informed as possible, but with all of that effort I am not prepared to say just how great the Russian threat is. I simply do not know. My speech here today is not to minimize in the least the dangers of Russia and Russian aggression; but it is to speak a word of caution, that we do not let our fear of Russia make us destroy ourselves at home.

First, may I say to you, it is in the record of these hearings that the successful flight of the satellite was not unexpected to the United States. The surprise lay in the fact that it was a number of weeks, or a few months, earlier than might have been anticipated. I think the record is clear that prior to the satellite's launching the military people in our Government made the determination to devote most of our energies and attention to the missile program, and the prime endeavor was toward getting the missile to come down at the proper place without disintegrating. In other words, decisions were made with full knowledge of the likelihood of the successful Russian satellite. I think, looking back, that our folks now realize we may have underestimated the psychological benefits the Russians might get throughout the world in successfully launching the satellite. Be that as it may, that has passed. The tragedy, as I see it, and the danger, as I see it, second only, if second at all, to the Russian threat, is what we are doing to ourselves because of Russia. We are judging our defense not by the wisdom with which we spend. We are judging our defense by how much money we appropriate and how much money we spend, as well as by how large a backlog of orders we give certain corporations in certain States.

I returned here in December 1957, right after the satellite had been successfully launched by the Russians; and one of the first things to meet my eyes was an article in the Christian Science Monitor, which everybody knows is a stable and conservative newspaper. It was said in that article that in view of the slight downturn in business the Government was going to pump prime by putting out more defense contracts. Now, is that a way to make a determination as to how to meet the Russian threat? Is promoting business what we use as the determining factor?

I turn to the U. S. News & World Report and see the headline "Big spending. Lift for business." In the next issue: "The new Congress. Pump priming." And, in another issue it says: "\$2.5 billion for missiles. More to come. Who gets it?" Then it lists the companies which will profit by such spending.

You will recall that last year I pointed out the Defense Department spent \$50 billion with 10 corporations in 5 years, and their stocks increased in value from an average of \$58 per share to \$149 per share in that period.

We had a candidate for national office insist as one reason to support him and his party was that if he and his party were elected, contracts would be given to American Motors so it would not go under and may I say if we are spreading the pie, American Motors is entitled to its share. But what a way to run a railroad!

I have not seen the Gaither Report; but from what the newspapers are reporting the Gaither Report says that what we need in defense is to spend \$8 billion more money each year.

They say Russia is way ahead of us with scientists. From all the information I have been able to obtain, after

going there, that simply is not so; but I am not arguing that issue. What do the American people offer to do about it? Have you read anywhere about any educational organization advocating that we should review the curriculums of our schools and give attention to science and mathematics and get down to brass tacks? Oh, no. According to the press, they want \$4.5 billion extra appropriations so we can train some scientists to meet Russian claims. And thus it goes. The satellite will be used ad infinitum for obtaining everything from a to izard.

We have a new Secretary of Defense, and he seems to be a most admirable gentleman. I have been very much impressed with him. But what do we see him do? One of the first things in this effort to keep up with Russia and to meet the Russian threat is indicated on the front page of yesterday's paper. I read:

Defense Department to hire 25,000 more civilian aides.

Yes; and since 1950 the total number of civil-service employees in the military department has increased from 753,000 to 1,160,000. I know that the Department has been before this committee, and before the Congress, requesting funds which would permit them 61 super grades, so they could get folks with special training; and Congress approved that. Do you know what they did in the Defense Department after they got the 61 special people? Because they had an expert at the top of a section, they raised the grade of everybody in the section; and it is costing us \$880,000 a year. This bill is asking for 19 more people of that kind, and for every one of them they will raise everybody from the bottom to the top at great expense.

Mr. GROSS. Mr. Chairman, will the gentleman yield for a correction?

Mr. WHITTEN. I yield to the gentleman.

Mr. GROSS. It is 25 additional.

Mr. WHITTEN. I believe the gentleman is correct. Here is the situation. As you know, I have differed with this full-funding proposition. It is my view that if you give anybody all the money for any project which requires at least 6 or 8 years to complete, it is much harder to ever cancel such project, however obsolescent it may become, than if you make payments on it, as they need the money, and review the project each year incident to providing them the money for it. Such expenditure is always in somebody's district. I lost that fight. The folks on the committee did not agree with me. But I would like to point out this. Our military decision, if it proved bad on the satellite, was not so because of any question of money. It was a question of deciding from a military-defense standpoint to spend our money on missiles and things of that sort instead of spending our money and giving our time and attention primarily to the satellite.

If you believe in full funding, to have provided for transfer of funds, as I urged, instead of providing additional money as this bill does, would not have affected the principle. It is testified that on July 1, 1958, the Department



will have \$8 billion not contracted nor even obligated. Now, I am for the extra emphasis that is in this bill; make no mistake about that. It was my personal opinion that we should give them transfer authority and tell them to use some of the \$8 billion, which would in no way endanger full funding. They will not have funded it to any particular thing on a contractual basis by July 1, 1958, according to the testimony.

I am not even saying that we should cut out part of the \$8 billion; but in our hearings on the regular bill we could have determined whether to put back what I would have borrowed from such \$8 billion for our immediate need. Since we will be having our hearings and will bring out the regular bill prior to that time, it was my thought we should let them use some of that carryover of \$8 billion between now and July 1, 1958. Then instead of passing judgment on the programs involved in the bill before you, with which we all agree, programs which I would have met with part of that \$8 billion, the question of restoring the \$1,200,000,000 to the \$8 billion carryover would have been based on the lesser priority programs which have not been of sufficient importance or, for one reason or another, have not even gotten around to being contracted for and will not be by July 1958.

Of course, you can see why the Department of Defense would not be for that. Somebody might cut out some of the frills—so they make their pitch on the high-priority items.

No; the tragedy is that every time you have a satellite, they do not redirect their efforts in the spending; they use it as an excuse to get more and more money appropriated.

The new Secretary has already got himself on the Pentagon team. He asked us personally to help him with the little matter of raising pay. Everybody in the Pentagon is willing to do his part, due to Russia's threat, but the Secretary says "for an increase in pay." Here is the schedule of what he wants you to do in the next 3 years.

The Secretary asked us to at least partially meet the Russian satellite threat by raising the salary of an admiral from \$1,406 to \$1,685 per month, and of a vice admiral from \$1,400 to \$1,685; and so it goes down the line through the Air Force and the Army, though I may say he would leave the private's pay where it is.

With this constant spending we are doing, and with the cost of inflation, I am sure you will have to do something along that line for it is a vicious circle—the more we spend the cheaper the dollar, the cheaper the dollar the more we spend. Raising pay does not contribute a whole lot toward meeting the satellite threat; neither does giving them \$1,200,000,000 more to protect their carryover funds add one iota to real defense or toward meeting the threat of the satellite either, in my judgment.

No, I do not profess to have gained any military secrets by my trip through the central part of Russia, but everything I could see was completely opposite to what our folks in the Pentagon had made me believe. With such ex-

perience one cannot help but wonder about the military aspects of it. Be that as it may, if the Russian threat is as serious as anybody in this House or the biggest general with the most stars in the Pentagon says it is, if it is that serious, is it not time we kept our economy on a stable basis, so that when the time comes we will have a sound economy and a sound United States of America with which to fight? Is it not time we cut out some less essential things?

We did cut out some things last year; \$300,000 was requested by the President for a home for the Chairman of the Joint Chiefs of Staff. As I said last year, the Hindenburgs at the height of Prussian Germany never asked for a finer castle than was recommended in that bill. Let us not get into an argument about who held down what in the way of money. I will say that last year, when we went to conference with the Senate we had in our hands a letter from the Bureau of the Budget, the President's right arm, saying that the level of spending he was going to permit would not use up all the money in the House bill. In order to get an agreement with the other body, we agreed to \$600 million more than the House figure, at least that much more than could have been spent in the Bureau of the Budget's announcement of the spending plan. The tragedy of it is we had to give them the money, and so help me God, afterward the committee agreed as to who was going to get it, for a further backlog of contracts in the States and districts of some of my good friends. I tried to get them to flip a coin if that was the way they were going to appropriate money.

It is serious when we use defense as a means to pump prime no matter whose district it may be in. It is putting our economy on a shaky basis, and it seriously weakens our chances of meeting a real war. May I say with all the sincerity of my heart, we are a greater threat to ourselves because of the fear of Russia than Russia is to us. If this thing is as serious as it is said to be, let us start looking to how much defense we are getting for the dollar instead of judging defense by how many dollars you give the Department for a home for the Chairman of the Joint Chiefs of Staff, or to increase the grade of all civilians on an average of two grades in the last 2 years.

Yes, it is time that we put the interest of the United States first; and the first place to do that is here at home, so that we get some defense for the dollar. If every time you see a new wrinkle on the Soviet sun you want more spending, more money, instead of thinking about how you might shift what you are already spending it for—you are going about it the wrong way. We are making our dollar cheaper and cheaper, to the point that our folks lose confidence in it. I would like to remind you that 2 years ago, that great leader and fine Member, the head of the Armed Services Committee, in presenting the public works bill which amounts to about a billion dollars every year, mostly spread over the country—told us in the House, "My friends, there is something in this bill for every Member."

And sure enough, when you read the requests for military construction, they had them listed by States so you could see every Member had a monetary interest in passage. Under this full funding, that my friends believe in so much, every time you try to cut any of them out, Mr. Chairman, I get calls saying, "Did you know that is in my district?" I had them in the last few days. No; I am kind of walking alone. I cannot work my side of the street. I do not even have anybody on my side of the street to work with. But, I plead with you to think about it. It is high time that we began to look after keeping a sound and secure country and getting a dollars' worth of defense for every dollar spent. Again, as I told you last year, in the Air Force they had so much money they set up a group of officers and men to try to see how much money they did have in how many different accounts. This is a matter of record. They called it "Operation Smokeout." Then, when they did find out how much money they had that they did not know they had, they recovered it to their own use and called it "recoupment." I have not been able to bring this up to date; but last year at the time this bill was up, they had already recovered from themselves in excess of \$1,300,000,000, which until "operation smokeout" they did not know they had so far as use was concerned. To put it in a nutshell, Mr. Chairman, because we have Federal spending tied in with "pump priming" and tied in with our domestic economy, we look at how much money we appropriate and tell the people, "We are safe because we are spending the money, even increasing it." Certain Democrats are saying in the press, "Why, we are going to look after you and that is why we ought to have a Democratic President, because we will spend \$2 or \$3 billion more for defense"—as though that in and of itself would provide safety. And the Republicans top that here today by saying that they would already have been spending more money except for the Democrats. The Republicans are saying "Congress cut out essential money last year." That is incorrect but it shows what the country is up against from some party leaders in both parties. I was somewhat surprised at my good friend, the gentleman from Michigan, GERRY FORD, one of the finest men I have ever known, holding my chairman, the gentleman from Texas [Mr. MAHON] responsible for the actions of Mr. Wilson, the Republican head of the Department of Defense. It so happens I agree with Mr. Wilson that the soundness of our economy is a major part of our defense. I join with him in most of the things he did. I hope that I may have expressed myself a little less brusquely than was his custom sometimes. However, I want it understood that I admire his courage because he had an awareness of the necessity of starting to get things done at home. But, let us get down to my main worry. As a retired admiral expressed it to me: Here is the way you are handling your defense—because we know the Russians have a good football team, we are trying to surround the perimeter of the football field with good football players and

the primary reason for that is that everybody gets a cut out of the salaries of such extra football players—labor, industry and Congressional Districts. In the process, we have our economy and our domestic programs caught in defense spending, and if you know your history such a situation contributed greatly to leading Germany into two world wars and Japan into one. I hope that we are smarter than they are. But, it appears to me we are on the road and perhaps running a little faster at this state of the game than they were. We need defense, but we must judge our defense by the wisdom with which we spend rather than how much we spend.

I repeat, if the danger from Russia is as great as many believe, we had better put first things first; and above all we must make our defense decisions on defense needs rather than on a pump-priming basis.

Mr. MAHON. Mr. Chairman, I yield 15 minutes to the gentleman from Pennsylvania [Mr. Flood].

Mr. FLOOD. Mr. Chairman, I feel as though I have some special right to come down here into the well of the House and talk to this committee on this problem—not much more than the gentleman from Michigan [Mr. Ford]—but between the two of us, I think we have much more right to come in on this than all the rest of you put together. Every year that a defense bill or a supplemental appropriation bill for defense has been here before us, I have been pleading with you not to cut these defense funds for the Army, Navy, Marine Corps, and the Air Force and not to substitute what I recognize ordinarily as your brilliant judgment on other matters for the judgment of people who know more about this subject than all of us put together. In your individual capacities you said, "No." So you have been cutting away year after year. I said you were wrong then and I say now you were wrong as of that point.

Mr. NICHOLSON. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. I yield.

Mr. NICHOLSON. I was interested in your last remark.

Mr. FLOOD. Oh, it is a great thing not to say "You are wrong now."

Mr. NICHOLSON. We have got a thousand generals. Do you think any of the generals have been retired when someone else has not taken their place?

Mr. FLOOD. I think somebody has. I do not know that it makes any difference or not.

Mr. NICHOLSON. Do you think we need more generals?

Mr. FLOOD. I know that the generals, like Tennyson's Brook, go on forever. But that is another picture.

The gentleman from Kansas, my dear friend, Mr. SCRIVNER, drew an analogy of a football team with reference to confusion allegedly existing at the control level in the Pentagon and the defense generally. Now, there must be something wrong down there. The President insists that there is. Everybody agrees something should be done about it. In my poor way I conclude something is wrong down there. What it is is not clear, but I am sure there is something.

The gentleman from Kansas thinks the quarterback should be left alone. Maybe there is something wrong with the coach. Maybe he should be taken out. Maybe the coach made a mistake. Maybe the master's touch has gone. Then the team might be all right but even the grandstand does not like it. The team does not like it. The junior varsity does not like it when they know the first string quarterback is on the bench and the third string quarterback is running the team and doing a bad job.

Now the gentleman from Kansas [Mr. SCRIVNER] indicated that Mr. McElroy, the new Secretary of Defense, by the way, for whom I have a great regard—let me tell you, you have not got to this fellow yet down there. So far they have not brainwashed McElroy. So far he is doing all right. I hope they will not get to him. So far they have not put a glove on him. He is doing a good job. Mr. SCRIVNER said Mr. McElroy did 14 good things. The first 10 things he did was to reverse the palpable errors of judgment committed by his predecessor, Mr. Wilson. Mr. McElroy deserves great credit. We have three problems that we are concerned with: Maintaining the force strength of our existing Defense Establishment. That is the present problem. We must increase it. And mark this, not in direct ratio to the Russian increase, but we must not only increase our own farther and faster than we have gone, but certainly to increase the ratio of our speedup faster than the Russian ratio to their present strength and development, but we must go beyond that, go twice as fast as the Russians are going in the next 10 years.

Third, we must go into the satellite and space program. There are three things. When my friends over here say, "We are strong today," that is right, but who said we are not? We can devastate Russia today with our bombers. We can kill 70 million Russians with our bombers in 12 hours. That is right. But the Russians can kill 70 million Americans in 12 hours. Does that make you feel any better? It is a great way to look at it.

Now, we have got a bad time coming. Fear. But do not say this country is quivering and shaking with fear; that is not true. Everybody got all upset there for a while. So did you, and so did I; but not naked, stark, panic, hysteria, and fear. Do not destroy this debate with that kind of charge; it is not so; it is not the fact. Some few people, yes; nearly all, no. So do not pretend to set up a premise to knock it down for some other purpose that those were facts; they were never facts.

But if you or the American people do not have a little commonsense fear in the bottom of your belly about the situation in this world today, that it does not affect this debate that we are engaging in, does not deal with the existence of the United States of America as a nation upon the face of the earth, then you are crazy, because it does.

Am I afraid? Yes, sir; I am afraid. You sit in this subcommittee as long as I have and hear the testimony and know the things that we know, and if you are

not afraid in some way—oh, I admit this is a relative term—you ought to have your head examined.

Mr. SCRIVNER. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. I yield to the gentleman from Kansas, but my remarks were not directed to him.

Mr. SCRIVNER. The gentleman from Kansas has sat on this committee a good deal longer time than has the gentleman from Pennsylvania, and I am not afraid and never have been afraid.

Mr. FLOOD. Not afraid. Play The Star-Spangled Banner. Is the gentleman in favor of that?

Mr. SCRIVNER. I am in favor of that.

Mr. FLOOD. All right; then you will stand up again, so will I.

Let me say this: That there has been talk about in the cloakroom that perhaps an amendment will be offered to increase the 3 Polaris weapon missiles system up to 10. Mr. Chairman, I have, when I thought the situation warranted it, introduced amendments dealing with defense measures when there was not a handful of support for it on both sides of the aisle. I asked the Chief of Naval Operations, Admiral Burke; I asked Secretary Gates; I asked Admiral Raborn, in charge of these programs; and every professional, scientific, and expert witness: Do you need any more Polaris weapons? What more do you need? If it is money you want, if that is all you want in this urgent supplemental bill, then you ask for it, and I think you will get it. Can you use any more? Can you build any more any faster? Where can you build the ships? Can you get the material with which to build them?

Now, Mr. Chairman, unless somebody wants to get his name in the paper, there is no need to amend this bill to raise from 3 to 10 the number of Polaris submarines. I like to have my name in the paper as well as anybody and I would like 10 submarines as well as anybody if I thought the national welfare in this urgent supplemental bill warranted them. It does not. Now, if I do not think so, then none of you should think so—in our comparing of records here.

The bill is all right; leave it alone.

Let me point out to you that I found it necessary, however, to insist that the Army be recognized in this bill. When this bill came to the Congress there was not a dime, there was not a request for the United States Army. Let me tell you, 2 years from today you people will be wondering how many battalions are left after everybody is even Steven on missiles and bombers, and you are at a standoff and war breaks out in a dozen "cancers" throughout the world. Then you will come back and ask Jim Gavin "How many battalions have you got, Jim?" And you will not like the answer unless you change your mind very soon. Mark what I tell you. With God's help and that of the 11th Pennsylvania District I would like to be here to point that out to you 2 years from today. Remember, you cannot run the show without the Army. This next war you are talking about is going to be over in 30 minutes. That war did not happen. The



third world war never took place because of your bombers, and the fourth world war will not take place because everybody will have missiles and, outside of panic or insanity, which could happen, that will not happen. But the conventional warfare, whatever that means, will be going on, according to the Bible, until the end of time. I do not think even this committee can improve upon that document.

Now, boasting is an American trait and habit throughout the world. You and I do it as Americans. It certainly irritates a lot of people. Boasting of your pride and your power and your strength is not going to solve this problem for neutral nations or those on our side, or you either. That is like whistling while going past a cemetery when you were a kid.

I can think of General Darius, a great Persian, who sat with his captains boasting of their might and their history and their great future the night before Alexander the Great massacred them at Issis. All through history I can think of warnings about the barbarians from the north. There is trouble with the tribes in the north, the hungry, fighting, savage, terrible northern tribes. Oh, I can think of some fat Roman merchant who sat in luxury in the baths of Caracalla laughing about these rumors. Rome has been great for a thousand years. We have always got away with trouble. We have had trouble but it always came out all right. This is Rome. I am a Roman citizen. He was so proud. That was the night before Attila destroyed him at the Baths of Caracalla and sacked Rome.

Well, Mr. Chairman, history is full of the stories of great nations who rose and fell. That is history. History is the story of the rise and fall of great, proud, luxurious, fat nations. It is so from the dawn of history.

I just recite these pages out of an abundance of caution. They kind of frighten you but, remember, at the end of World War II, I was in Russia, so was the gentlewoman from Ohio [Mrs. BOLTON], so was a Member of the other body, then a Member of the House, Mr. MUNDT.

Russia was desolate, destroyed, almost wiped off the map at the end of World War II. They had suffered twelve million casualties, starving, dying. The United States of America was the wealthiest, the most powerful, the richest, the greatest Nation in the world. Russia had no air force. We had the greatest. Russia had no Navy. We had the greatest. Russia had no submarines. We had many of them. Russia was poor and weak. She had no atom bomb. We did. That is 12 years ago. No nation in the world has gone as far or as fast, including this nation, as the Russians in those 12 years.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MAHON. Mr. Speaker, I yield the gentleman 5 additional minutes.

Mr. FLOOD. Mr. Chairman, in those 12 years these atheistic, communistic barbarians are almost even with us.

Nobody says the Russians are ahead of us. That is nonsense. The Russians are not ahead of us. The Russians are not more powerful than we are if you are talking about 3 o'clock this afternoon. No. If that is what you are worrying about, forget about it. But, she is getting ahead of us in ratio with her acceleration of development and speed. She is in a hurry. They, in Russia, these atheistic communists, have a mark on the wall as a target. They know where they are going. Oh, they may get off the path; the dramatic personnel may change from year to year, but they get back on the track to their goal. However, their goal is world conquest. It will never change; never. So we have got something to worry about.

Mr. Chairman, the general budget will be for the fiscal year 1959. It will terminate on July 1, 1959. General LeMay, Deputy Chief of Staff for Air, the great "iron pants," square-jawed Air Force general, Curtis LeMay—and there is none greater—in the hearings, if you read them, said to me: On July 1, 1959, the Russian Army will be four times bigger, more powerful, better equipped in hardware than ours will be. General LeMay said that the Russians will have 700 submarines July 1, 1959. We will have 200. Some of those Russian subs will have what we call Polaris sub weapons systems July 1, 1959, and some of those Russian subs will launch guided missiles from off the sea in 1959, and July 1, 1959, the Russians will have ICBM operational, and the Russians now have operational IRBM. They are intermediate range ballistic missiles, up to 1,000 miles, zeroed on all our bases except Rota Air Base and Cadiz Naval Base in the south of Spain, and our airbases in north Africa. Everything else is zeroed. The Russians have their IRBM today operational up to 1,000 miles. Now, that is what will happen July 1, 1959. And, if you want to hide, you better hide between July 1, 1959, and July 1, 1960, because these Russians will be ahead of you in everything. LeMay told me that the Russians will have more bombers, better bombers, more fighters, better fighters. We are talking hush, hush, about an X-10 exotic fuel chemical bomber. LeMay told me the Russians are flying one now, mockup only, but they are flying a mock-up job. You think we have no problem? I, with all of you, will not mouth platitudes of my patriotism, my Americanism, my faith, and my belief. It should not be necessary to mention in this House. We all have a right to equality in these things and we all are equal as Americans.

But, I am not writing an editorial, Mr. Chairman. I am reciting the facts. What will happen July 1, 1959, even if you spend every dollar you can get, even if you have every factory working at the height of its production, even if you do everything in the world that the great United States of America can do? By July 1, 1959, you are not going to look so good. I am not talking about today and how strong you are today and how powerful you are today. I know as much about that as you do, and it is true. But, I speak of 3 years; I speak of 5 years.

Even if you have missile equality, you do not have satellite equality and will not unless we go faster then we are.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. Flood] has expired.

Mr. MAHON. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. FLOOD. Mr. Chairman, I am overwhelmed; I am practically speechless.

Mr. SCRIVNER. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. I yield.

Mr. SCRIVNER. If the gentleman is, then he is for the first time in my knowledge.

Mr. FLOOD. You know, for the first time the gentleman is expressing a majority opinion.

Mr. SCRIVNER. I should like to ask the gentleman a question. I know his sincerity; I have never doubted it.

Mr. FLOOD. May I suggest the gentleman just ask me the question.

Mr. SCRIVNER. But I have read these entire hearings and I cannot find where General LeMay said what the gentleman said he said.

Mr. FLOOD. If the gentleman will bring it down here, I will show it to him.

Mr. SCRIVNER. I have the hearings right here.

Mr. FLOOD. The gentleman and I went all through that in the hearings.

Mr. SCRIVNER. He did not mention figures at all.

Mr. FLOOD. Mr. Chairman, I decline to yield further. It is in the hearings and I submit, Mr. Chairman, members of the committee should read the hearings and equate this dispute between the gentleman from Kansas [Mr. SCRIVNER] and myself.

Mr. Chairman, I point out to you—and I would be the last to point this out as I close my remarks—that mere money, I am convinced—and that is the first time I ever devaluated money by calling it mere—but mere dollars, even American green dollars, will not be enough to do this. We have a standard of values that we must maintain.

I can think of another era in history, Mr. Chairman, when the shoe was on the other foot, when my country was the poor, weak, unclothed, starving barbarian from the north and I can think of the Hessians drinking and dancing in my home State when Washington and his ragged Continentals crossed the Delaware on the ice, because they were desperate and they were fighting for something. They had courage and hunger.

We all know the fight game. Did you ever see a club fighter who was hungry? That is an old expression in the fight game—"that kid is hungry and he will fight," for \$25 a night. But something happens to the fat champion. And it is not just his legs that go bad. That is an old story. The guts go bad. He has eaten too high on the hog. My southern friends appreciate that expression.

And I can think of another time in our history when we were in the same position of the underdog, at Vincennes. My friend remembers when the Americans with Clark waded through flooded forests up to their armpits, in ice-cold

water, to attack the British, dancing and drinking, fat and lazy, proud and old and careless.

I am not presumptuous or impertinent enough to think that I am telling you anything. I am just thinking out loud and saying out loud what you think and feel.

But, Mr. Chairman, this is a supplemental bill, not technically, but in a sense actually. The men who know say that this is all they need for this job. They came to our committee and said, "We have time for sale. Do you want to buy any time for the safety of this Nation?" We said, "Yes, how much do you want for it and what do you have to sell?"

And they said, "We will sell you 6 months for \$1.2 billion. That is all we want." We gave it to them.

Mr. Chairman, in the interest of orderly procedure, in the interest of proper fiscal responsibility, in the interest of the national welfare, I submit this bill should pass as presented by the subcommittee.

Mr. WIGGLESWORTH. Mr. Chairman, I yield 15 minutes to the gentleman from Maryland [Mr. MILLER].

Mr. MILLER of Maryland. Mr. Chairman, the last speaker, the brilliant and colorful gentleman from Pennsylvania [Mr. FLOOD], says he is scared. My very good friend and colleague, the gentleman from Kansas [Mr. SCRIVNER], says he is not afraid. Frankly, I do not suppose there is as much difference, except rhetorical, about the way these gentlemen feel about the present situation as their oratory might indicate. But speaking for myself, at least, I am very easily scared, and I am always scared of overconfidence. So I think there is no doubt about the urgency of our consideration of this bill.

However, there is no more urgency with respect to it, in my opinion, than with any other measure that involves our national defense and safety. This is not abnormal because such urgency has existed for many years and it is likely to continue to exist in the foreseeable future or at least as long as there is a cold war.

However, there is no occasion for hysteria or for anything approaching a panicky attitude in our consideration of this legislation or in evaluating our defense posture.

Historically, we know only too well that violent switches from too little and too late to abundance and then cutting back too much has cost us millions and billions of dollars and some very anxious moments over the years. We must not let that occur at this time or ever again. As a matter of fact, the prime reason for this supplemental request is not adverse developments, but, on the contrary, I believe it is because of progress made in the ballistic-missile art that was not foreseen or believed possible 6 months ago, when the Congress passed the current budget. It is these favorable developments rather than the Russian successes in outer space that have made the speedup here not only desirable but, I believe, necessary in our national interest.

As has been pointed out in recent months, our scientists have solved prob-

lems of vital importance and have developed a reentry cone that makes it possible to bring a missile back through the atmosphere to a target. We have no certain knowledge as to just what our potential enemy's capabilities may be in that particular field.

We have developed a solid-fuel propellant that is available in quantity or can be produced in quantity and at a reasonable cost. That is a development the importance of which can hardly be overestimated. It not only makes possible the launching of ballistic missiles from the sea, but it greatly simplifies the operations of missiles on land and will materially reduce the risk to personnel and the amount of equipment and other things required in using fuels of other types.

Of course, we should press on rather than lapse into complacency, but we should press on with renewed confidence rather than trepidation. We should look for every possible improvement in our system and organization, but we should make these changes with the utmost caution. We should realize that we have a good, going concern now. We must be sure we do not cripple or distract it while seeking means to improve it.

Likewise, we must not forget the desirability of a balanced budget or tax reduction. Those things are just as important now as they were a year ago, when we were talking so much about them. It is still as necessary to avoid waste and get as much value as possible from each defense dollar as it was last year.

There is no occasion for being stampeded into any all-out crash programs at this time. Let us be sure we make haste, but make it intelligently.

We have had some discussions about last year's appropriation. It is water under the dam now. It is not too useful, in my opinion, to try to figure out responsibility for errors if they were not too serious and if they can be corrected. I agree with almost all of my colleagues, if not all of them, that there is no place for partisan politics in matters affecting our national safety. Last year I supported a larger defense budget but I doubt that the reduced figures have had a crippling effect. However, the history of the last few months discloses one serious error, in my opinion, committed by the Congress last session. There were slowdowns and there were cutbacks in numerous important defense areas, if not in the ballistic program, made necessary because of the failure of the Congress to raise the debt ceiling. I am happy that this body so far as it is concerned has corrected that situation today by passing a measure that will prevent the repetition of that error where it appears that rising expenditures and the Treasury cash position early last year, caused serious and costly cutbacks and loss of time. My colleagues, I think we have a good bill here. I am delighted that it has been considered in the calm atmosphere that has marked the debate thus far. This bill should be passed as quickly as possible. But, in so doing, let us remember that we are not in a situation of crisis. The fact is that we are in very good shape as of right now.

The main think we have to do is to be sure that we continue this way.

Mr. MAHON. Mr. Chairman, I yield 2 minutes to the gentleman from Louisiana [Mr. LONG].

Mr. LONG. Mr. Chairman, my friend, the gentleman from Pennsylvania [Mr. FLOOD] stated practically the exact thought I wished to present. He spoke about the Army. I am for this bill, Mr. Chairman. I am for anything that will strengthen the defense of this great land of ours. I take this time today to call to your attention something very important and that is an opinion borne out by the Secretary of the Army and other Defense officials who are experienced in military ways and whose opinions in such matters are highly regarded. The Secretary of the Army and other military experts have thought that less than a million men in the Army at this time was too small a number. However, the Secretary of the Army did ask for 929,000 men just 71,000 short of the million mark. But, we have not seen fit to approve that figure and in fact, it has been cut down even further to almost 700,000 men. We have cut the appropriation below the danger point. We have cut more than \$250 million below the danger point. I say, if we can spend money on the foreign aid programs surely we can put a little more money into this essential program and have an Army that we know will be able to take care of this great country of ours in time of need. There are those who say, "There is no danger." My friends, experts in military affairs have told us we have been in danger for several years. Some say, "No, we do not need an Army of this size." Some say, "We only need missiles." My good friends, let me call your attention to this one thing. If the time should come when we are at war and the Russian bombs should fall on this great land of ours, and you find the cities devastated and see the dead by the untold thousands, you will certainly need an Army. You will wonder where the foot soldier is when such a time comes. You will not be able to send out to care for the dead, the dying, the sick and the wounded at that time. You will not be able to take care of them because there will not be the foot soldier who can be depended upon to go out and care for them and clean up after the battle. I say to you—before it is too late, let us give the Army the 929,000 men they request. Let us give them \$250 million more and cut it off foreign aid.

I am of a somewhat suspicious mind when it comes to the safety and welfare of our Nation, because the United States is the greatest country in the world and belongs to its American citizens—I want to keep it that way.

Our satellite and missile programs are most assuredly an important segment of our defense program and must be considered a basic part of our system; yet, we should not allow ourselves to be stampeded into a hastily, ill-planned program which will play directly into the hands of those who would destroy our way of life.

Political propaganda, being what it is, can be used to sway the thinking of the public and guide our citizens into a frame



of mind which can be best utilized for the end to be accomplished. I fear the newly emphasized missile program is being used to create a basis for the neglect of the backbone of the defense of our Nation—its Army. Talk goes on for a vast and expanded missile program, all of which is well. But not at the expense of cutting our Army to the danger point. Wars are won by teamwork—the man at the gun and the man behind the scene. It is dangerous to the security of our Nation to put all our eggs in one basket, and sacrifice one part of our basic defense system for the benefit of another.

I am not satisfied with the political implications surrounding this entire situation. For several years now, we have had what was considered to be an adequate missile program. Those who are charged with maintaining and developing our defense program have been aware of the importance of missiles, and they have been aware, also, of the missile development program in foreign nations. It is rather difficult for me to believe that our missile defenses have been neglected to the point where we are in a completely secondary position. The Republicans in control are not too happy about their chances for the next Presidential election, nor are they happy about this year's Congressional elections. To assume the role of hero and savior of our country, by staging a comeback after a supposed flaw or weakness in our defenses, as has been shown to the public, is not exactly a newly devised scheme to win popularity and votes. I am bound to view with a political eye the announced tremendous expansion of personnel in our Defense Department with emphasis on the missile program.

I am not altogether happy with the fact that the United States seems to be devoid of scientific minds. I do not look with enthusiasm upon the supposed necessity of going to alien lands for scientific minds to explore and develop the missile program for the defense of our own United States. It may be true that greater attention should have been given toward boosting scientific development and making it easier for our promising youngsters to pursue a training which would academically equip them to work in the missile development program.

Particularly I view with alarm what is happening to our Army. An expanded missile program is essential but let us bear in mind that such a program is projected into the future and we have a dangerous current situation with our enemies remaining strong and arrogant. By all means we should retain adequate military strength while building up the new missile program. Even now we are in the process of cutting our Army below the danger point.

During these times, when war could occur at any moment, when the security of this great country hangs in the balance, to my way of thinking it is foolhardy and almost criminal for the Congress of the United States to sit idly by and let the Bureau of the Budget or any branch of the Government cut the Army to the danger point. I dare say that there is not an Army officer in this country who would agree that the Army

should be cut below a million men. It is the duty of the Bureau of the Budget and all other agencies created by Congress to assist the Congress in doing its work.

I do not like to think of permitting the destruction of our Army. We all remember after World War II, when our training camps and forts were permitted to deteriorate, only to have been reconstructed later at a cost of billions of dollars of the taxpayers' money.

It may be argued, because of the missile program and the threat of attack by missiles, that we do not need the Army. I do not believe there will ever come a time when foot soldiers and other ground troops will not be called upon to bear the brunt of any war that may be fought now or hereafter. There are ground attacks to be considered, there are service forces such as supply and communication to be considered, our military police, our occupation forces, and the many other segments concerned with war which cannot be replaced by machines.

Should we be attacked, we would need a large and well-equipped standing Army here at home for protection purposes alone, to say nothing of the need in the event we again were called upon to fight overseas. So, I appeal to you, my colleagues in the Congress, to study this program and study it well and hard, using your best judgment in not permitting the Bureau of the Budget or any other agency created by the Congress to dictate your thinking on this all-important matter. Let us go along with the Secretary of the Army and restore the \$250 million that will be needed and give him the right to recruit the necessary men to bring our Army to the required standard of not less than 929,000.

This might be a good time to point out that a situation exists in Army practices which not only works a great hardship on the officer or serviceman concerned, but also has a tremendous adverse effect on the morale of existing and prospective service personnel. I refer to the practice of discharging military personnel who have devoted many years to a military career and who are only a few years short of retiring. I have had many constituents, who are officers, call on me protesting their fate. These men have been encouraged all along to make the Army their career, and they have worked hard to serve our country to the best of their ability in whatever capacity that might be assigned to them. Then after as many as 17 or 17½ years of service and within 2 or 3 years of retirement, they are being discharged from service. To me it is grossly unfair for the Government to encourage men to enter military service and make a career of it. Yet that same Government finds it necessary to discharge those still qualified men against their wishes.

Let us not be caught short again. We have been caught short before in disaster, and may I say that in my humble opinion it has cost us many lives—many men and also many dollars. We will not have time if a war comes now with the present atomic missile weapons of war. May I repeat, we will not have time to prepare for war as we have in

the past. We will have to be ready on the spot to begin immediately to defend our country and repair damage done by the enemy's bombs and if we do not have the manpower in our Army to do this, then again our people and our great country will have to suffer for the shortsightedness of the Congress of the United States.

We are today, through our foreign-aid program, aiding others to bolster their economy and their power of defense. It certainly will be a sad thing if we spend our money building for other countries the things that they need to defend themselves and care for their people and then in the end find that we have bled ourselves white helping peoples in foreign nations and have neglected the most vital thing—being prepared to defend ourselves in an emergency. Nine hundred and twenty-nine thousand men for an Army—to care for as large a country as the United States. We certainly are not, in my opinion, using good judgment. Some of the people who are advising the Congress to cut down on the Army are merely men who know nothing about anything except figures. And all you hear is cut, cut, cut. I, too, want to reduce taxes; I, too, want to operate as cheaply and economically as we possibly can, but there are many other places where waste and extravagance are being practiced which could and should be stopped. It will do no good to save \$250 million by cutting the Army to the danger point and then spending an equal amount or more on foreign aid.

The Secretary of the Army submitted a logical and necessary request to the Bureau of the Budget, which Agency saw fit to remove \$250 million.

My colleagues, I cannot urge you too strongly to give this matter serious consideration and vote to restore this sum so that our basic defenses will not be impaired and we will not be playing into the hands of those who would weaken and destroy us.

Mr. WIGGLESWORTH. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. Gross].

Mr. GROSS. Mr. Chairman, I take this time to ask a few questions with reference to page 5 of the bill, section 601, and the creation under the terms of this legislation, of 15 positions in the professional and scientific service and 10 positions in grades 16, 17, and 18. I should like to ask the chairman of the subcommittee, or any other member of the committee, what representation was made to the committee that convinced them that there should be legislation in an appropriation bill creating these 25 professional and supergrade positions.

Mr. MAHON. Mr. Chairman, I will say to the gentleman from Iowa that I commend him for having looked up this thing which appears on page 5 of this bill. Secretary McElroy has set up this Advanced Weapons Research Agency in the Department of Defense, to assist him in the contest for the weapons of the future—space weapons, military satellites, and so forth. He hopes to use this agency to press forward the position of the United States. Whether this new agency is going to fulfill the hopes of the

Secretary or not, I do not know. I have my doubts about it. But in this scientific field, where we deal with earth satellites, rockets, IRBM's and ICBM's, and so forth, we need the best brains that money can buy. If the Secretary is able to get these people, I do not think pay should be a limiting factor. I can imagine that if there were some way of buying brains it would be well to pay almost any price for such people in this Agency. We have gone along with the Secretary on this project, hoping that it would succeed. That is about the situation.

Mr. GROSS. Let me ask the gentleman this question—I am not in disagreement with the need for the proper kind of people, but I would like to ask the gentleman if his committee was told whether there were available, under Public Law 313, any vacant spaces?

Mr. MAHON. That is my understanding. If there is any other member of the committee who has different information, I would like to hear it. We have the testimony in the hearings, but I do not have it before me.

Mr. GROSS. With respect to the 10 supergrades which would be established, did the gentleman's committee hear any testimony from the Civil Service Commission as to the availability of supergrade positions?

Mr. MAHON. We did not.

Mr. GROSS. Now, here we are again—the Committee on Appropriations coming before Congress authorizing supergrades and professional positions as the gentleman from Mississippi [Mr. WHITTEN] said a little while ago, it ought to be clearly understood by the House that the creation of supergrade jobs through 1956, has caused upgrading to the extent of an increase of more than \$800,000 in the Federal payroll.

I do not mean to infer for one minute that all our troubles with scientific, technical, and supergrade allocations stem from the Appropriations Committee or the gentleman's subcommittee. I have a high regard for the gentleman from Texas [Mr. MAHON]. He is a hard-working, conscientious Member of Congress, and I can appreciate the difficulties he encounters in bringing to the floor this kind of legislation.

Will the gentleman say that there might be spaces available and held by the Civil Service Commission now?

Mr. MAHON. I am not qualified, to be perfectly honest with my friend, I am not qualified to comment on it. I certainly know that President Eisenhower through the Bureau of the Budget sent up this request and we heard a lot of testimony about various aspects of the bill. We wanted to get it to the floor as soon as we could. My position was that the Secretary said he needed certain people and we gave him the people.

Mr. GROSS. This sort of legislation ought to come through the proper legislative committee; it ought not to be tacked to an appropriation bill.

Would the gentleman be surprised were I to tell him that only this afternoon I was advised that the Civil Service Commission now has available 22 vacant supergrade spaces?

Those spaces might well take care of the requests in this legislation.

Mr. MAHON. If the Civil Service Commission can establish that this need does not exist I would certainly be willing to consider it further.

Mr. GROSS. The Civil Service Commission has the power if this is an emergency and if they have spaces available, to meet these requests.

Mr. MAHON. The legislation with respect to this new Agency, as the gentleman knows, was approved by the House in a bill from the Committee on the Armed Services, brought in by the gentleman from Georgia [Mr. VINSON] a few days ago.

Mr. GROSS. Let me say to the gentleman that I understand that Defense Secretary McElroy is sending a letter to the Speaker of the House asking for a large number of professional spaces.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. WIGGLESWORTH. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. MAHON. I yield the gentleman 2 minutes of my time.

Mr. GROSS. Mr. Chairman, I wish the gentleman would offer an amendment to strike this out. The proper legislative committee can take care of this request.

The gentleman well knows that last year I made a point of order against provisions in appropriation bills creating supergrade jobs. I came to the conclusion then that either the Appropriations Committee was being misled in these applications for supergrades, or else we on the Post Office and Civil Service Committee, particularly the Manpower Utilization Subcommittee where we are trying to hold down this upgrading, were being hoodwinked.

Mr. MAHON. May I say to my friend from Iowa that this matter was presented to us as one of great urgency. We did not want to hamstring this new Agency which apparently is so vital to our future. The committee took the position that we wanted to get going.

In view of questions which have been raised by the gentleman from Iowa I shall get in touch with the Secretary of Defense and with the Civil Service Commission and with the other body if this language remains in the bill, and take every precaution to see whether the language is required to meet the demands of this new Agency or else that steps are taken to try to remove it from the legislation. That is the best I think that could be done at this point. I certainly would not be willing to sponsor an amendment to defeat the program which is presented to us or be charged with defeating it by striking out this language which has been approved by the Bureau of the Budget.

Mr. GROSS. I appreciate the gentleman's statement.

Mr. WHITTEN. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I will yield, but first let me say to the gentleman that earlier this afternoon he made one of the finest speeches that has been made in the House in recent years. His is a voice in

the wilderness now, but it will be heard and appreciated fully some day.

Mr. WHITTEN. I wish to thank my friend for his very gracious statement. Let me say that in my opinion the subcommittee was unaware of the effect of this type of legislation where supergrades are given. I personally am opposed to doing it in these various appropriation bills. It was news to me to learn, as I tried to say a while ago, after these things had been done I find from investigations by the Civil Service Committee that all the people who have already been working in the military and who may happen to have one of these fellows at a top position in the section, have been promoted and nobody has advised our committee of it. Your own tabulation from the regular committee that should handle it shows we have built up the cost \$880,000 per year by it and nobody in the Congress has known it because all they asked for were the supergrades and once they got them they raised everybody else.

Mr. GROSS. As long as there are spaces available in the Civil Service Commission the Defense Department ought to go there first. If they are justified in upgrading these people, I am sure they will get sympathetic treatment.

Mr. WHITTEN. And there is no need to carry the rest of them either.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. WIGGLESWORTH. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Chairman, I am not going to get into an intricate examination as to who is to blame for anything. The only thing I can say, and I think that we ought to have it in mind, is that our defense picture is not as bad as some people have given us to understand. I am going to call some witnesses to prove that statement.

First, I am going to call General LeMay. On page 139 of the hearings General LeMay stated:

General LEMAY. I think all the previous testimony here and in the Senate has indicated that the Russian Army is bigger than ours. I do not say better; I say bigger. They have more submarines than we have. It is on the record that we expect their striking capability in the air to pass ours sometime in 1959. And I do not think we can deny it here, since it has been said on the record before. Whether that means we feel we can be defeated or not, I am not ready to say that we can be defeated.

Then going over to page 149 we find the following:

General LEMAY. What I tried to say was that all of this did not add up to disaster. If a potential enemy is stronger than you are in every field, I think it would be foolhardy to think that you are going to have an easy time defeating him. I still believe that, but I do not believe we are facing complete disaster, because we do have strong forces, and while adding them up numerically side by side the picture may not look very good, it looks better when you add up complete combat capability.

Mr. SCRIVNER. Let us add up that complete combat capability and put it out where everybody can see it.



General LeMay. I think as of now we have military superiority over the Russians.

Mr. SCRIVNER. I do too.

General LeMay. I think it is largely due to the nuclear striking power we have in the Strategic Air Command. I think that advantage will last at least to the middle of 1959.

Remember this. The deterrent force upon which we are placing so much dependence is only a deterrent force if the enemy thinks it is, not if we think it is.

It is my belief that the enemy will not consider as a deterrent a force which he considers weaker than his force. He may consider that even a force weaker than his can inflict more damage on him than he wants to accept. In that case it still has some deterrent value. However, I think that we would be gambling more than we should with the security of the country if we should assume that a weaker force will deter him from attack.

Then, there is Admiral Burke, the old salt, head of Naval Operations. Admiral Burke testified on page 261:

Today, tomorrow, or—no, I was thinking more of a few years from now. We can destroy her today. We can destroy her 10 years from now.

Mr. FLOOD. With bombers?

Admiral BURKE. With bombers, with missiles.

Now, that is some of the testimony on that subject, and many of the different witnesses have covered that situation. I could name some of them, but it is not necessary at this time.

The situation that we are confronted with is this: We have been asked for this supplemental legislation. It covers funds for a great many things that were not developed far enough when the Military Establishment came before us in the springtime to recommend them nor was there an appreciation amongst our people of the necessity for it. The development of the different missiles that we are working on has made marked progress. It has even made marked progress as late as the time we were holding the hearings.

Now, it is hardly a fair thing for us, when we are presented with requests to develop projects that the Defense Establishment has developed with its research work upon all these different missiles, the guided missiles, the anti-missile missiles, and all that sort of thing, to lay down on the job and fail to go ahead and provide the additional things that they ask for, for the development of those missiles. Now, I can see that if we were going to remain dead and the Congress was not going to meet its responsibility today and in the days to come, that we would be in a pretty bad fix, maybe soon but surely in a little while, and for us to say that Russia could run all over us, to my mind, is a great mistake and it is wrong and it is not something that the best military people tell us could be done. We might even persuade Russia that she was strong enough to run all over us if we carry that too far. That is the thing that I would be afraid of.

That is the thing I would try particularly to avoid. I have a list here of a number of these missiles, but I am not going to read it. There are 8 or 10 of them of one kind or another in the Army, Navy, and Air Force. Particularly there is the Polaris missile which

they are developing at the present time and wish to have submarines built to carry and to discharge them. Those will cost \$300 million practically. There is the development of the radar screen to give us warning when missiles might be approaching. There is work on the DEW line up in the north, in Canada, and the SAGE line, that will have to be done toward completing this job. All in all, for all those things, including the sites for the launching of the missiles, there is involved \$520 million for public works. There is over \$300 million for some of the Navy items.

To my mind this bill needs to be passed and I think we ought to pass it here today, get it over with and meet our responsibilities.

Mr. WIGGLESWORTH. Mr. Chairman, I yield such time as he may require to the gentleman from Ohio [Mr. HENDERSON].

Mr. HENDERSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Ohio? There was no objection.

Mr. HENDERSON. Mr. Chairman, as we discuss the bill to make supplemental appropriations for the Department of Defense, here are some observations that I would like to make. It was gratifying to hear the chairman of the committee indicate that this bill for supplemental appropriations does not come as a result of an economy vote of last year in which I and a great number of the Members of this House participated, but that the bill comes because of the developed need for an advanced program in the missile field which has become evident in recent months with the revelations of the scientific and military activities of Communist Russia.

In fact, the chairman of the committee pointed out in his very able remarks that through our appropriations of last year we actually provided more money than the military could absorb. I hope that that is so. This is a new program, coming to the floor as a supplemental measure so as to advance its time schedule. The people of my District, just as the people of every other Congressional District throughout the country, are alarmed, concerned, and agitated over their conceptions and sometimes misconceptions of our true military status. That they should have misconceptions is not at all unexpected because I suggest that we in the Congress also had some misconceptions with regard to the Armed Forces of the United States.

As in most of the countries of the world, in most of the periods of civilization, the military arm is a mighty one and often vies with the rest of the Government in the matter of direction of policy. The Pentagon, the military arm of the United States, is a powerful influence upon what is done in the Congress and throughout the executive branch of the Government.

We in Congress have witnessed that strength and determination of policy in many ways. For instance, because we have observed at times waste and extravagance in the matter of supply, procurement, and general operations, we have

made legislative suggestions of economy and have discovered that, instead of a concerted effort to economize by removing such extravagances or duplications or waste effort that the matter was handled more or less summarily by an across-the-board reduction in military activities. The military arm of the Government alone has the peculiar knowledge of what it needs in order to operate efficiently. It is extremely difficult for the layman, indeed, for Members of Congress to analyze these requests and to argue with them. Therefore, we who are not members of the Armed Forces Committee and who are not members of the Armed Forces Subcommittee of the Appropriations Committee, must rely upon the recommendations that are presented to us by these committees. It is my sincere hope that these committees will continue to examine thoroughly into every nook and cranny of our far-flung Defense Department, question thoroughly every recommendation that is made and to insist upon justification of every item that is contained in such recommendations as the military make and to provide the Members of Congress with adequate facts to convince us of the justice and necessity for the appropriations.

Neither we, nor the membership of the two committees which deal with such matters, must permit ourselves to be snowed under by the great public relations and public opinion strength that the Pentagon has at its disposal. It would be interesting to see how the proposal to make changes in the administration of the Department of Defense will be resisted by the old guard of the Pentagon. It is my prediction that unless both the administration and the Congress adopt a very determined attitude that changes are necessary, that changes must be made, and that the changes be such that the desired results will be obtained, that in 1959 we will see a military structure changed very little from the 1958 version.

We find ourselves in the military position we hold today largely because human nature is what it is. Once we were a weak and struggling Nation, threatened by the overwhelming power of the giants of the world. We had determination born of necessity to overcome those obstacles and grew to become the Nation we are today. Once having attained that position, it is only human nature to rest on one's oars. This we did following World War II. Who could believe that the necessity existed to become stronger than we already were. We were the Nation that won the war. We were the Nation that possessed the atomic bomb. We had no need to do anything more than maintain a mild interest in scientific advancement and remain strong. Not so, the other nations of the world. Possibly the atomic bomb in our hands together with the military might that we displayed in Europe was a challenge. I recall a day or two before V-E Day, Allied forces had the opportunity to capture rocket-launching sites on the Baltic Sea. It was interesting to note the rather unique installations where the Germans had launched their V-1 and V-2 rockets; but the fact that there were

military secrets infesting the place, and the scientists who had performed those miracles of jet propulsion and guided missiles, interested us very little. Not so with the Russians.

It now appears that their haste to move westward was that they might overrun those installations and scoop up secrets and scientists alike. We had the atomic bomb—a step or two away was the hydrogen bomb—and we had planes of the conventional type that could carry them. To gain the advantage, the Russians resorted to two courses of action. They borrowed by one method or another all of the secrets on the atomic development that we had, thus saving the painstaking efforts of years. They borrowed the secrets of the Germans, again saving themselves the painstaking efforts of years. We continued to rest on our oars until we were rudely jolted to the realization that our supremacy was being challenged. The jolt was climaxed with the successful launching of an earth satellite.

Though we had advanced in seven league boots in many scientific fields which have brought comfort, pleasure and meaning to the lives of our citizens in terms of automobiles, television sets, and automatic washers, flu shots and polio shots and miracle drugs and in so many other ways that the populations of the Iron Curtain countries will not enjoy, yet we were still in second gear in the field of intercontinental ballistic missiles and movements into space. Perhaps the jolt has been a good one. We know that this legislation before us is a result. From it, we will obtain greater military strength. From it, we will obtain the power to deter others from making foolhardy military moves and from it will come scientific achievements and advancements in the civilian field which will bring greater comforts of life to our American populace.

There is nothing insurmountable about the position we find ourselves in today when we compare the relative position of our country in the 18th century with that of the other nations of the world and what then appeared to be our chances for survival and growth and development, with the relative position of our Nation and the other nations of the world today. Any man among us today who adopts a defeatist or pessimistic attitude about America's future, has lost the patriotic determination that made us a great Nation.

**Mr. WIGGLESWORTH.** Mr. Chairman, I have no further requests for time.

**Mr. MAHON.** Mr. Chairman, I yield such time as he may require to the gentleman from California [Mr. SISK].

**Mr. SISK.** Mr. Chairman, I shall support the committee on this bill and I shall do it strictly on faith. However, I am much concerned about certain statements and promises made by the President in his state of the Union message and some confusion that apparently has recently developed.

#### UP THE HILL AND DOWN THE HILL

**Mr. Chairman,** the President made a good state of the Union speech on January 9. He marched straight up the hill and urged prompt action on his number one point to obtain safety through

strength; namely, the reorganization of the Department of Defense.

The President listed eight items requiring prompt action. He added the word "prompt" to his prepared speech. He said that action on the eight points was not merely desirable—but imperative.

The President also said that "soon my own conclusions—on reorganization—will be finalized" and "I shall promptly take such executive action as is necessary and, in a separate message, I shall present appropriate recommendations to the Congress."

The President was loudly applauded by the Congress and the country for these statements.

But, 6 days later at a press conference, the President appeared to go back down the hill in a disorderly rout and stated that while he had strong personal convictions on the subject, other people had ideas also and that—

I am certainly hopeful that it goes in the direction of what I believe, but I would be the last to ask for a detailed organization in which I believe because I think, say, organization has got to be effective after there has passed from the scene a man who happens to have particular strong convictions in the matter.

The President also stated at his press conference:

I am trying to put before the Congress a plan which I think will be effective, and certainly in the discussions and many conferences that will go on in the formulation of the plan that I have in mind, there will be a good deal of argument, no question about it, and my views will certainly be expressed to the very best I can; and, as I say, if the trend and tendency is not in that direction then I couldn't possibly have anything to do with it.

Mr. Chairman, I realize that a press conference is not a good place for a clear and convincing expression on a complex and controversial subject such as the reorganization of the Department of Defense. It is possible that the President did not correctly convey the impression he wanted to give at his recent press conference and that a further explanation will be forthcoming shortly.

We certainly have not yet had clarification. In a political speech last Monday the President indicated he was going to personally handle Defense Department reorganization, but yesterday Secretary McElroy said he is appointing a committee to investigate and advise. The Secretary said there is a target date for action, but refused to disclose what it is. Is this another vacuum?

I am hopeful that in the near future the President will carefully analyze what he desires to say and do on this subject and once again march up the hill with an action program that he is willing to support in the strongest possible way.

#### CONGRESS AND THE DEFENSE PROGRAM

**Mr. MAHON.** Mr. Chairman, in order to make more complete and meaningful the Record of today, I wish to submit this further statement.

In the course of the debate on the supplemental defense appropriation bill today many statements and inferences have been made that have distressed me. I have tried earnestly to present the true facts to the House; I am greatly disap-

pointed by those who have distorted the picture and sought to leave an impression which, in my opinion, is not compatible with the facts.

It has been inferred that the action by Congress last year in reducing the defense budget slowed down the defense program and made necessary this supplemental appropriation bill. It has been inferred that there are no excess funds held by the Defense Department. These inferences cannot be supported with facts. They cannot be left unchallenged.

The Defense Department has not asked for one dollar to restore funds for programs that were reduced by Congress last year. If the defense cuts last year were so bad, why has not the Defense Department requested funds to restore these cuts for the programs which it is claimed were reduced last year?

I should now like to quote from the committee report on the pending bill which has been submitted to the House over my name.

#### NATURE AND PURPOSE OF THE BILL

Members of the House should clearly understand what this bill is and what it is not.

First, as to what it is not. It is not in any way a true 1958 supplemental. It does not represent resubmission of requests for purposes heretofore budgeted and denied, either in fiscal 1958, or any prior year. As Secretary McElroy stated (hearings, p. 13):

"Mr. MAHON. You are not going back in this supplemental and picking up things that were denied financing in the past, as I see it; you are looking forward?"

"Secretary McElroy. That is correct. The programs covered by the supplemental request are all part of the 1959 budget but have been advanced into fiscal year 1958 in order to get them underway as quickly as possible. That is the reason it is a pretty simple story."

This is made equally clear in the statement of the Comptroller of the Department (hearings, page 314):

"As indicated earlier in these hearings, this supplemental request does not include any amounts for programs previously submitted to the Congress for fiscal year 1958. From a practical standpoint, the supplemental request represents that part of the fiscal year 1959 program which it is felt should be funded during the current fiscal year in order to accelerate the high-priority programs which have been outlined to you in some detail during the past week."

Corroborating statements by other officials will be found throughout the printed hearings.

Now, as to what the bill is. It is an advance installment on the fiscal year 1959 program presented in the budget a week ago yesterday. The estimates on which the bill is based were lifted out of the 1959 budget. Except for it, the defense dollar budget for 1959 would be just that much higher. It was submitted, and is so proposed, as necessary to accelerate and expand certain high priority programs in the interest of shortening the time by which our military capabilities will have been advanced so as to more arrestingly deter war and more swiftly and devastatingly respond to any attack. In short, it is to buy time. The fiscal year 1959 is still over 5 months away.

The committee will have the 1959 appropriation requests under consideration for a period of months beginning next Monday, January 27, at which time total funding requirements and availability will of course be thoroughly explored. In view of this, and the fact that the present bill covers items merely lifted from the 1959 budget of nearly \$40 billion in which the foremen-



tioned unprogramed funds have been applied as a discount, the committee has decided to grant the supplemental in the form of new appropriations as the President recommends. This is somewhat contrary to the normal procedure where unprogramed funds are available, but in this instance it is a matter of six of one and a half dozen of another.

#### DELAYS IN DEFENSE PROGRAM

Now I want to make it clear that there have been many slow-downs, cutbacks, and delays in defense programs during this fiscal year. I am going to list some of them. These cutbacks were made, not by the Congress but by the Bureau of the Budget and the Defense Department with the approval of the President. They were not made because of lack of funds. The Defense Department has had available to it during this fiscal year for expenditure about \$70 billion. Much of this money is for long leadtime items which cannot be produced this year, but the Defense Department, if it had been permitted to do so, could have expended during this fiscal year as much as \$42 or \$43 billion in carrying out various defense programs. The money has been provided by Congress. It is available to the Department of Defense. The Army, Navy, and Air Force have been prohibited, not by Congress but by the Secretary of Defense and the Bureau of the Budget, from spending funds in excess of about \$38.8 billion.

I would like to list some of the slow-downs which have been ordered in our defense program by the Department of Defense.

Perhaps the most significant of these orders, in the light of subsequent developments, was the cutback in production of ballistic missiles. Information given the committee last November 21 here in Washington by Air Force officials discloses that the effect of the August directive to cutback production of the Thor intermediate range ballistic missile—IRBM—resulted in several months delay in the initial operational capability of this missile. It cutback the entire IRBM production program for the Air Force. In the words of a high-ranking officer of the Air Force, this restriction "seriously delayed the activation date of operational squadrons."

Additional orders of significance were the directives to reduce research and development programs by 10 percent and maintenance and operation expenses by a flat 3 percent.

Looking back at the pre-sputnik record for new starts on military construction projects it will be seen, using the Air Force as an example, that only about \$5 million had been obligated by the end of September from a total of nearly \$1,500 million available for obligation on new projects.

I am very certain that there are many orders not yet fully explained which have had drastic effects on our defense programs, such as the delay in the ballistic-missile program. It has been reported that ships in the Navy 1958 shipbuilding program have been delayed up to 6 months due to expenditure limitations.

A number of the orders and directives were announced publicly. It will be noted that some of the orders precede the beginning of fiscal year 1958. The

services quit spending money which Congress had made available to them for fiscal year 1957, as well as the slowdowns effected during 1958. Some of these publicly known orders by date are listed below:

#### PARTIAL LIST OF DELAYING ACTIONS

March 12: Memorandum to service Secretaries directing a 12-percent reduction in military and civilian personnel in the Washington, D. C., area.

May 22: Memorandum to service Secretaries freezing \$500 million of the 1957 funds available for major procurement and production, research and development, and military construction. This memorandum also directed the military departments to submit a detailed plan by June 12 showing how they propose to stay within the \$38 billion 1958 expenditure estimate.

June 19: Department of Defense directive to effect an immediate, continuing, and sharp curtailment in use of overtime in the performance of all kinds and types of Department of Defense procurement contracts, including production, research and development, and construction.

June 26: Announcement by the Department of the Navy curtailing the development and procurement of the W2V-1 long-range, early-warning aircraft, and the A4D-3, an improved carrier attack model.

June 28: Classified letter from the Director of the Bureau of the Budget to all Federal agencies, including the Department of Defense, requesting that all agencies in the executive branch keep the rates of commitments, obligations, and expenditures for fiscal year 1958 at or below the level for the fiscal year 1957, to the extent feasible. The letter directed that (1) as a general rule, requests for apportionment and allotments of funds shall be based upon holding obligations to absolute minimum levels; (2) in the case of those appropriations that are for major capital outlay and development—construction, procurement, research, etc.—the requests for apportionment and the allotments should reflect the postponement of a significant part of the obligations planned in the budget for 1958.

June 28: Memorandum from Secretary of Defense to service Secretaries stating that pending apportionment of funds for fiscal year 1958, obligations may be made for only essential operating expenses on an austere basis and that no obligations or commitments for procurement and construction should be made without specific approval by the Secretary of Defense.

July 11: Announcement by the Air Force that as a result of a review of current projects which might be modified or canceled in the light of present and anticipated budget and expenditure levels, the further development of the Navaho missile was being discontinued.

July 1: Letter from Assistant Secretary of Defense, properties and installations listing military installations and activities which have been programmed for deactivation during the period beginning July 1 and ending December 31, 1957.

July 16: Memorandum to service Secretaries directing a 100,000 reduction in military personnel made up of 50,000 Army, 25,000 Navy and Marine Corps, and 25,000 Air Force.

July 26: Announcement by the Department of the Air Force of planned production stretchouts in Century series fighter aircraft.

August 5: Announcement by the Department of the Navy of plans for inactivation of 60 ships now operating in the Pacific and Atlantic fleets as necessary adjustments within the operating forces to permit the most effective employment of personnel and funds which will be available to the Navy during fiscal year 1958.

August 6: Memorandum from the Secretary of Defense to the three services freez-

ing civilian employment and directing that to accomplish the expenditure objectives for fiscal year 1958 civilian force levels must be reduced.

August 12: Announcement by the Department of the Air Force that it was taking steps to cut back its payroll expenditures for civilian personnel by approximately 5 percent by the end of October, and stating that at the same time it is requesting contractors, except for ballistic missile work, to make corresponding cuts in expenditures.

August 13: Directive issued by the Secretary of Defense reducing established percentages for progress payments for new procurement effected on and after September 1, 1957.

August 14: Announcement by the Department of the Navy that it was taking action to reduce the number of civilian employees by approximately 18,000, the majority by October 31, 1957, and the balance spread over the remainder of the current fiscal year.

August 15: Announcement by the Military Sea Transportation Service of plans to inactivate 15 MSTs tankers made possible by the anticipated decrease in military petroleum shipments resulting from Department of Defense economy measures.

August 16: Announcement by the Department of the Navy stating plans to discontinue male recruit training at the Navy Training Center, Bainbridge, Md., as a necessary adjustment to permit the most effective employment of personnel and funds during fiscal year 1958.

August 20: Announcement by Marine Corps suspending the enlistment of men under the 2-by-6 program as a reduction in the recruiting program necessary to meet the lower strength requirement recently ordered by the Secretary of Defense.

August 21: Announcement by the Department of the Air Force of the cancellation of the development of the XF-103 all-weather interceptor aircraft.

August 21: Announcement by the Department of the Navy that it was making certain changes in the future production rates of a large number of new model aircraft and missiles as a result of increasing costs, technological advances and budgetary limitations.

August 23: Announcement by the Department of the Army regarding reductions in civilian personnel and in Army activities, installations and units consistent with the 50,000 reduction in Army military strengths to be effective January 1, 1958, and the limitation on Army expenditures for fiscal year 1958.

#### LETTER FROM ASSISTANT SECRETARY OF DEFENSE

In order to clinch the point that these delays were the handiwork of the Department of Defense and the Bureau of the Budget, and not of Congress, I wish to quote a letter from the Assistant Secretary of Defense, addressed to me, August 14, 1957, which is as follows:

ASSISTANT SECRETARY OF DEFENSE,  
Washington, D. C.

Hon. GEORGE H. MAHON,  
Chairman, Department of Defense,  
Subcommittee, House Committee on  
Appropriations.

DEAR MR. CHAIRMAN: This is in response to your inquiry concerning the effect on the defense program of Congressional action on the fiscal year 1958 defense budget request.

The adjustments required in the programs of the Department of Defense for fiscal year 1958 are essentially those necessary to hold expenditures for the current fiscal year to \$38 billion, the expenditure estimate contained in the President's budget submitted to the Congress in January.

It is possible that when the final program decisions for the current fiscal year have been made, we may find that Congressional action on the Department's requests for new

obligational authority for that year may affect certain programs in a minor way. Conversely, we may later find that in a few instances a small amount of the new obligational authority provided by the Congress for fiscal year 1958 in the annual appropriation accounts cannot be utilized effectively. All the funds provided in the no-year account, in my judgment, can be properly and advantageously utilized in reestablishing the long lead time programs on a fully funded basis.

The real problem posed by the action of Congress on the 1958 budget is that the appropriation of slightly less than \$36 billion, including transfers, in support of a current program of \$38 billion requires the utilization of essentially all of the carry-over obligational authority which might otherwise have been available as a credit against the fiscal year 1959 request. While this action does not materially affect defense programs in 1958—it will require a budget request for 1959 of at least \$38 billion to support a continuing program of this magnitude. This will create a psychological problem inasmuch as it will appear to the public as a substantial increase in the defense budget, whereas in fact the level of the program would in that case remain the same.

Sincerely yours,

W. J. McNEIL.

Mr. Chairman, I should like to call attention to my extension of remarks in the September 3, 1957, CONGRESSIONAL RECORD which contains many references to the defense budget and the action of Congress thereon.

Mr. DOYLE. I am in support of the purposes and objectives of H. R. 10146. Before I briefly mention some of the reasons I am in support of this bill, I wish to cordially compliment the Mahon subcommittee on appropriations, from which subcommittee this bill emanated. I compliment them upon their promptness and vigilance in the best interests of our Nation's national defense for convening as promptly as they did as a subcommittee and bringing forth this informative subcommittee report as containing the necessary strategic information and clear-cut analysis of why we needed this supplemental \$1,260 million in new appropriations at this time, together with the \$110 million additional authority to transfer between already existing appropriations.

First. The committee report and this debate, has made clear, that this amount is already encompassed as part of the budget for the fiscal year 1959 and that when we vote this very large amount today, it is not an amount in addition to, or duplicate amount of, any items in the 1959 budget which the President recently submitted to us. Therefore, our worthy subcommittee has made it crystal clear that as far as they now have any idea, we will not be asked again to appropriate any part of these funds. The ultimate result of our approving this bill today, is that it amounts to taking these sums out of the 1959 budget and advancing it into the 1958 budget, in order that we can save important time in the best interests of the national defense and security of our beloved Nation. As a lawyer, I would say that time being the essence, we therefore must take notice of that element in the present defensive situation as between a possible aggressive Soviet community and defensive security of ourselves and of our sworn allies.

This Congress was asked by the President of the United States on January 7 for additional funds and for our immediate consideration of his request. This vital bill now before us is our early compliance with the request of our Chief Executive and our Commander in Chief. The subcommittee began hearings the day after the President's request. Certainly it could not have commenced hearings on the President's request any sooner.

Second. Without being able to here relate anything of what I have heard these last several days as a member of the Armed Services Committee in our closed and executive committee hearings from our Military Establishment, I wish to frankly say, however, that I would feel most uncomfortable, most unhappy, and most dissatisfied with myself, if I should vote against this bill. It is unnecessary for me to here take your time to do more, than refer you to the crystal-clear arguments and reasoning yesterday and today ably presented to us by these, our fellow colleagues, on both sides of the political aisle. They had sat for many days, questioning the well-qualified witnesses before them. The hearings of the subcommittee will reveal in their printed report before us, valuable data. It consists of some 389 pages.

Third. Because it is now evident that the Soviets began to put top priority emphasis on the development of guided missiles of much military equipment so much earlier than we did; and, because it is manifest that we must not fall further behind in this essential new missile weapon, we must take every reasonable and necessary step to provide these funds as soon as possible. The lack of them could mean not only our being pressed into an unwanted and unsought corner as a second-grade and second-class nation, but it could mean a national defeat and destruction by reason of an unanticipated military attack from the Communist world.

Several days ago this House unanimously approved the establishment of the new Advanced Research Projects Agency in the Office of the Secretary of Defense, for purposes of research and development. This bill will make the following sums available now instead of a year from now, for this established research and development agency. I repeat that time is of the essence. Here is the program that the committee recommends to us:

Strategic Air Command dispersal and alert program	\$218,600,000
Ballistic-missile detection system	329,000,000
Acceleration of the Atlas, Thor, and Jupiter ballistic-missile program	333,400,000
Acceleration of the Polaris ballistic-missile and submarine program	350,000,000
Construction of additional SAGE communication centers	29,000,000
<b>Total</b>	<b>1,260,000,000</b>

<sup>1</sup> In addition transfer authorities of \$150 million.

When I extemporaneously speak here so emphatically in support of this pres-

ent bill, it must not be taken as any lessening of my well known position, that world conditions which will insure an enduring world peace, is the most important achievement presently before the people of the world. But, I believe that experience and history also loudly tell us, that we cannot logically expect to be in a continuing position to vigorously and conscientiously urge upon the rest of the world world peace, if we allow ourselves to become weak and inefficient in military strength. We cannot claim and demand conditions of world peace from a position of military weakness. This should be as clear as crystal to us. When we know the frequently stated positive declarations of Soviet communism which is now in unquestioned control of the Soviet Union and its hundreds of millions of satellite people, that Soviet communism is determined to conquer and control the policies and people of the world. I, of course, realize that by subversive infiltration and subversive activities Soviet communism has already come to dominate hundreds of millions of people who were captured by such subversive methods. My service of several years on the House Un-American Activities Committee has been a source of such information as to foreign countries and also, makes me say, that we must not let our guard down domestically, against those subversive persons and programs dominated from Moscow, which would uproot and destroy our constitutional, representative form of government. Can there be any question but that this subversive activity is part and parcel of the cold war to meet which, we are passing this bill today? I have not and will not today, nor any time, so vote as to take a chance against the security of the people of my Nation and their destiny. Nor, Mr. Speaker, against all we Americans hold dear. I believe it means an unbalanced budget, which I regret. I also believe it means no reduction in taxes for a long time. I regret this also. But, I will not gamble with survival. That to me, is a paramount issue at this time. It is involved in the possibilities of this bill.

The President's state of the Union message made it clear, that there must be effective direction and coordination in our military department. As a member of the House Armed Services Committee for several years, I was pleased to see the emphasis on that point. This bill gives additional funds and additional necessary authority. The breakdown of the funds in this bill, takes care of immediate emergencies which have developed in the missile research and development field in the Army, the Navy and the Air Force. If you have not already read the report of the Mahon subcommittee on this bill, I urge you to do so before you vote. Having already done so myself, and from what I had already learned of our national emergency in the field of our national defense, growing out of the speedy and comprehensive Soviet progress in these fields, I find it my bounden duty to speak these brief words and support of this bill. I do hope that it will have unanimous approval. Such a vote would be understood throughout



the world as a renewed and repeated declaration by the American people that we will not surrender our security nor our freedoms either now, nor in the days of our grandchildren; nor in the days of our grandchildren's children; nor ever, in the history of mankind.

Mr. MAHON. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read the bill.

Mr. MAHON. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with the recommendation that the bill do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. PRICE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 10146) making supplemental appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes, had directed him to report the bill back to the House with the recommendation that the bill do pass.

Mr. MAHON. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. MAHON and Mr. WIGGLESWORTH demanded the yeas and nays. The yeas and nays were ordered.

The question was taken; and there were—yeas 388, nays 0, not voting 40, as follows:

[Roll No. 7]

YEAS—388

Abernethy	Bolling	Colmer
Adair	Bolton	Cooley
Addonizio	Bonner	Corbett
Albert	Bosch	Coudert
Alexander	Bow	Cramer
Alger	Boykin	Cretella
Allen, Calif.	Boyle	Cunningham,
Allen, Ill.	Bray	Iowa
Andersen,	Breeding	Cunningham,
H. Carl	Brooks, La.	Nebr.
Anderson,	Brooks, Tex.	Curtin
Mont.	Broomfield	Curtis, Mass.
Andrews	Brown, Ga.	Curtis, Mo.
Anfuso	Brown, Mo.	Dague
Arends	Brown, Ohio	Davis, Ga.
Ashley	Brownson	Davis, Tenn.
Aspinall	Broyhill	Dawson, Ill.
Auchincloss	Budge	Dawson, Utah
Avery	Burleson	Delaney
Ayres	Bush	Dellay
Baker	Byrd	Dempsey
Baldwin	Byrne, Ill.	Dennison
Baring	Byrne, Pa.	Denton
Barrett	Byrnes, Wis.	Derounian
Bass, N. H.	Canfield	Devereux
Bass, Tenn.	Cannon	Diggs
Bates	Carrigg	Dingell
Baumhart	Cederberg	Dixon
Beamer	Celler	Dollinger
Becker	Chamberlain	Donohue
Beckworth	Chelf	Dorn, N. Y.
Bennett, Fla.	Chenoweth	Dorn, S. C.
Bennett, Mich.	Christopher	Dowdy
Bentley	Church	Doyle
Berry	Clark	Durham
Betts	Clevenger	Dwyer
Blitch	Coad	Eberhart
Boggs	Coffin	Edmondson
Bolland	Collier	Elliott

Engle	Kluczynski	Riley
Evins	Knox	Rivers
Fallon	Knutson	Roberts
Farbstein	Krueger	Robeson, Va.
Fascell	Laird	Robison, N. Y.
Feighan	Landrum	Robison, Ky.
Fenton	Lane	Rodino
Fisher	Lankford	Rogers, Colo.
Flood	Latham	Rogers, Fla.
Flynt	LeCompte	Rogers, Mass.
Fogarty	Lennon	Rogers, Tex.
Forand	Lesinski	Roosevelt
Ford	Libonati	Rutherford
Forrester	Lipscomb	Sadlak
Fountain	Long	Santangelo
Frazier	Loser	St. George
Frelinghuysen	McCulloch	Saund
Friedel	McDonough	Saylor
Fulton	McFall	Schenck
Garmatz	McGovern	Scherer
Gary	McIntire	Schwengel
Gathings	McIntosh	Scott, N. C.
Gavin	McMillan	Scott, Pa.
George	McVey	Scrivner
Glenn	Machrowicz	Scudder
Gordon	Mack, Ill.	Seely-Brown
Granahan	Mack, Wash.	Selden
Gray	Madden	Sheehan
Gregory	Magnuson	Shelley
Griffin	Mahon	Sheppard
Griffiths	Maillard	Shuford
Gross	Marshall	Sikes
Gubser	Martin	Siler
Hagen	Mason	Simpson, Ill.
Hale	Matthews	Simpson, Pa.
Haley	May	Sisk
Halleck	Meador	Smith, Calif.
Harden	Metcalf	Smith, Kans.
Hardy	Michel	Smith, Miss.
Harris	Miller, Calif.	Springer
Harrison, Nebr.	Miller, Md.	Staggers
Harrison, Va.	Miller, Nebr.	Stauffer
Harvey	Miller, N. Y.	Steed
Haskell	Mills	Sullivan
Hays, Ark.	Minshall	Taber
Hays, Ohio	Mitchell	Talle
Healey	Montoya	Taylor
Hebert	Morano	Teague, Calif.
Hemphill	Morgan	Teague, Tex.
Henderson	Morris	Teller
Herlong	Moss	Tewes
Heselton	Moulder	Thomas
Hess	Mumma	Thompson, La.
Hiestand	Murray	Thompson, N. J.
Hill	Natcher	Thompson, Tex.
Hillings	Neal	Thomson, Wyo.
Hoeven	Nicholson	Thornberry
Hoffman	Nimtz	Tollefson
Holfield	Norblad	Trimble
Holmes	Norrell	Tuck
Holt	O'Brien, Ill.	Udall
Holtzman	O'Brien, N. Y.	Ullman
Horan	O'Hara, Ill.	Utt
Hosmer	O'Hara, Minn.	Vanik
Huddleston	O'Konski	Van Felt
Hull	O'Neill	Van Zandt
Hyde	Osmers	Vinson
Ikar	Ostertag	Vorys
Jackson	Patman	Vursell
James	Patterson	Walter
Jarman	Pelly	Watts
Jenkins	Perkins	Weaver
Jennings	Pfost	Wharton
Jensen	Philbin	Whitener
Johansen	Pilcher	Whitten
Johnson	Poage	Widnall
Jonas	Poff	Wier
Jones, Ala.	Polk	Wigglesworth
Jones, Mo.	Porter	Williams, Miss.
Karsten	Powell	Willis
Kearney	Preston	Wilson, Calif.
Kearns	Price	Wilson, Ind.
Keating	Prouty	Winstead
Kee	Rains	Withrow
Keogh	Ray	Wolverton
Kilburn	Reece, Tenn.	Wright
Kilday	Reed	Yates
Kilgore	Rees, Kans.	Young
King	Reuss	Younger
Kirwan	Rhodes, Ariz.	Zablocki
Kitchin	Rhodes, Pa.	Zelenko
	Riehlman	

NAYS—0

NOT VOTING—40

Abbutt	Dies	Lafore
Ashmore	Dooley	McCarthy
Bailey	Fino	McCormack
Barden	Grant	McGregor
Belcher	Green, Oreg.	Macdonald
Buckley	Green, Pa.	Marrow
Burdick	Gwinn	Moore
Carnahan	Holland	Morrison
Chiperfield	Judd	Multer
	Kelly	Passman

Pillion	Slerninski	Westland
Rabaut	Smith, Va.	Williams, N. Y.
Radwan	Spence	
Rooney	Wainwright	

So the bill was passed.

The Clerk announced the following pairs:

Mr. McCormack with Mr. Moore.  
Mr. Carnahan with Mr. Judd.  
Mrs. Kelley with Mr. Lefore.  
Mr. Green of Pennsylvania with Mr. Gwinn.  
Mr. Buckley with Mr. Chipfield.  
Mr. Blatnik with Mr. McGregor.  
Mr. Rooney with Mr. Radwan.  
Mr. Spence with Mr. Westland.  
Mr. Rabaut with Mr. Williams of New York.  
Mr. McCarthy with Mr. Fino.  
Mr. Macdonald with Mr. Dooley.  
Mr. Morrison with Mr. Burdick.  
Mr. Multer with Mr. Pillion.  
Mr. Smith of Virginia with Mr. Merrow.  
Mrs. Green of Oregon with Mr. Belcher.  
Mr. Barden with Mr. Wainwright.

The result of the vote was announced as above recorded.

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members of the House who desire to do so may be permitted to extend their remarks at the point in the RECORD prior to the reading of the bill for amendment and that they may be privileged to include brief excerpts in those remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members of the House may be permitted to extend their remarks in the RECORD on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

#### MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McGown, one of its clerks, announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 58. Concurrent resolution authorizing the President of the United States to proclaim the week of January 26, 1958, through February 1 as National Junior Achievement Week.

#### A FEDERAL SCHOLARSHIP FUND

Mr. RODINO. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. RODINO. Mr. Speaker, I wish to speak to you today about my bill, H. R. 390, which would provide for the establishment of a Federal scholarship fund to enable needy but scholastically qualified students to pursue college, postgraduate, and professional education. In so doing I would like to call the attention of the House to the appalling wastage of human resources involved in our Nation's present failure to make it possible

for those thousands of high-school graduates who have high and even outstanding ability to pursue their education up to the very limits of their capacity.

It has been estimated by the President's Commission on Higher Education that out of every thousand children finishing the fifth grade together, 900 have the ability to go through high school, yet only 403 do so. Out of that same thousand finishing the fifth grade, it has been estimated that 320 have the ability to go through college, yet only 70 do so. Thus, every year we are failing to train 55 percent of those who ought to finish high school and 76 percent of those who should finish college.

Mr. Speaker, I would submit that this is a luxury we can no longer afford. It is in fact a standing reminder of the shortsightedness of this the richest Nation on earth. We who hold the birthright of democratic traditions must recognize that adequate educational opportunity is not merely one of democracy's obligations but rather that it is a necessity if we are to keep America strong and free. We simply cannot afford to let our best minds lie fallow.

Perhaps the No. 1 reason why so many of these young people of excellent ability do not go to college is because of a lack of adequate personal funds to finance this education. Today, this gap can no longer be filled by the private and charitable funds that are available for scholarship and loan purposes. Authorities on financing a college education are agreed that to maintain a student body of first-rate ability, financial assistance of some nature would have to be awarded to between 35 and 40 percent of the total student body. How many of our colleges can boast of this high a percentage?

Not only are the scholarships presently available to few in number but the stipends which many contain are similarly inadequate. Some of these are as low as \$5 to \$10 a year and many are for only \$100 or less. Only in the more financially secure institutions like Princeton, Harvard, and Yale are scholarships available in considerable numbers which cover at least half of the cost of such education.

I am therefore urging consideration of this bill, which I hope will to some extent help to provide a means whereby those well-qualified but needy students may secure that added educational training so necessary to our Nation's well-being. In essence, this bill is intended to give every qualified student the opportunity to obtain the financial assistance necessary to attain a college education if he so desires. It provides for no Government subsidy but rather establishes a central loan fund to which the individual student on his own initiative and through his own State administrative agency may apply.

Under this bill each State is free to choose whether to participate in the Federal scholarship fund program or not. If it chooses to do so it then contributes proportionately to the maintenance of the fund. Initial selection of the recipients of all loans is also left to the State administrative agencies established for this purpose with the proviso that no

State shall make any discrimination in its selection because of race, creed, color, or national origin.

The bill further provides that each student selected to participate in the program may choose his own course of study at the institution of his choice thus taking advantage of the student's natural inclinations and motivations. Likewise, the bill contains what I consider to be adequate safeguards to prevent the Federal Government from regulating or interfering with the courses of instruction or the administration of our colleges and universities.

The loans provided for under this program are of two amounts. For those engaged in primarily undergraduate-type studies, \$1,000 may be borrowed annually for a period of 4 years. For those engaged in postgraduate and professional study, the sum of \$1,500 may be borrowed annually for a like period. In neither case may the amount borrowed exceed the cost of tuition by a certain specified amount and in both cases these loans must be repaid at 1 percent interest annually over a 10-year period following the completion of the studies undertaken. Both type loans are made subject to the individual student's demonstrated financial need and both are contingent upon the satisfactory progress of the student in pursuing his studies.

Since I realize that both time and study will be needed to initiate and perfect any such scholarship program, I have provided that \$5 million be appropriated initially by the Federal Government for this fund followed by \$10 million for the succeeding year and then such sums as may be necessary to fulfill the provisions of this act.

The contribution to be made by the States who have elected to participate in the program will vary on an annually determined sliding scale but in no case will they exceed 10 percent of the aggregate amount of advances made to students from that State during the preceding calendar year.

In conclusion, I need not remind the House that the Soviet Union is currently graduating nearly three times the number of engineers that are coming out of our technical schools. If we hope to keep pace with the tremendous technological development currently taking place within the Soviet Union—and indeed we must—then we must be willing to pay the cost of this development. Not only is this program essential for our national security against the external menace of the Soviet Union but it is perhaps more important for the intellectual and spiritual growth of our democracy itself. We in this country have, indeed, placed all our faith, placed our hope, upon the education, the intelligence, and the understanding of our people. We have said that ours is a government conducted by its citizens, and from this it follows that the Government will be better conducted if its citizens are educated. We have bet all our chips, if you please, on the intellectual improvement of our people.

I sincerely urge necessary action during this session to consider the various

legislative proposals for Federal aid to students for higher education. A subject so vital certainly merits the attention and consideration of the Congress.

#### EDUCATION FOR A STRONGER AMERICA—AN EIGHT-POINT PROGRAM

Mr. TELLER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TELLER. Mr. Speaker, I submit for consideration of the Congress a comprehensive eight-point legislative program for improving education, designed to perfect our national security and to fortify America's world leadership responsibilities.

The program which I propose includes suggestions for Federal assistance for elementary and secondary-school construction, 50,000 annual college scholarship grants, 5,000 fellowship grants and a fellowship-loan fund for post-college research and study, Federal grants for construction of State and municipal colleges and college research and laboratory facilities, grants for developing pilot teaching programs, revision of our tax law so as to permit parents to take reasonable deductions for children attending college, assistance for adult education, and creation of a commission for investigating National, State, and local educational policies, methods, and procedures.

I realize that the problems we face in the field of education are highly complicated and many faceted, and require accommodation to our system of Federal-State relations. It is my hope, in view of the gravity of our present situation, that political motives will be laid aside in the formulation of a sound and vigorous educational policy for a stronger America.

The program which I propose requires substantial outlay, for the tasks which we face in the field of education are gigantic, and they suffer from long years of neglect. The rewards, both social and economic, of an adequate educational program are great. Money alone, of course, will not suffice to do the job which needs to be done. Just as important are leadership, integrated planning, and revising our attitudes in the home and in the local communities toward education.

I have in mind the essential preoccupation with our multi-billion-dollar defense program and our growing budget, but proven areas of large-scale economies exist through which we can save large sums of Federal money, more than sufficient to pay for the educational program which I propose. One of these areas has to do with the Hoover Commission reports, which have been allowed to gather dust despite the conservative estimates that more than \$1 billion annually could be saved by systems of centralized purchasing and the adoption of modern tested methods of administration. Another has been highlighted by



the Cordiner report—report of the President's Defense Advisory Committee on Professional and Technical Compensation, made May 8, 1957—whose findings are to the effect that an integrated program of training and compensation in the armed services, by decreasing highly wasteful turnover and other inefficient practices "will make possible annual savings and gains of several billion dollars within a few years." My bill, H. R. 9977, introduced January 14, 1958, is designed to adopt the Cordiner report. H. R. 9977 is similar to a bill—H. R. 9979—introduced by Mr. VINSON, chairman of our Committee on Armed Services. The President has expressed approval of the Cordiner report, at least substantially, and has urged its adoption. A third field for economy will, according to reliable information and Congressional committee investigations, come from cutting down on manpower and weapons expenses now caused by inter-service rivalries and failure to keep pace with the mechanization process.

Major emphasis of my proposed legislative program is placed on developing the physical sciences, mathematics and engineering, and basic research in these fields; foreign languages, and history is also a substantial objective of my proposed program.

We face a colossal national task in the field of education resulting from long years of lazy approaches and outright indifference to the basic obligations which have been thrust upon us by world events. The Russian satellites have spotlighted our failures, and marked out our duties from which we cannot shrink. Improvement of training in mathematics, science, and engineering is, of course, a primary duty of American educational policy, but our world leadership also requires a vast improvement in knowledge of foreign languages, history, and international affairs. Teaching of Russian has been almost wholly ignored, and as a result we lack sufficient personnel and programs to translate Russian scientific and other documents which may be of importance to us. Two-thirds of Russia's college students are learning the English language. A language contains subtleties which afford clues to valuable understanding of folkways and points of view. In propaganda, and communications generally, these may be very helpful to us. We have failed also to afford sufficient opportunities for learning the languages of Asia, Africa, and the Near East, areas of growing importance to the success of our international relations.

The current crisis in international affairs is the outcome of a struggle between the Free World whose peoples look to our country for leadership, and the unfortunate victims of the international gangster conspiracy whose leaders in Soviet Russia are engaged in relentless, often subtle, and always persistent quest for world domination. This unrelenting Soviet conspiracy is sought to be furthered by attempted leadership in the scientific revolution which began with the release of atomic energy. The Nation has been shocked to learn recently that the Soviet Union has made substantial strides

in the field of education, and that we cannot boast a superiority in this vital field. Today, for example, Russia has more scientists, engineers, and technicians than the United States, and is graduating more than twice as many each year. In our country, by contrast to Russia, 24 percent of our high schools offer no geometry, 23 percent offer no physics or chemistry, and the number of students who have elected to study these and related subjects have declined: whereas 56 percent of our high-school students studied algebra in 1900, only 25 percent did so in 1955; whereas 27 percent studied geometry in 1900, this had declined to 11 percent in 1955. There are no electives in the Soviet 10-year schools, which have been described by informed Americans as models of efficiency.

We would be traitorous to our traditions of freedom if we aped the Soviets in their rigid and inhumane educational system.

The Soviets inherited from Czarist Russia an authoritarian but competent system of education to which only a small minority of the people had access. Following their advent to power in 1917 the Communists instituted a number of departures from the czarist system but in the 1930's returned to its methods and maintain them today. They have, however, been made more accessible to the people; illiteracy has been drastically reduced. The purposes of education in Soviet Russia are to serve the state, not as in America to liberate the individual; people are educated in Soviet Russia to inculcate them with enthusiasm for Soviet imperialism and to develop state-needed skills.

Our free society is a source of strength and I have unshaken confidence in its correctness and its eventual world victory. We must, however, know the facts as they are, face them, and direct our energies and our resources to remedy imperfections which interfere with the full utilization of our national reservoirs of greatness.

The Russian sputniks were not the result of superiority in the Soviet system of education or science research—single-mindedness and concentration of material and effort at the expense of other scientific activities were undoubtedly the basic reasons. But if the educational and research facilities of the Soviets are equal to the kind of project evidenced by the sputnik, they are capable of other things, and we have to advance our own plans to a more alert and expanded set of plans and actions.

American scientific and cultural talent is underemployed, partly perhaps as a result of a persistent anti-intellectual outlook which we have curiously inherited from frontier days. Alan T. Waterman, Director of the National Science Foundation, has recently decried our attitude toward science and education.

The relative strength in fundamental research of the European countries—

He states—

is the result of their general respect for learning, for teaching, and for fundamental research, an attitude which we as a people have never had to the same degree.

The legislative program for education recently presented to the Congress in the President's disappointing 1958 budget message has a characteristic common to so many policies of the Eisenhower administration—it gives partial recognition to a problem but fails to perceive its magnitude. The budget proposal appropriates \$140 million for the National Science Foundation for 1959—\$58 million for basic research and \$82 million for science education—and an appropriation of \$145.5 million to finance the first year of a 4-year temporary program for assistance in support of science and education. Federal assistance for elementary and secondary school construction is abandoned.

The President's budget message insofar as it dealt with education carried forward a seven-point plan prepared by Secretary Folsom of the Department of Health, Education, and Welfare, which the President approved in a statement made December 30, 1957. I shall refer to the President's program at various parts of my remarks, to indicate its gross inadequacy and failure to come to grips with the expanding crisis in American education.

Testifying recently before a subcommittee of our House Committee on Government Operations, Dr. Waterman of the National Science Foundation revealed that the President's proposed budget cut in half the Foundation's program for construction of research facilities, and denied to the Foundation 20 percent of the funds requested for basic research. Cutting funds for basic research is dangerous business, since basic research, which explores the fields of pure science for knowledge that may not be needed immediately, is the stuff from which sputniks come; it has never been truer than it is today that future battles of Waterloo will be won on the playing fields of Eton.

The Congress, it is clear, will have to take the initiative in the present national crisis in education, since the President has refused to carry it. It will be impossible to effectuate an adequate educational program of school construction, scholarships, assistance for research laboratories, and improving the recruitment, training and retention of teachers, if the limitations of the President's proposals are accepted.

I do not favor Federal control of education. Direction and supervision of personnel, curriculum and programs of instruction are primarily a responsibility of the States. Particularly in the field of higher education, moreover, tremendous contributions have been made by private institutions. No interferences with these institutions are intended or suggested in my proposals. Indeed, it is my hope that increased Federal concern for education will encourage comparable improvement in the private colleges and universities, and that they should receive a share of the Federal grants wherever possible.

The issue of Federal controls, however, is too often used as an argument against all Federal assistance, in disregard of the nationwide critical classroom shortage and the shocking failure of the

States to relieve it adequately, and without regard also for the existing and growing crisis in higher education. We have engaged in a number of forms of Federal assistance to local education, and none of them has led to Federal controls: for example, substantial aid to land-grant colleges, the school lunch program, assistance for vocational education, and huge grants for both the construction and the operation of schools in federally affected areas.

My legislative proposals are as follows:

First. A \$3 billion matching-basis appropriation for local public elementary and secondary school construction, to be given to the States in 5 annual installments of \$600 million. My bill H. R. 9731 was introduced for this purpose on the opening day of our present 2d session of the 85th Congress, January 7, 1958. This temporary program designed to meet the mounting classroom shortage is similar to the bill introduced in 1957 by the late Representative Augustine B. Kelley. The Kelley bill was defeated in the last session of the present 85th Congress, but I believe that the recently revealed inadequacies of our educational facilities and Russia's satellites have awakened the Congress to the need for reexamining and improving our national educational policies and facilities throughout the country for our growing population.

My bill H. R. 9731 differs from the Kelley bill in that under H. R. 9731 a \$3 billion appropriation would be made, whereas the Kelley bill, as reported to the House by our Committee on Education and Labor, called for a \$1.5 billion appropriation.

H. R. 9731 also differs from the Kelley bill in that it contains a prohibition against school segregation on account of race, creed, color or religion. Antisegregation provisions have been tacked on to previous education bills as floor amendments, but I believe that meeting the problem head-on in the original bill is a more forthright way of going about the problem which should help the bill's progress in the Congress by removing political bickering over it in its preliminary stages. The national policy for education must clearly assure an opportunity for educational advancement for all persons regardless of race, color, creed or religion. Our Supreme Court has so held, and our traditions so dictate.

H. R. 9731 strikes at a basic shortcoming in American education—the serious lack of adequate classrooms for public elementary and secondary school education.

Here, at the bottom rung of our educational ladder, we find a persistent defect which frustrates our ability to go forward not only in the fields of mathematics and the social sciences but also in research and higher education generally.

Based on an investigation conducted among State educational agencies by our Department of Health, Education, and Welfare, it was estimated by Mr. Folsom, Secretary of the Department, that the national classroom shortage at the start of the 1957 school year amounted approximately to 159,000 classrooms. In testimony given by Mr.

Folsom to a subcommittee of our Committee on Education and Labor in 1957, he noted that the States have been increasing the annual rate of classroom construction from 9,000 classrooms in 1946-47 to 63,000 classrooms in 1956. But he pointed out that even if this annual rate were increased to an all-time peak of 69,000, as some have hopefully predicted, the States would barely be able to keep pace with the new needs developing each year, leaving untouched the emergency resulting from the shortage of the existing estimated 159,000 classrooms.

Under our traditional system of education, the construction of public elementary and secondary schools is given over to local school districts—of which there are approximately 63,000 in the 48 States—which issue bonds to secure the needed money. The money to pay the school construction bonds is derived from taxes levied on property located in the school district.

Those school districts which are rich in property get along nicely, and commonly have fine schools to show for their property wealth.

But in thousands of poorer local communities the school districts lack sufficient property for issuing bonds to finance necessary school construction. The revealed national classroom shortage means not only overcrowding but also the complete absence of school facilities. Of the 31.5 million children in our public schools in 1956, there was no room for 2.3 million. Children have half-day schedules because of lack of facilities. This is a substantial source of illiteracy in our great and rich country.

Some people tell us that the Federal Government should not intervene in the field of education, that the matter should be left to the States. But an examination of State assistance made in 1956 by the United States Office of Education revealed that no State assistance whatever is given to local districts for schoolhouse construction in the following 18 States: Arizona, Colorado, Idaho, Illinois, Iowa, Kansas, Kentucky, Louisiana, Minnesota, Montana, Nebraska, New Jersey, New Mexico, Oklahoma, Oregon, Texas, West Virginia, and Wyoming.

In most of the remaining States, moreover, little more than token assistance for this purpose is given. Plans for State aid to education such as the highly developed system in New York give local assistance for operation of schools as distinguished from their construction.

My bill H. R. 9731 sets forth an emergency program designed to meet an emergency situation. The formula for allocations to the States takes into account not only the school-age population within each State, but also the efforts which it can be expected to make, and contemplates that within a State the money can be allocated to local areas where the greatest classroom shortage exists.

We have had abundant experience with large-scale Federal assistance not only for the construction of schools but for their maintenance and operation. I refer, of course, to Public Laws 874 and 815, which apply to federally affected

areas. These laws, first enacted in 1950, and annually extended since then, were based on the view that the Federal Government should share the cost of education in areas where, because of Federal activities such as military installations or other Federal projects, population increases take place which are beyond the financial ability of local school districts to absorb. From 1950 through fiscal year 1958 a total of more than \$618 million was appropriated under Public Law 874 for assisting maintenance and operation of schools, and a total of about \$800 million under Public Law 815 for assisting in the construction of school facilities.

As I have stated, the programs of Public Law 874 and Public Law 815 extended substantial and continued Federal assistance not only for school construction but also for their maintenance and operation. The 3,000 local school districts which received assistance under these laws made contributions for these purposes under formulas established in these Federal laws. Significantly, no outcry has been heard against these laws, or that they brought about Federal control of education. Indeed, a study made public last year by Teachers College, Columbia University, among school districts receiving Federal aid under Public Law 874 concluded that: "Federal control over school personnel, the curriculum, and institutional programs had not accompanied the distribution of funds." These laws broke valuable ground in showing how the Federal Government can cooperate with the States in improving our educational system. My bill, H. R. 9731, like the Kelley bill, extends this successfully tested method of Federal-State cooperation.

It is, therefore, regrettable that the President abandoned the Federal school construction program in his 1958 budget message to the Congress. The abandonment is not easy to understand since everything that has happened in the world since the President professed his support for the program in 1957 would point to the necessity for its more genuine and wholehearted support today in expanding form.

This is what President Eisenhower stated last year:

Of all the problems in education "one is most critical." In 1955 and again last year I called attention to the critical shortage of classrooms in many communities across the country. With Federal help the States and communities can provide the bricks and mortar for school buildings and there will be no Federal interference with local control of education. \* \* \* The need for Federal assistance in eliminating this shortage is not theory but demonstrated fact.

I have emphasized the words "most critical" which the President used in 1957 because I do not understand that the events since 1957 have obviated the need for dealing with this most critical classroom shortage—on the contrary, the proven need is greater, the crisis more intense. The budget is substantially taken up with a program for science-oriented higher education, but I am at a loss to understand how such a program can succeed where its roots—primary and secondary schools—have



been shown to be seriously imperfect and are nevertheless wholly ignored.

Mr. Speaker, we simply cannot ignore, we cannot be indifferent to, the revealed shortcomings in our system of primary and secondary school education. They are too enormous. With the growth of population they will inevitably become more critical. They are a fertile source of illiteracy, a source of national shame. Our self-respect and our world leadership responsibilities dictate that they be eradicated.

Second. A program for 50,000 annual college scholarship grants, to be awarded to winners of national competitive examinations. The minimum scholarship amount would be \$500 yearly for a 4-year period, but this could be increased to \$1,500 for needy students. My proposal contemplates that the examinations be given and that the program be administered jointly by the National Science Foundation and Office of Education. The top 20 percent of the scholarship winners would be awarded a scholarship without regard to the State in which they reside; the remaining scholarships would be awarded in each State in proportion to its population. Recipients of scholarships would be free to attend institutions of their own choice.

Substantial educational programs, particularly in the field of higher education, are now conducted by business and labor organizations, and foundations, and other private persons and groups. These persons, foundations, and organizations have been doing a magnificent job, and I hope they will continue to operate and expand. They have, moreover, as exemplified by the manifold activities and substantial expenditures of the Ford Foundation, pointed the way for needed governmental action. The problem which the Nation faces has gigantic national dimensions, requiring national action.

Proposals for establishing a program of Federal scholarships are not new. In 1947 the President's Commission on Higher Education recommended such a program. In 1949 and 1950, former President Truman urged Congress to establish a program of general scholarships and fellowships, and for this purpose he included an item in the national budget for the fiscal year 1951. On April 19, 1956, President Eisenhower created the President's Commission on Education Beyond the High School, composed of 33 distinguished persons and headed by Devereux C. Josephs, an outstanding American who has made enormous contributions to the cause of better education. In its second report, made in July 1957, the Josephs committee flatly stated:

Present available scholarships are grossly inadequate. The total available—roughly \$60 million per year—is about one-tenth of what would be required to provide, say, a \$750 scholarship for 4 years to some 200,000 of the ablest and neediest high-school graduates annually.

Having regard for the enormity of the problems we face in the field of education, and the grave consequences of our continuing to ignore them, my proposal for 50,000 annual college scholarships will be seen to be a modest one. Nor is

the suggested amount of the scholarship award more than meager—a 1953-54 estimate of average annual cost of higher education was \$710, exclusive of the student's living cost. A recent survey conducted at the request of the National Science Foundation showed that about 150,000 above-average high-school students in our country do not go to college because they lack financial means.

To put the matter another way, current studies reveal that fewer than half of our country's youth who graduate from high school with a scholastic standing in the top 25 percent of their classes later graduate from college, and lack of money is the main reason for their not attending or dropping out of college.

The National Society for the Study of Education has understated a truth in its observation: "The majority of gifted and superior children come from non-professional classes and from families of modest income." In a number of States less than 50 percent of elementary school teachers have 4 years of college preparation.

Among the greatest resources of our Nation are the talents of our gifted youth. Yet existing programs for helping our competent young people to secure a college education, admirable as they may be as far as they go, and recognizing that they have been increasing in the last decade, do not remotely go far enough. According to the most recent study—1957—by the Office of Education, 1,562 reporting institutions offered 237,370 scholarships worth \$65,736,950. The average per-student scholarship, accordingly, was somewhat less than \$300. This average has little if any meaning, however, in view of the variety in the kind and amount of the scholarship, and the fact that the term "scholarship" as used in the report includes loans and institutional employment opportunities.

State-financed scholarships for higher education have likewise failed to make anything more than a slight dent. The largest and most generalized State-supported scholarship program, that of New York State, provides scholarships for about 5 percent of the high-school graduates in the State. No scholarship program whatever is financed by the following 10 States: Arizona, Arkansas, California, Colorado, Georgia, Idaho, Kansas, Missouri, Nevada, and Texas. The national policy for promoting higher education ought not be subject to local inadequacies or indifference by the States—the gifted youth is entitled to an opportunity to fulfill his capabilities without regard to the accident of his being born in one State or another.

The President's proposal for 10,000 annual scholarships for the next 4 years is, therefore, wholly insufficient, and giving over to State boards the administration and awarding of the scholarships, as the President proposes, is unwise and may frustrate the scholarship program altogether. Leaving administration to State agencies weakens the national policy by undue diversification in its execution and dilution of its purposes in the many States where indifferent or wholly inadequate educational agencies exist.

There are also practical considerations. If administration is given over to the States, enabling legislation will have to be passed in each State. This will be time consuming, it may take several years to get the necessary legislation passed in some States, others may require constitutional amendments to participate in the national program, and still others may simply refuse to pass the enabling legislation.

The scholarship examinations ought to be given nationally. In this way we could test the efficiency of State systems instead of being limited by them. As Prof. Arthur Bestor, of the University of Illinois, founder and former president of the Council for Basic Education, has recently stated:

If Federal funds are to go into educational testing, I believe that they should go for building up an independent nationwide system of examinations that would test, by a common standard, the results of the operations of our 48 separate State school systems.

In this way we would get a picture of the Nation's educational resources. A well-developed Federal education agency ought to have purview over all educational matters, with regional offices located throughout the United States charged with the responsibility for carrying out the Federal purposes.

As a corollary of this view, scholarship winners ought not wholly be apportioned among the States according to their population, since this will probably result in denial of scholarships to brighter students in some places to make room for those who got lower averages but reside in areas where fewer students competed or the average I. Q. is lower. It is, therefore, my hope that an acceptable compromise would lie in excluding the top 20 percent of scholarship winners from the rule of apportionment among the States.

The Nation is not without experience in the field of direct Federal grants for higher education. Whatever the theory under which these grants were made, they proved the seriousness of American youth and their desires and capability for learning. The National Youth Administration in the 1930's made substantial grants for college and graduate students; at its peak in 1936-37, \$16,225,994 was spent in assisting 180,900 students. As of July 1956, 2,300,000 students had attended or were attending colleges and universities under the veteran education benefits provisions of the GI bill.

Nor need we lay aside the billions of dollars spent by the Federal Government as part of its military training—a substantial number of these dollars could be saved by mitigating illiteracy which the Armed Forces are obliged to combat, and by an integrated program of Federal assistance in the field of higher education, particularly in the fields of the physical sciences, mathematics, and engineering.

Third. A program of 5,000 annual fellowship grants and a \$1 billion revolving low-interest loan fund for graduate study.

The national need for general education predominates among the considerations which dictate the creation of scholarships for college study. The situation is somewhat different in connection with postcollege study, though often it is difficult to draw lines; approximate areas rather than rigid lines of demarcation are suggested. Speaking generally, though, governmental intervention in postcollege study or training is most justified for developing nationally needed skills.

I contemplate that fellowship grants for postcollege study will be readily made in fields where the need for research is demonstrated or where critical shortages of skills exist: teachers, scientists, mathematicians, engineers. The shortage of teachers is a national scandal. It prevents full utilization of existing educational facilities, and frustrates our plans to expand these facilities for accommodating our growing population.

The President's proposal is that the Federal Government award 1,000 graduate fellowships in the first year of a 4-year program, and 1,500 in each of the succeeding 3 years, to encourage the more able college students to become college teachers. This is good as far as it goes, but it shows an unduly modest appraisal of the need, and its restriction to teacher training is not warranted; indeed, its adequacy is contradicted by the need for research and training in other proven fields which are bound up in the national interest.

My thought is that qualified people whose area of study or competitive standing is not such as to justify a fellowship grant should not be denied the opportunity of pursuing graduate study for developing skills or pursuing higher forms of learning. For this purpose I have proposed a low-interest loan fund for graduate study. It is regrettable that the President has not included any loan-fund program in his proposals for education.

We are not without experience in the field of Federal fellowship grants. National Science Foundation fellowship awards and grants, for example, are expressions of national concern for advanced scientific study. So also are Fulbright scholarships for study in foreign countries. From modest beginnings in 1948, the number of these scholarships has increased to about 4,500 annually; from the beginning of the Fulbright program through December 1955, about 25,000 Americans were enabled to study in many foreign lands, and the cost of the studies to the American people has been relatively small because of the predominant use of foreign currencies obtained through counterpart funds in paying for the scholarship grants.

The Fulbright grants are a part of our international educational exchange program by which students from foreign countries are enabled to come here for study and research. This has helped immeasurably in strengthening international understanding. We would do well to expand substantially the exchange of students between our Nation and Asian countries. Of the 40,666 foreign students who attended our schools during

the 1956-57 academic year, 31 percent were from the Far East.

A modest though increasing regime of institutional fellowships, loans, and assistantships are provided by our institutions of higher learning. Whereas in the academic year 1949-50, 265 colleges and universities awarded 13,659 fellowships having a total value of \$9,266,966, 330 institutions reported to the Office of Education 24,885 fellowships in the academic year 1955-56, which had a value of \$18,239,150.

The low-interest loan fund for graduate study which I propose is intended to point up the fact that as a nation we have been content to go along with less than half measures in developing and exploiting our great resources of talents and abilities. A large number of our people have had to work at tasks below their aptitudes for the lack of training. This will no longer do.

Fourth. A \$1 billion program of Federal grants for construction of State and municipal colleges, and college laboratory and other educational facilities.

Like my bill, H. R. 9731, for Federal aid for elementary and secondary school construction, the proposed college assistance would be given on a matching basis by the States, and would prohibit discrimination on account of race, creed, color, or religion. Selection of proposed construction plans submitted by State or local authorities would be made jointly by the Office of Education and the National Science Foundation, guided by Congressionally established standards which would take into account factors such as population requirements in the 18-24 age group, existing college facilities, local financial ability, and local efforts in the field of higher education.

Our already overcrowded colleges and universities, whose laboratory and other educational facilities are in a state of appalling disrepair and obsolescence, will have to handle twice as many students by 1970. The great need for construction of college facilities may be gleaned from the recent report of a Columbia University faculty committee, which recommended that Columbia should spend \$100 million for building expansion.

There is an unbelievable lack of undergraduate schools in science and engineering. From these facts the shocking inadequacy of the President's proposal on the subject seems clear, for it appropriates no more than \$125,000 in Federal money a year on a 50-50 matching basis, and limits this money to graduate schools.

In the next decade college enrollments are expected to increase at a faster rate than either elementary or secondary school enrollments, because the size of the 18-24 age group will increase about 61 percent as compared with an estimated total population increase of about 20 percent. The States have a heavy responsibility for expanding the facilities for higher education which normal population requirements will bring about, and which may be expected to increase through the expanded scholarship and other educational programs which are contemplated. The rate of college attendance among those

in the 18-21 age bracket has been increasing steadily. In 1900 it had risen to 10 percent, in 1950 it was nearly 30 percent, and today it stands at about 33 percent.

I do not know that the States will fully measure up to their responsibilities. In 1957 the voters of New York State, by a majority of more than 1 million votes approved a \$250 million bond issue for strengthening and expanding the State university. I cannot report comparable activity in any other State.

Increasing financial support for higher education by State and local governments should be pressed with all energy. But Federal assistance is imperative. This was recognized by the Josephs committee, whose report stated:

The committee also recognizes, however, that some of the present forms of Federal support must also be continued and certain new forms provided. In the competition for State dollars, education is presently at a severe disadvantage in relation to such other claimants as hospitals and highways for which the Federal Government matches State appropriations at attractive ratios.

Apparently impressed by the widening gap between our country's need in higher education and its efforts, the Association of American Colleges recently renounced its traditional opposition to direct Federal support.

We already help to finance the construction and repair of colleges and college facilities through our Federal tax deduction laws, but this does not insure that the money will be given where it is needed most. A program of direct Federal assistance, closely defined so as to prevent Federal control, would afford a better means of relating improvement in college plants to the public interest.

Fifth. A \$100 million fund for grants for development of pilot programs for evolving new teaching and research methods, particularly in the fields of the physical sciences, mathematics, and engineering.

The fields of education have been radically altered, particularly in the physical sciences, as a result of atomic energy. And our world leadership responsibilities have resulted in burdens which we have not fully comprehended in foreign languages, diplomacy, and knowledge of foreign affairs. Persisting in accustomed teaching methods in these circumstances is folly. We do have in some areas of our highly diversified educational practices, some experience which may be drawn upon for general acceptance.

Developing new teaching methods, particularly in the fields of the physical sciences, is a national problem and, therefore, a national responsibility requiring the development of full-scale pilot programs. The proposed \$100 million grant, if put to proper use under the joint sponsorship of the National Science Foundation and the Office of Education, could result in substantial savings through increased efficiency, and would also constitute an invaluable guide for local educational systems each of which would otherwise be obliged to expend substantial sums of money for this purpose.



Sixth. Permitting parents to take a reasonable income tax deduction for student college expenses.

In view of other Federal tax deduction policies, the refusal of the Federal Government to allow a tax deduction for student expenses is little more than capricious. It costs about \$700 yearly to maintain a college student exclusive of clothing, transportation, or other allowances. A \$1,250 annual overall expense would be a fairer estimate. This may come to a total of as much as \$5,000 for 4 years of undergraduate study for one child.

I have therefore introduced a bill, H. R. 10030, on January 15, 1958, to allow a taxpayer to deduct such expenses in calculating his Federal income for tax purposes. In 1944 our tax law was revised so as to permit a taxpayer to take a \$600 annual deduction for dependents over 18 years of age who were continuing their schooling at the taxpayer's expense.

This is entirely inadequate. We allow deductions for medical expenses because we recognize that unduly large doctor bills may constitute an income drain too substantial for the taxpayer's ability to absorb. And by allowing deductions for charitable contributions, the Government in effect recognizes that payments for education may be subtracted from income taxes provided these payments are for other people's children. This is paradoxical. Why not allow a reasonable deduction to a taxpayer for money spent in educating his own child?

Seventh. A \$100 million appropriation to help defray the cost of local programs for adult education.

Millions of adults are now frustrated in their efforts to continue their education, either as a means of enriching their lives or to gain occupational advancement. It has been estimated that in 1955 more than 49 million adults participated in adult educational programs sponsored by university extension and evening college programs, religious institutions, health and welfare agencies, private correspondence schools and other agencies, including the agricultural extension program. This is a remarkable expression of a desire for learning which should be encouraged.

The existing programs are noteworthy, but they are insufficient. We need a reappraisal and enlargement of opportunities in the field of adult education, both for the national good and the requirements of adult individuals. A large part of the present problem in adult education is the result of our failure to extend educational opportunities for adults during the period of their childhood and youth. There will be less need for huge expenditures in adult education if the job of education is adequately done in the elementary and secondary schools and in the colleges.

Eighth. Establishment of a Federal Commission to investigate our educational system.

The proposed commission would inquire into all possible aspects of National, State, and local educational policies, procedures, and shortcomings, and would include in its assigned mission a searching inquiry regarding the train-

ing and compensation of teachers, Federal-State relations, the integration of secondary-school education with college programs, our tax policies insofar as they relate to education. The proposed commission would be given subpoena power to make its hearing inquiries more effective, and would be authorized to make recommendations regarding matters falling within its jurisdiction.

Widespread criticism has been expressed that the United States Office of Education is understaffed, insufficiently financed, and that it is not adequately organized to do an effective or even a barely necessary job in the various fields covered by the subject of education.

Congress has the primary responsibility for curing this untenable situation. We simply have got to realize that next to national defense, education is a front-line national responsibility and is a means of strengthening our national defense. What we need is development of integrated policies under integrated agencies equipped to snap a program of action into effect when necessary.

But what can we think when, in the first session of our 85th Congress, the Congress rejected the funds for the Josephs committee on higher education recommended by our Appropriations Committee? As a result, this highly important committee was obliged to terminate its work and to finalize its second interim report though much essential work needed to be done.

Within the framework of its financial and organizational capabilities and limitations, the Office of Education has been doing a magnificent job of informing the American people of various facets of the educational problem both in this country and abroad. Should not the Office of Education be given funds sufficient to place it on a par, organizationwise, with the Department of Labor's Bureau of Labor Statistics? That Bureau's studies and publications provide meticulous and up-to-date information on wage rates, union-management practices, and labor standards which are a source of national pride.

Our complex educational system requires that at least a comparable mission be performed by our Office of Education. There is not, as was pointed out by the Josephs committee, a single educational system but a variety of institutions and methods—State, local, and Federal; public and private; military and civilian. Despite all the programing which in our present hour of need we espouse, we simply do not have enough facts, and our great Federal Government has a plain obligation to obtain and publish the facts, regarding possible alternative methods for improving our educational system.

The President stated, in his 1958 budget message to the Congress, that:

The budget provides increases in 1959 for the Office of Education for studies of educational organization, methods, and curricula in other countries, for expanding research in cooperation with colleges, universities, and State educational agencies, and for the dissemination of information on the organization, financing, and operation of education both to the education profession and to the general public.

The amount of the increases was not specified, but in view of the gross inadequacy of the President's educational program generally, there is little basis for believing that the increases will suffice to do the job that needs to be done.

Much more, there runs through the President's budget message a disparagement of Federal intervention in education which is discouraging, an implied expression of the belief that what the States do in the field of education is substantially nobody's business but their own. Hence the abandonment of Federal assistance for local school construction despite the nationwide classroom shortage. The defect in national educational leadership will not be reached by the Office of Education under thinking such as this. Nor, in view of the President's unwillingness to assume proper Federal responsibilities in the field of education, can we find any substantial encouragement in the President's meager State-slanted matching programs for aptitude testing, vocational guidance, and teaching of science and languages.

The defect of which I speak is so pervasive that, in the minds of some of us, nothing less than a select committee of the House and the Senate is capable of remedying it, using the subpoena power wherever necessary and examining all possible aspects of the problem in major areas of the country. I should like to say a few words about some of the dimensions of the problems to which I refer.

The first of these has to do with teacher recruitment and teacher salary. What good will our plans and financial outlays for training in science and engineering do if we lose the struggle to find new teachers? We need to recast the outlook of too many persons in relation to the teaching profession, restore its dignity, improve the conditions of teaching, and increase teacher salaries substantially. The estimated national average salary of teachers in public schools for the school year 1957-58 is \$4,520, and 20 States pay an average salary of less than \$4,000. Median salaries for college teaching at large universities in 1956 were \$4,000 for instructors, \$4,900 for assistant professors, \$5,700 for associate professors, and \$7,000 for full professors.

Accordingly, a full-scale study exposing local variations and the penurious practices generally, and particularly in relation to the faculties of colleges, seems desirable. The Federal Government can do a good deal of prodding in this area among State legislators, other State officials, and among private educational institutions.

The present low salaries of elementary and secondary schoolteachers and college faculty members are a positive inducement for talented persons to seek employment in the more highly paid private industries. Teacher salaries should be raised and the dignity of the teaching profession reestablished so that the teaching profession will be able effectively to compete with private industry for skilled and competent persons.

The King-Jenkins bill—H. R. 4662—would permit teachers to deduct up to \$600 for so much of their tuition and

other expenses as is in excess of normal living costs and incurred in pursuing advanced educational objectives relating to their professional qualifications. At present a teacher cannot deduct these expenses unless he would have lost his position if he had not take the courses. Perhaps H. R. 4662 may be too broad, but the proposed Commission would be in a position to cut it down or define it so the deduction could at least be taken where the teachers' field of activity is bound up in the public interest.

A second main problem has to do with the relation of education by the military to civilian institutions of learning. A great measure of integration can be accomplished here, resulting in saving money by avoiding duplication. It has been reported, for example, that the military spends about \$300 million annually in educating the illiterate. Should not this be related to a Federal program for aiding the financing of local elementary and secondary school construction?

A third of the many problems which require investigation has to do with our physical plant for higher education and the adequacy of laboratory and research facilities. The voluntary and informal systems of reporting which now take place are not adequate for evaluating the measures which must be taken to meet the deepening crisis in higher education facilities. Here a large number of private institutions, whose existence deserves protection and encouragement, stand alongside State and local colleges and universities in postures of complement which require greater understanding before needed action and programs for financial assistance are developed. The \$4.5 million contribution recently made by the Ford Foundation for developing improvements in constructing schools and colleges is a token of the kind of leadership which is necessary for moving forward in establishing adequate educational facilities.

A fourth major problem touches on teaching curriculum and methods. Federal intrusion is not contemplated, certainly Federal direction or control is not the aim. But will it be denied that the Federal Government has a legitimate interest in lending whatever advice or encouragement it can for the more effective training of scientists, engineers, and technicians whose skills are called upon for the national defense? Supporting pilot programs in various educational methods or educational procedures is, therefore, a basic responsibility of the Federal Government in the new significance which education has assumed in our atomic age.

A fifth problem of national concern has to do with basic science research. We have fallen behind alarmingly here, a fact whose seriousness is underlined by the highly and increasingly complicated character of necessary defense weapons and radar-impacted war communication procedures. Money alone will not cure the existing evil. Integration of activities is just as important.

Increasing the grant to the National Science Foundation for basic research as proposed in the President's 1958 budget message from \$38 million in 1958

to \$58 million in 1959 is only a partial meeting of the need. Basic research is now conducted by the Government through the Bureau of Standards, the National Institutes of Health, the Atomic Energy Commission, the National Advisory Committee for Aeronautics, and the Department of Defense. The obvious need to correlate basic research, which the President failed to reach in his budget message, would be a major preoccupation of the proposed Federal Commission on Education.

Lack of integration is not limited to the executive and administrative branches of our Federal Government. It extends to Congressional procedures as well. Our House Committee on Education and Labor deals only with a part of our national educational problems. Bills having to do with the National Science Foundation go to our Committee on Interstate and Foreign Commerce. Tax incidents of education are referred to the Ways and Means Committee. Our Committee on Government Operations is now considering a proposal to establish a scientific research reserve fund. On Wednesday, January 15, 1958, the House adopted, as an amendment to the bill we passed for financing Air Force construction, a proposal to create within the Department of Defense an Advanced Research Projects Agency to engage in basic and applied research for developing weapons systems. Basic research, and the national education problem generally, ought to be pulled together in the interests of economy and efficiency. The present regime of things, with its manifold diversification, is open to improvement.

I mention the enumerated problems merely as an earnest of the vast fields of scrutiny which face us. Other fields abound, such as the possible revamping of college training and the greater utilization of the 2-year community colleges, the disorganized and uncoordinated relationship between the secondary schools and the liberal arts colleges, and the development of cooperating procedures between the Office of Education and the National Science Foundation. The suggestion that these fields be given over to study by a Federal commission is based largely on the view that a commission would be a more suitable vehicle for effectuating long-range plans and has a more permanent form than a Congressional committee. My mind is open, however, on the question whether a select committee of the Congress should lay the foundation for the suggested commission's activity.

Nature, in one of its enigmas, grants to the child an extraordinary capacity to learn but commonly denies it adequate powers to discern the importance of learning for a happy and successful life. In some children, aptitude or aggressiveness in academic directions or well-springs of competition give drive to the learning process. But in the course of living most children depend upon training, discipline, and understanding which are the everlasting responsibilities of elders and the teachers they engage. Widespread dissatisfaction has been expressed with the ways in which we have

been discharging these responsibilities. Improvements in teaching particularly the physical sciences and mathematics, without neglect of the social sciences and the humanities, must be pursued relentlessly. Teaching fads must be distinguished from meaningful innovations which help not only in the learning process but in the lifelong pursuit of learning.

I do not say that education is a necessary corollary of wisdom or causes wisdom to exist, for human beings cannot be typed, they have a vast array of attitudes and aptitudes and they take different paths to reach fulfillment. But while intuitiveness and practical sense are still highly essential for competence and especially leadership, it will not suffice to expect, or to adopt as our national point of view, that nuclear skills can develop without training or education, or that national preeminence in the humanities or the social sciences will come about except through persistent and widespread opportunities for education.

Developing inquisitive minds and building genuine public respect for learning in general and scientific research in particular are for America today more than gratification of a desire for national learning and culture—these are the bedrocks of our Nation's security and a condition of its leadership in the Free World.

#### LEGISLATIVE PROGRAM FOR NEXT WEEK

Mr. MARTIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MARTIN. Mr. Speaker, may I inquire of the majority leader what the program for next week will be?

Mr. ALBERT. Mr. Speaker, responding to the inquiry of the distinguished gentleman from Massachusetts, may I say that Monday is District Day. There is no business for that day. On Tuesday, the bill H. R. 8381—the tax bill, Technical Amendments Act of 1957—will be called up.

On Wednesday there will be no business.

On Thursday, the bill H. R. 10021—the extension of life insurance tax formula—will be called up for consideration.

There are, of course, the usual reservations that any further program will be announced later, and conference reports may be brought up at any time.

Mr. MARTIN. I thank the gentleman.

#### ADJOURNMENT OVER

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.



## CALENDAR WEDNESDAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday of next week be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

## JUNIOR ACHIEVEMENT WEEK

Mr. ALBERT. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution (S. Con. Res. 58), authorizing the President of the United States to proclaim the week of January 26, 1958, through February 1, as National Junior Achievement Week.

The Clerk read the resolution, as follows:

Whereas it was the initiative, the sense of individual dignity, and the determination to mold their own futures that motivated those who founded this Nation; and

Whereas Junior Achievement, Inc., through its learning-by-doing program, is inculcating those ideals in American youth by helping them to set up and operate their own small-scale business enterprises; and

Whereas their experience in running Junior Achievement companies will provide these young people with a heightened understanding of the privileges and duties of citizenship and better prepare them to assume the responsibilities of community leadership; and

Whereas thousands of American businessmen voluntarily give unstintingly of their time, their counsel, and their experience for the benefit of the members of Junior Achievement; and

Whereas it is understood that the week beginning January 26, 1958, and ending February 1, 1958, will be observed as National Junior Achievement Week: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring),* That the President of the United States is authorized and requested to issue a proclamation designating the week of January 26, 1958, through February 1, 1958, as National Junior Achievement Week and urging all citizens of our country to salute the activities of Junior Achievers and their volunteer adult advisers through appropriate ceremonies.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## THE UNITED STATES COAST GUARD

Mr. ASHLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHLEY. Mr. Speaker, while I am conscious of the need to curtail non-essential expenditures, certain facts have come to my attention which lead me to the conclusion that additional funds are necessary if the United States Coast Guard is to continue to fulfill its sea-rescue mission on the Great Lakes and other waterways over which it has jurisdiction.

I am sure that you are aware of the tremendous increase in recreational boating that has taken place in recent years. Since 1947, the number of pleasure craft in operation has nearly tripled,

from 2½ million in 1947 to more than 7 million today.

I have been particularly interested in collecting facts relative to the situation on the Great Lakes. Here, as elsewhere, there has been a boom in pleasure boating. According to Coast Guard estimates, the number of small craft in the harbor fleet at Toledo, Ohio, increased from 7,500 in 1950 to 16,950 in 1957. During this same period, the harbor fleet at Cleveland increased from 10,000 to 22,600; the fleet at Ashtabula from 5,000 to 11,300; the fleet at Marblehead from 7,500 to 16,950; the fleet at Fairport from 2,500 to 5,650; the fleet at Lorain from 5,000 to 11,300; and the fleet at Erie from 5,000 to 11,300.

In light of this estimated increase of more than 200 percent in the size of the harbor fleets at the principal port cities on Lake Erie, it is not surprising that the incidence of assistance calls and rescue missions by the Coast Guard has more than doubled during this same period. Unfortunately, the Coast Guard was unable to furnish me with comparative figures for 1950 and 1957, but the table below for the years 1953 and 1957 clearly reflects the sharp increase in the scope of rescue operations by the Coast Guard for the Lake Erie port cities listed above.

Comparative incidence of Coast Guard assistance calls

	1953	1957	Percentage increase
Toledo.....	80	182	225
Cleveland.....	86	204	240
Ashtabula.....	24	57	240
Marblehead.....	73	194	270
Fairport.....	30	29	-----
Lorain.....	64	103	160
Erie.....	70	98	140

According to Coast Guard statistics, then, we find that the number of pleasure craft at the principal Lake Erie ports has more than doubled since 1950 and that since 1953 the incidence of assistance calls to the Coast Guard has also doubled at most of these ports. The most incredible fact of all, however, is that, with only a single exception, there has been no increase in the number of Coast Guard personnel at any of these Lake Erie ports. The one exception is Marblehead, where the complement of enlisted men has increased from 13 in 1948 to 15 in 1957. Since 1950, the following authorized personnel complements have been maintained: Toledo, 26; Cleveland, 39; Ashtabula, 11; Erie, 16; Lorain, 13; Fairport, 12.

The above facts clearly bear out the recommendations of the study of recreational boating safety conducted by the House Committee on Merchant Marine, of which I am a member. As on Lake Erie, the committee found that the Coast Guard is undermanned for the responsibilities which have increased so greatly in recent years.

Because the safety of life and property are at stake, and because Coast Guard personnel in many areas are performing beyond reasonable limits of endurance, I respectfully urge this body to support additional funds sufficient to assure ful-

fillment of the important rescue mission for which the United States Coast Guard is responsible.

## DICTATOR JIMENEZ

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FLOOD. Mr. Speaker, everyone in the freedom-loving world, and particularly we here in the House of Representatives of this truly democratic government, have been following closely the news reports of the last 24 hours with reference to the overthrow of the notorious Dictator Jimenez in Venezuela.

Time and again down through the years of his ruthless dictatorship in the freedom-loving neighbor of ours to the south, Venezuela, the minions of the dictator mouthed platitudes of adherence to democratic principles which were as false as only a dictator of a friendly people can be false. From Caracas news releases, broadcasts of all kinds cluttered up the press and our desks in Washington.

There is no doubt, of course, that the State Department knew better than any of us the true state of facts in this brave South American country, but for reasons I have been able to well understand, spokesmen for our Department of State have persisted in heaping praise upon the Dictator Jimenez and his ill-omened regime.

We who know the chain of events, know that not only was the Dictator Jimenez overthrown, but also was overthrown certain well-known oil companies, who with their dollars maintain their domination and prestige of a false government in a betrayed nation.

Much of the atmosphere in Washington reeks with oil—much of this residual fuel oil is dumped in the United States from Venezuela through a discriminatory, unfairly, and improperly rigid quota system sponsored and insisted upon by our Department of State at the behest of the dominant Venezuelan oil interests.

Now that the farce and sham of the dictator Jimenez is unmasked and the true nature of his administration revealed, and the financial interests of the American oil companies responsible for his conduct is made clear, let us hope the new government in Caracas will truly represent the people of that sorely tried country, restore the liberties for which so many Venezuelans have suffered and died through the centuries, renounce their false friends, whose oily hands helped to enslave them, develop their God-given natural resources for the general welfare of their country, and advise our Department of State that the hypocrisy of that Department's official statements with reference to Venezuela and the Jimenez regime are no longer welcome, and that it is not the desire of a friendly Venezuelan Government and people to be a party any

longer to take advantage of a vicious and unfair residual fuel oil export quota system to America, as set up by the United States Government, with the approval of the State Department, which does the Government and the people of Venezuela no good, and has, in their fair name, fattened the purse of Venezuelan traitors and false American friends, and damages the welfare of the true friends in the United States of their Republic.

#### ROBERT BURNS

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PHILBIN. Mr. Speaker, I am very much honored today to address the Congress in memory of the birthday of the great Robert Burns and to include in my remarks a very inspiring article by my valued friend and esteemed neighbor, James Cameron Duncan, entitled "Scotland—Land of Burns," which recently appeared in the Clinton Daily Item.

Mr. Duncan has long been an admirer and biographer of Robert Burns. For many years, he has taken great pains to celebrate the birthday of the great Scottish poet, sometimes in connection with large formal celebrations and in later years on his own.

His devotion to the immortal Burns is just as strong today as ever and Mr. Duncan seems to have absorbed the spirit and the ageless liveliness of the man whose delightful poems are household words throughout much of the world.

Robert Burns has been memorialized in many ways and by many people, but by none have his praises been sung more loudly, more impressively, or more wholeheartedly than by Mr. Duncan.

I can vividly and appreciatively recall the days of my early youth when the Scottish clans, of which Mr. Duncan is past chief, used to hold lusty celebrations of birthdays of Robert Burns. With the passing years, the young generation has not, unfortunately, kept up this beautiful folk custom and we miss the bagpipes, the kilts, the sword dances, and the beautiful Scottish melodies, many of them with words by Burns, and the spirit of Celtic gaiety and enthusiasm invariably associated with these events.

Chief Duncan, speaking for the clans of past and present, raises the proud historic voice of Scottish independence of the spirit and love of Burns, clear-sounding and ringing with the unquenchable fervor of old.

I think it is most fitting today that the Congress of the United States should pause for a while to commemorate the blessed memory of Bobby Burns and join with Mr. Duncan in paying our reverent tribute to the fabulous bard of Scotland, who brought and still brings such pleasure and inspiration to the people.

May Chief Duncan, with his dauntless spirit, continue for years to come to carry this illustrious banner high and pay his able, touching, annual tribute to one of

Scotland's noblest sons, and one of the world's most beloved poets.

Mr. Duncan's brilliant, moving words, coming as they do so sincerely from a great Scotsman and a great American, give meaningful significance to Robert Burns' birthday, and I am gratified and proud to request that his stirring remarks be inserted in the Record.

Long live the memory and the works of Scotland's great poet, Robert Burns.

[From the Clinton (Mass.) Daily Item of January 21, 1958]

#### SCOTLAND—LAND OF BURNS

Robert Burns was born on the 25th of January, 1759.

I count it a great honor and privilege to have the opportunity of responding to such a toast. It grips the heartstrings. It makes the pulse beat faster, it lifts the head of a Scot higher and makes his eyes glisten with the tears that only an exile can know. It is a royal toast.

There's magic in the words, music in them and romance—"Scotland—the Land O' Burns!" What a name to conjure with! How sweet it sounds in the ear of the son of Scotia so far from home and his kinfolk! At the mention of the name he wants to shout or perhaps he is hardly able to check a tear. How he loves that little country that gave him birth! Let not our American friends feel that such expressions of devotion dispute our gratitude or love for this land of our adoption for I should be the last to be ungrateful.

"The Land O' Burns"—Scotland! We salute the land of our nativity. At the very sound of thy name we travel far across the tumbling waters of the great Atlantic, and in fancy return home to Scotland, to a Scotland in homely gracious mood and with a smile on her lips, a welcome in her eyes, a scone on the griddle and a kettle on the hob.

We came back to Scotland with her warm firesides, the splendor of her high teas and the friendliness of her Doric and braid Scots. My! What pictures are culled from the pages of the past. What fond scenes return wistfully and tinted in love and longing to stir our hearts and make them wondrous soft and warm! We see ruined kirk yards where shrubs and weeds put apart the stones, dark brown and black peat bogs with their pools of jet on whose bosom the sun sparkles like a myriad of diamonds \* \* \* windswept moors with heather slanting, and bare hills silent and majestic.

We love Scotland in the sunshine and we love her in the rain. We love her hills, now and again rearing their heads above the blankets of mist and pushing the shrouds down to roll wet among the heather while whitewashed cottages nestle fondly in their protecting shelter and surround themselves with flower-filled gardens bright in the mist and colorful even in the rain. Her low stone houses are lovingly tucked away from the storms and the wind unpotently shudders at the doors and throws handfuls of sleet against the glass.

We can see oh how clearly her hills folded one against the other in every shade of brown and blue stone dykes running up and down rabbit holes and clumps of ferns, green grass and sheep grazing as though they, too, were proud of their nativity. Fir trees marching down in their companies to the edges of the brown-tinted lochs in whose deep shadows are locked the secrets of romantic and stirring past and the wavelets lap the rocks and whisper of "Black Rodricks," "Rob Roys," and "Fair Helen's."

Oh for Scotland's stone houses, grey and cold outside, warm and cozy within. Oh for her drizzles and her mists and her fogs, her love songs and her poetry, her firesides and her winter aykes, her gingles and nooks, her butts and bens. The Land O' Burns! Not far

from the Brig O' Doon an Auld Clay iggin lying against the road! Let us suffice that I hint to her great literature, one has only to mention Scott, Robert Louis Stevenson, Carlyle, Barrie, Buchan and immediately there marches in review a host of immortals whose names are written large and indelibly on the pages of letters.

Likewise, whether in poetry, philosophy, in art, in medicine, in theology, invention, science or statesmanship, Scotland has not withheld her gifts but lavished them upon a world that has not been slow to recognize the genius of the Sons of the Land of Burns.

This Scotland has bred a courage, a dour stubbornness, that knows no defeat, that has stained the battlefields of the world with rich Celtic blood and never was there a battle of any importance fought by the armies of Great Britain in which the brunt was not borne by the kilned regiments of the Highlands or the Stocky "bonny features" of the Lowlands of the Land of Burns.

This Courage was fostered by the difficulties of wresting a living from a hard soil and an unkind climate. These qualities of mind and heart Scotland has been glad to contribute to the world and the world is richer because there was North of the Tweed a land in which Robert Burns was born.

#### RECENT SUPREME COURT DECISIONS—A CHALLENGE TO CONGRESS

The SPEAKER. Under special order of the House, the gentleman from Florida [Mr. CRAMER] is recognized for 60 minutes.

Mr. CRAMER. Mr. Speaker, many members of this body, many substantial citizens of this country, and many very able practitioners before the bar, as well as law enforcement officials, have been quite concerned in recent months and years over certain decisions made by the United States Supreme Court.

I have, from time to time, expressed my belief with regard to the functions of the United States Congress made up of representatives of the people of this great Nation in this high legislative tribunal and its duty to manifest an awareness of the actions on the part of the Supreme Court when those actions are subject to question. I acknowledge that it is the responsibility, under our form of government and under our constitutional makeup, to act as a legislative check on the judicial actions of the Supreme Court when within our constitutional authority we are empowered so to do.

It is eminently true that the Supreme Court has power to interpret the laws as passed by Congress and to protect thereby the constitutional rights of the individual citizen as well as the collective rights of all the people of this country. On the other side of the coin it is equally true, and I am sure it was the concept of the framers of our Constitution that the legislative body, through Congress, has the duty, when a Supreme Court interpretation is handed down or a Supreme Court decision is rendered, to consider most carefully those decisions and to make a determination as to whether further legislation is needed in order to accomplish the legitimate legislative purpose of the law under question, and if it is the opinion of the majority of the Members of Congress that the Supreme Court did violence to the law involved or the intention of Congress inherent in



the law involved, then it is clearly the duty of Congress to amend or clarify that law in order that the constitutional power of Congress to legislate in that particular field should be fully carried out and the general public protected as Congress had intended. Of course this is a duty and a responsibility of Congress and I believe it to be a responsibility of equal import to that of the Supreme Court in its function of interpreting the laws as passed. Of course, it was never contemplated that the Supreme Court should, through decisions, become a law-making body.

Within the above fundamental concepts of our Government, Congress thus very definitely has a responsibility, one which in my opinion must constantly be fully asserted in order that the legislative branch of government might carry out its full responsibilities.

Many serious questions have arisen in recent years as to whether the Supreme Court was injecting itself into the law-making or legislative field that exclusively belongs to Congress, secondly, as to whether the Supreme Court was erroneously interpreting the intention of Congress with regard to a number of legislative acts that were passed, third, as to whether the Supreme Court was placing an unwarranted and unbalanced emphasis on the rights of the individual under our Constitution as compared to the collective rights of society or all of the people of the country to protection, specifically against criminals, Communists, and others who do violence to the public welfare and good, fourth, as to whether the Supreme Court was, by its decisions, undermining the 10th amendment to the Constitution or the reserved powers of the States provision in the Constitution. By merely citing these as some of the questions that have been raised indicates the seriousness of what appears to be some of the trends in the more recent decisions of the Supreme Court, and would further clearly indicate why many of us are concerned about some of these trends.

Not since the tidelands oil decision a number of years ago, in which Congress reversed the opinion of the Supreme Court by legislation, has Congress shown so much concern about a group or series of decisions of that Court, as was evidenced during the first session of the 85th Congress. During that session acting upon my bill and those of many of my colleagues the Jencks FBI files case was clarified, and properly so, by almost unanimous action on the part of Congress. This deliberative body showed its wisdom and its willingness to acknowledge the constitutional rights of the individual in legislating, by passing a bill that fully protected his rights, but still recognizing the fact that the FBI is one of our chief law-enforcing agencies and must be able to protect its informants and its rough working notes and uncorroborated evidence free from inspection by the defendant, and further that the Court should retain some authority in determining what evidence should be made available to the defendant as it relates to evidence presented by the United States Government. I

might add that this was done over the strenuous opposition of one of our more liberal news columnists, a matter which I reported during the consideration of that legislation last session.

In further reaction by Congress to the series of decisions of the Supreme Court, particularly in the last October term of court, Congress appointed for one of the few times in legislative history, and the first time in recent history, a special subcommittee of the House Judiciary Committee for the purpose of inquiring into a series of Supreme Court decisions and determining what, if any, legislative action would be justified. That resolution establishing the special subcommittee to study Supreme Court decisions reads as follows:

*Resolved*, That a special subcommittee, consisting of five members of the Committee on the Judiciary, be constituted and authorized as a matter of the highest urgency to conduct an inquiry, take evidence, and make findings and recommendations, legislative or otherwise, to this committee at the earliest practicable date, with reference to those questions raised by decisions of the Supreme Court, handed down at the last session of the Court, which affect (1) the power of Congress to investigate, (2) Federal laws relating to subversive activities, and (3) the enforcement of Federal criminal laws.

Thus, historical action was taken by Congress last session showing the concern of many Members over recent Supreme Court decisions. The Jencks decision was clarified and partially overcome by the enactment of legislation, and a special subcommittee is presently actively studying Supreme Court decisions and the subject matter assigned to it, and as the ranking minority member of that committee, I am sure we will have proposed legislation available for the full Committee on Judiciary, together with other recommendations in the near future, at least on some of these decisions, having held hearings during the recess in an effort to expedite our work.

It might also be well to note at this point that on July 3, 1956, the Committee on the Judiciary reported favorably H. R. 3, commonly known as the Smith bill, to establish rules of interpretation governing questions on the effect of acts of Congress on State laws, the question of Federal preemption of State statutes. The committee reported out legislation in this field which would have at least overcome the *Pennsylvania v. Nelson* (350 U. S. 497) decision dealing with sedition, where the Supreme Court had ruled that the mere existence of Federal statutes on the subject matter of sedition implied that Congress intended to preempt this legislative field to the exclusion of State statutes on the same subject matter. In that case the Court stated:

Taken as a whole they (the Federal statutes) evidence a Congressional plan which makes it reasonable to determine that no room has been left for the States to supplement it.

The proposed legislation resulting from this decision would have required "that Federal statutes hereafter enacted on the question of subversive activities or sedition should not prevent

the enforcement in the courts of any State of any statute of such State prescribing any criminal penalty (in this particular field) except to the extent specifically provided by any statute on the same subject matter."

Similar legislation is presently before the full Committee of the Judiciary this session and I trust that our committee will report out constructive and effective legislation in an effort to clarify this field of the preemption of State statutes by Federal statutes, as it is imperative that the States not be hampered in carrying out their legitimate constitutional functions from a legislative standpoint as a result of this decision standing without further clarification. Under the supremacy clause of the Constitution the Supreme Court has previously—before the Nelson case—laid down the rule that the courts look to the purpose and scope of Federal legislation to determine as a matter of fact that there is such a conflict or likelihood of conflict, that the State law must be overridden by the Federal, as was decided in the *Cloverleaf* case. Of course the Nelson case expanded this rule of interpretation substantially, the Court lifting itself up by its own bootstraps, establishing the doctrine which I have called implied implication of Congressional intent to preempt. I have introduced legislation in this field, H. R. 9100, which provides in effect that "no future act of Congress shall be construed as indicating an intent on the part of Congress to occupy the field in which such act operates to the exclusion of any State law on the same subject matter, unless such act specifically states such intent." It further provides that with regard to prior acts of Congress they shall not be construed to preempt State statutes "unless (1) there is such a direct and positive conflict between the express provisions of such act and such State law that the two cannot be reconciled or consistently stand together, (2) there is positive evidence that Congress clearly manifested an intention so to supersede such State law."

My objective in introducing this legislation which is a modification of the Smith proposal in H. R. 3 was to have before the Judiciary Committee a possible substitute proposal, although I am not unequivocally wedded to any particular terminology so long as there is accomplished the objective of defining the limited field of Federal preemption of State statutes as was contemplated under the supremacy clause of the Constitution and as was vastly broadened by the Supreme Court in the Nelson case. I trust Congress will act on this legislation this session.

To return to the subject matter of the jurisdiction of the Special Subcommittee of Judiciary To Study Supreme Court Decisions, let me very briefly state what some of those decisions are and their effect. It is worthy of note that a number of decisions from lower courts, as well as actions on the part of law enforcement officials during the recess period have very clearly shown the effect of some of these decisions which present further concrete evidence that legislative action is necessary, evidence

which was not previously available to Congress.

Those cases which our committee has under consideration at this time are as follows:

Andrew R. Mallory versus United States of America; Clinton E. Jencks versus United States of America; Shirley Kremen, Samuel Coleman, Sidney Steinberg versus United States; Oleta Yates, Henri Steinberg, Loretta Stack et al. versus United States; John T. Watkins versus United States; Paul M. Sweezy versus State of New Hampshire; Ralph Konigsberg versus State Bar of California; Delvoile Theard versus United States of America; Rudolph Schwere versus The Board of Bar Examiners of State of New Mexico.

To discuss these cases very briefly and to indicate the problems that arise as a result of them and the need for Congressional consideration by this subcommittee and possible Congressional action I will indicate briefly what those decisions held and some of the unfortunate factual situations and lower court interpretations that have resulted from those decisions.

At the outset I indicated that many outstanding law enforcement officials were concerned about these cases. During the recess the Committee on Internal Security of the National Association of Attorneys General, as an example, made the following observation:

In this particular field (communism) and in all other appropriate fields we urge upon you further the restoration of a reasonable balance of power between our respective State and Federal Governments and finally we urge, insofar as it is within the power of the Congress to do so, the need for clarifying the procedures for criminal law enforcement in the Federal courts and for restoring to the States the right to regulate procedures in their own courts.

Some of these appropriate fields as listed in this statement are as follows:

1. The powers of investigation of Congressional committees.
2. The powers and procedures of the Department of Justice in conducting prosecutions before the Federal courts.
3. The adequacy of existing Federal legislation, and even the powers of Congress itself to adopt such legislation, for the punishment and prevention of subversive activities.
4. The punitive and investigatory powers of the separate sovereign States against subversive activities, and against subversive organizations.
5. The power of the State and Federal agencies to rid their payrolls of subversives.
6. The power of State supreme courts to determine qualification of persons who shall be admitted to practice before the bar of such courts as lawyers and advocates.
7. The power in both State and Federal courts to follow procedures which fully correspond with the reasonable demands of fair play in the prosecution and conviction of criminals without having the convictions upset on technicalities.

Starting with the Mallory case, it is ruled in effect that a person who was held for 7½ hours between his arrest and his arraignment and during that period had voluntarily confessed to the crime of rape that his voluntary confession would be considered as involuntary and therefore inadmissible evidence

solely because of his retention for a period of 7½ hours between arrest and arraignment there being no element of coercion involved. This arose as a result of a very strict interpretation of rule 5-a of the Federal Rules of Criminal Procedure that provides "an officer making an arrest under a warrant issued upon a complaint or any person making an arrest without a warrant shall take the person arrested without unnecessary delay before the nearest available commissioner or before any other nearby officer empowered to commit persons charged with offenses against the laws of the United States."

Based upon that rule of criminal procedure the Supreme Court ruled the evidence inadmissible and the result was that the conviction was reversed and remanded by unanimous opinion of the Supreme Court and the result of the remand was that it was impossible for the retrial to be held and the man is scot free today.

Thus the result of this case was that a convicted rapist was permitted to go free, and of course the concern of many people in addition to that one unsavory result was the very broad and loose language used by the Supreme Court which makes it almost impossible for law enforcement officials, subsequent to that decision, to determine what their rights and what their powers are in carrying out their law enforcement functions during this period between arrest and arraignment.

The results of the Mallory decision have been many and varied and certainly indicate that it has caused the law enforcement function of the police authorities to be substantially hampered. I refer to the following article that appeared in the Evening Star which very clearly shows the effect of this decision in the Washington area:

#### MALLORY CASE MATCHES SPEED AGAINST JUSTICE

(By Miriam Ottenberg)

Six months of law enforcement here under the Supreme Court's Mallory decision have plunged police and prosecutors into a race against the clock, a survey showed yesterday.

The Supreme Court in June reversed the death penalty rape conviction of Andrew R. Mallory on the ground that his confession should not have been admitted at the trial because he was held too long—7½ hours—between arrest and arraignment.

The clock-watching began because the Supreme Court ruled that a prisoner should be arraigned after his arrest "as quickly as possible." Prisoners, said the high court, should not be taken to police headquarters "to carry out a process of inquiry that lends itself, even if not so designed, to eliciting damaging statements to support the arrest and ultimately his guilt."

#### FACTOR PREDOMINATES

Time has become the predominant factor—how much time can be consumed in questioning a suspect before arraignment.

After arraignment, police lose custody of the prisoner. A case where the marshal did return a prisoner to police after arraignment is now being debated in the court of appeals. Police can question prisoners at the jail, but only if the prisoners consent. By that time, however, police say, prisoners have the full benefit of advice from their jail companions and questioning is nonproductive.

What has happened to District law enforcement in the first 6 months under the Mallory ruling?

1. At least five men have been charged with crimes they didn't commit.

2. Two convicted murderers have seen their convictions reversed and the Government cannot try them again.

3. Eighteen defendants have raised the "Mallory question" in the court of appeals. The question: Should their confessions of guilt have been admitted at their trials? The box score: The 2 murder cases reversed; 5 convictions affirmed because the court ruled the Mallory rule did not apply to them; 11 cases pending, including the carnal knowledge conviction of Mallory's nephew.

4. The Mallory issue has cropped up at least two dozen times in District court trials, with varying results, depending on the facts and the judges' different interpretations of what the Mallory decision means. In only three cases have the judges permitted juries to hear written confessions of guilt.

5. The prosecutor has been allowed to bring in oral admissions in nine cases but the judge has excluded them in four others.

#### EVIDENCE BARRED

In one case, a woman who had been beaten and robbed in her own home was barred from testifying that the defendant confessed his crime to her at police headquarters. She was barred from saying he admitted the robbery while begging her not to prosecute. The prisoner's argument to her: He had saved her dog from being harmed by his fellow robber.

In another case, an FBI agent was not allowed to testify to a prisoner's admissions to him, although the agent had duly warned the prisoner that anything he said might be used against him.

And late last week, a judge cited the Mallory rule in barring incriminating statements made by a defendant within a half hour after his arrest.

6. Some District court judges, following a 1952 rule of the court of appeals, still tell juries they must scrutinize with care and caution any oral admissions made by the defendant to police. They don't give that warning on written confessions.

Since written confessions are being ruled out, commented United States Attorney Oliver Gasch, this caution from the judge about oral admissions "may assume great importance in the minds of the jury."

7. The United States Attorney's office has been accepting pleas of guilty to lesser offenses and dropping counts in indictments, rather than risk going to trial and freeing men who have admitted their guilt but may have been held more than a few hours while making the admissions.

Last week, two housebreakers who had been caught in the act and admitted a series of other housebreakings were allowed to plead guilty to 3 counts of a 13-count indictment.

#### POSITION EXPLAINED

Said Mr. Gasch: "A review of our experience discloses that no reliance can be placed on confessions believed to be completely voluntary if a delay between arrest and arraignment, comparable to the delay in the Mallory case, has taken place. This has resulted in our willingness to accept pleas to lesser included offenses and to dismiss certain counts in the indictment."

The prosecutor said his office still adhered to the rule of thoroughly screening cases at the municipal court and grand jury level and insisting on trials whenever indictments are returned, but he added:

"Under the Mallory doctrine, we have been forced to recognize that a substantial number of counts, good in fact are nonetheless not good in law."

8. In the uncertainty over what to do when a prisoner is arrested at night and promptly confesses, police and Federal



agents have been waking up one prosecutor a minimum of five times a week. Assistant United States Attorney Frederick Smithson, who rarely gets an uninterrupted night's sleep now, says he gives this advice: If you need the statement, I'll wake up a judge. If you don't need the statement, stop talking to the defendant, put him in a cellblock and wait for morning.

9. As recently as a few weeks ago, the court of appeals asked Mr. Gasch to submit a statement regarding the general applicability of the Mallory rule. Mr. Gasch told the court he couldn't generalize about the rule. He stated:

"There is no doubt but that this decision of the Supreme Court has had a tremendously restrictive impact upon arrest-arraignment procedures. I would find it difficult, at this time, to state with any degree of explicitness how this doctrine might be regarded as generally applicable. I would be prepared, however, to state my view as to its application to a given set of facts."

If Mr. Gasch can't make a general rule, neither can the police. Deputy Chief E. E. Scott, chief of detectives, said each case is being handled individually, based on the facts involved, with supervising officers calling the shots. Their basic problem: Time versus the public interest.

These four cases from police records show how the question of time resulted in a criminal charge against five innocent men:

Case 1. On December 30 the day after three gunmen invaded a private home and robbed the occupants, Defendant A was picked up. He admitted being at the home, denied taking part in the robbery and said Defendant B had been with him.

Defendant B, promptly picked up, said he had been with Defendant A the night before but claimed they had been together at a party. At a quickly called lineup, the robbed homeowner identified Defendant A but explained that he had not seen the second and third men. His guests had, but they could not be located immediately.

Police were told not to take any more time and the prisoners were taken before United States Commissioner James F. Splain, 3 hours and 15 minutes after their arrest.

#### INVESTIGATION CONTINUED

Detective Sgt. Mark W. Gray and Precinct Detective David H. Gould continued their investigation. They cleared Defendant B and picked up another suspect who not only admitted the crime but named the third man. By that time, however, the third man—alerted by the publicity of the arraignment—had fled town.

Detective Gray's report to his superior: "It is the opinion of the reporting officer that if he had had sufficient time to investigate (Defendant B's) whereabouts and other evidence rather than arraign him immediately, he would not have been charged with this crime."

Case 2. On December 21, a southeast liquor store was robbed by four men. A witness said he thought he knew two of them, described by a nickname and a scar. They were picked up with two others, identified in a lineup on this case and two other cases.

Police tried to get a committing magistrate to arraign the quartet before dawn on a Sunday morning but Commissioner Splain told them to wait until Monday.

#### TWO ARE CLEARED

Police kept on working to find the gun and the rest of the money. They found another man who cleared two of those arrested and led them to the money and the gun. The two innocent men had been charged—after being positively identified—and if Commissioner Splain had come to court on Sunday, they would have been arraigned.

Case 3. On November 19, a suspect was picked up because he exactly answered the description furnished by a woman who had been beaten, raped, and robbed in her Massachusetts Avenue apartment. He said he had been working at a hotel dinner at which the victim had been a guest. Police, reasoning he could have followed her home, asked him where he had been later in the night. He said he had been in a bar with a friend, whose name and address he gave police.

Police questioned the alibi witness, who said he had never heard of the suspect. The victim, meanwhile, positively identified the suspect. He was then charged with rape, robbery, and housebreaking and rushed to arraignment.

The next day, the alibi witness came to headquarters to give a written statement as instructed by police. He then said the suspect's story was true, that they had been together. He had denied being in the bar, when first questioned, because he didn't want his wife to know it. Police then located bar employees who said the suspect was definitely in the bar with his friend.

Case 4. On September 13, a 7-year-old girl said her uncle Bill had attacked her on August 31. The child was examined and showed an injury.

Police arrested the uncle, who insisted he had been framed but the child and her mother stuck to the story. He was charged with carnal knowledge and arraigned.

Continuing their investigation, police learned the child had been injured in a fall several years earlier. They finally located the doctor who had then treated her. The case was dropped with this notation: "Further investigation reveals that defendant did not commit the offense."

#### DILEMMAS CITED

Police squad chiefs, who have to decide whether to rush a prisoner to arraignment or spend more time on the investigation, cite these dilemmas:

In a housebreaking case, where the prisoner's method of operation duplicates many other cases in the same area, do you question him long enough to recover the stolen property or do you rush to arraign him immediately?

The people whose houses have been rifled want their property back, but if police take the time to ask questions that will lead to the property, the court may rule the prisoner was held too long between arrest and arraignment, and all his admissions may be barred.

A man arrested on July 13 was not arraigned till the next day. Meanwhile, he had not only signed a statement but had told police where to find thousands of dollars' worth of property in a series of housebreakings in the District and Maryland. In one case alone, police recovered \$900 worth of furs, jewelry, and cameras. The prisoner led them to pawnbrokers and told them where they could locate a great cache of loot in Pennsylvania.

Said the prosecutor, dubiously: "We may be able to go to trial, but it's a tough case. Of course, we won't be able to use his statement."

In a rape case where the alleged victim tells the nearest policeman that a man running down the street raped her, should detectives take the time—sometimes hours—to make sure she is telling the truth, while the accused waits, or should he be arraigned immediately? Detectives working on sex cases are among the most concerned that innocent men—accused and identified by the alleged victims—will have to be charged and arraigned before police complete their investigation.

In robbery and safecracking cases, police face a double problem. Usually more than one offender is involved and usually the case in which the prisoner is caught is only one

of a number. Should they take the time to question the prisoner about his confederates? Should they take the time to locate all the complaining witnesses in closely related cases to see if they can identify the prisoner? The more time they take after a prisoner has made his admission, the less are their chances of getting a case that will stand up in court.

In a murder case, such as the unsolved rape-murder of 8-year-old Valerie Lee, police have long since run out of all clues that might lead to physical evidence or witnesses. One detective put the police quandary this way:

"Suppose we now get an anonymous call that the man we want is the redhead with the scar sitting on the third stool from the end in Joe's Bar. We spot him and ask the bartender who he is. The bartender never saw him before.

"If we put him under surveillance, he'll either spot us and run or we'll lose him in downtown traffic. Can we take the chance of letting him run loose, particularly when he might kill somebody else while under surveillance. So we'll pick him up and start asking him where he was on the day of the murder, where he lives and where he works. Our job has just begun. But if he says anything, we won't be able to use it in court. We may get a written confession, but the jury will never see it."

#### CONFESSIONS WITHHELD

Mr. Gasch, too, made the distinction between cases where there is plenty of evidence and the ones where police have nothing but a confession.

"It should be observed," he said, "that most cases involve substantial evidence other than written confessions. My men have been able to present such cases successfully even though they have been instructed to withhold the introduction of confessions.

"In certain serious cases involving crimes of violence, there has been a lack of other evidence, with the result that our ability to go forward with the prosecution of the serious crime has been thwarted."

Now pending in the House Judiciary Committee is a bill introduced by Representative KEATING, Republican, of New York, which would return District law enforcement to the rule previously set by the court of appeals here. The Keating bill provides:

"Statements or confessions or other evidence shall not be inadmissible solely because of delay in taking an arrested person before a commissioner or other judicial officer."

Mr. KEATING yesterday issued a statement declaring that failure to enact a law clarifying Federal arraignment procedures will hamstring effective enforcement of the law.

"The time is overdue for resolving this enigma," Mr. KEATING declared. "It is high time we take the handcuffs off the police and put them on the criminals where they belong.

"Otherwise, we allow a field day for criminality and invite anarchy on our streets."

#### HERE'S EXAMPLE OF RUSH OVER MALLORY DEADLINE

Here's a typical example of police clock-watching under the Mallory decision, as reported by Probationary Detective Douglas M. Smith of the Robbery Squad:

3:30 p. m.—Saturday, October 19—Man arrested in a gun assault on a cab driver.

4 p. m.—Suspect had admitted and been identified in seven Northeast holdups, attempted robberies and assaults.

4:22 p. m.—Detective tried and failed to reach United States Commissioner James F. Splain.

4:34 p. m.—Tried and failed to locate a judge or Assistant United States Attorney Frederick Smithson.

4:50 p. m.—Reached Chief Judge Leonard P. Walsh of municipal court at his home and

was told to find a prosecutor for the arraignment, that Judge Walsh would stay home awaiting a return call.

5 p. m.—Called home of Principal Assistant United States Attorney Edward Troxwell, where Mrs. Troxwell said her husband was expected shortly.

5:15 p. m.—Mr. Troxwell returned call and instructed police to get a deputy United States marshal to court for the arraignment.

5:20 p. m.—Called United States Marshal Carlton Beall, agreed to have a deputy in court.

5:21 p. m.—Called Judge Walsh and said arraignment was set up.

5:22-7:10 p. m.—Went to court, conferred with Mr. Troxwell, made out papers and swore to them.

7:10 p. m.—Defendant, represented by counsel, arraigned. Held for the grand jury under \$25,000 bond.

Detective Smith's comment: "As can be seen from this timetable proper interrogation, written statements, etc., were impossible to obtain."

The District Council on Law Enforcement, together with the United States attorney's office in the District of Columbia, made a study of State laws with regard to the rules applied in the States concerning confessions and found that in nearly all of the States the jurists could hear confessions in State courts that would be barred from being heard in the District or other Federal courts in the country, as a result of the Mallory decision and other Supreme Court decisions bearing on this issue. I quote a second article contained in the Evening Star on this subject which is most revealing and indicative of the justice being handed out in the Federal court as compared to that being meted out in the State courts. Of course, this inconsistency certainly deserves consideration of Congress, and I quote that article for its value in making that consideration:

#### STATES USE DATA BARRED HERE BY MALLORY RULING

(By Miriam Ottenberg)

Juries can hear confessions in State courts that they are barred from hearing in the District or in any other Federal court in the country.

This sharp contrast between law enforcement in the States and the District was revealed yesterday in surveys made of State laws and decisions by the United States attorney's office here and the District Council on Law Enforcement.

In the States, if the judge finds the confession was made voluntarily, the jury gets to hear it, even if the prisoner was held for many hours or even days before he confessed.

In the District, the question is no longer whether the confession was voluntary but how long the prisoner was held between arrest and arraignment. A District court judge here recently barred a confession made half an hour after the prisoner's arrest.

A man who commits a murder in the District and confesses a few hours later can be pretty sure the confession he poured out to police will never reach a jury's ears.

If the same man committed the murder in Silver Spring or Arlington the jury would hear the confession, as long as it was voluntary, even if he confessed 3 days after the arrest. Both States have just such cases.

The surveys were prompted by the Supreme Court's Mallory decision of last June. The court ruled that a prisoner must be brought before a committing magistrate as quickly as possible and should not be questioned at police headquarters to get damaging statements, even if that were not the purpose of the questioning.

This has been interpreted by the courts here as virtually barring any headquarters questioning and as narrowing the Supreme Court's earlier McNabb decision. In the landmark 1943 McNabb decision, which reversed a conviction because of delayed arraignment, the prisoners were held for days and the court discussed coercion. In the Mallory case the prisoner was held for 7½ hours, and no claim of coercion was made.

State courts don't have to follow the Supreme Court's ruling in the earlier McNabb case or the recent Mallory case because no constitutional question was involved in the High Court's rulings. The Supreme Court made it clear that it was interpreting the Federal Rules of Criminal Procedure, which apply exclusively to district court here and the other Federal courts.

To clarify what confessions should be barred in Federal courts, bills have been introduced in both the House and Senate providing that delay between arrest and arraignment should not be the sole reason for excluding a confession at a trial.

#### SURVEY NOTES PRINCIPLE

United States Attorney Gasch said yesterday that studies of State laws and decisions showed that virtually all follow the same principle as proposed in the pending bills.

One of the surveys quoted this conclusion by a justice of the Illinois supreme court.

"Thus far," he wrote, "there has been no disposition on the part of the States to adopt the McNabb rule. State courts have been unwilling to disregard evidence of guilt in order to enforce police compliance with statutes requiring prompt arraignment."

The surveys backed up his conclusion. Even in the States—including Maryland—where there are laws spelling out speedy arraignment, the courts have ruled that though the prisoner's detention may violate State law, juries can still hear a confession—as long as it was given voluntarily.

#### CONCLUSIONS LISTED

The Council on Law Enforcement Survey of the States reached these conclusions:

1. To the extent the question has been expressly raised, the States have uniformly rejected the McNabb rule for excluding confessions—the rule narrowed by the Mallory decision. The States permit the use of confessions made to police during or as a result of illegal detention before arraignment, unless the confession is shown to be involuntary.

2. State laws which require the accused to be brought before a committing magistrate within a fixed time or within a reasonable time after arrest, do not alter the policy of admitting voluntary confessions even though the detention was too long to be legal.

3. Evidence of unlawful detention before arraignment can be taken into consideration by the court in determining whether the confession was voluntary but is not automatic grounds for excluding a confession.

#### TYPICAL ATTITUDES

These rulings from State courts are typical of the attitude of the States toward confessions:

Colorado, "We cannot believe that the Supreme Court of the United States \* \* \* intended to lay down a hard and fast rule that no confession obtained from a suspected criminal, following his arrest and prior to arraignment, can be received in evidence against him."

California, "Since the McNabb case, the State courts that have had occasion to re-evaluate their test of admissibility as it applied to a confession made during illegal detention continue to treat delay in arraignment as only one of the factors to be considered in determining whether the statement was voluntarily made. Apparently none of the States following the rule excluding illegally obtained evidence have

adopted the rule of the McNabb case; and we are not disposed to adopt it."

#### OTHER VIEWPOINTS

Florida, "It is not amiss to point out that we have refused to apply the doctrine of the McNabb case in this State."

New York, "The question is whether protection for the individual would not be gained at a disproportionate loss of protection for society."

The New York comment came in ruling on a first degree murder case where the prisoner was arrested at 7:30 a. m. one day, made an oral confession at 5:30 p. m. the same day, was questioned on succeeding days by the prosecutor and finally put his confession in writing 4 days after his arrest. The court said his confession was properly admitted into the evidence since it was made voluntarily.

Many of the State rulings have followed the same line as the court of appeals here did for some 5 years—before it was upset by the Supreme Court in the Mallory case. This interpretation of when confessions should and should not be admitted in evidence follows the principle that if the delay could be shown to have caused the prisoner to confess, it should be excluded. But delay alone, ruled the court of appeals here before the Mallory reversal, is no automatic reason for excluding a confession.

#### CONNECTICUT VIEW

Connecticut takes that view. In a case which the Supreme Court refused to review in 1950, the Connecticut court ruled that the fact of illegal detention at the time a confession is made does not render it inadmissible unless that fact is causally connected with the securing of a confession.

Maryland had a case of illegal detention. A murder suspect was not only illegally detained in view of State laws for prompt arraignment but was held for 3 days before he confessed. The court ruled that the confession was admissible as long as it was made voluntarily. The court added that unless the facts of a case show that the illegal arrest in itself constituted such duress as to make the confession involuntary, the court must apply the same rules to the admissibility of the confession as it would where the arrest and detention were legal.

#### VIRGINIA EXAMPLE

The Virginia courts have taken the same view. A man was arrested on suspicion of killing his daughter's illegitimate child. He was held for 5 days without a formal charge. He was questioned twice before he went to the scene of the crime, where he orally admitted his part in the crime. Then he was charged and made a written statement. The court admitted the confession because it was given voluntarily notwithstanding that the oral admissions were given while he was illegally detained.

Utah considered what was best for proper prosecution in a murder-auto-theft case where the suspect was arrested on a Friday, confessed to the auto theft on a Saturday, confessed to murder on Sunday and reenacted the murder on Monday. The court held the confessions were admissible and said it was necessary for proper prosecution to take the prisoner back to the scene to determine which of two counties was the actual locale of the shooting.

#### CONFESSIONS SIGNED

In an Iowa case, a prowler was arrested in an area where a number of housebreakings had occurred, as well as a rape in the course of a housebreaking. In the police car after he was picked up, the prisoner said he had had something to do with the burglaries and the rape. Throughout the day after his arrest, he was questioned about the housebreakings and signed a confession to them. On the following day, he signed a confession to the rape case. He was brought



before a committing magistrate 3 days in all after his arrest. The court held that there was justification for illegal detention because of the number of cases involved. The confessions were allowed in evidence.

Like the Supreme Court, the States have shown wariness of third-degree tactics, undue pressure, threats and promises. They have repeatedly emphasized the voluntariness of a confession, but they have not made delay alone or even illegal detention the sole yardstick for barring a confession.

I think these two articles, together with evidence before our subcommittee, indicate clearly the need for legislative action in this particular field.

So far as the Jencks case is concerned, I have previously considered it in my discussion and Congress took action on it last session, so far as it relates to criminal law enforcement, and should it present a problem on the civil side, of course, our committee will consider that aspect of it.

The Kremen case has to do with the law of search and seizure, this particular search and seizure being by the Federal Bureau of Investigation. The Supreme Court reversed the conviction of the three petitioners, who were convicted of the crime of comforting and assisting a fugitive from justice, on the basis that certain contents of the home where the parties were found were illegally seized, and even though only a portion of these contents were so illegally seized, the entire contents were ruled as having been illegally seized, and the convictions were set aside.

In effect the validity of the seizure was tested on the basis of the quantity of the items seized and the Court found that the quantity was too great to be justified under the circumstances and the entire conviction was reversed.

A minority opinion by Justices Burton and Clark indicated that they did not believe the test should be the quantity of items seized and also that only a small part of the items listed by the Court as seized were admitted into evidence and that those actually admitted into evidence would have resulted in harmless error in that there was ample evidence of guilt otherwise.

The Yates case, of course, is one of the most significant cited in the October term of Court, 1956, in that it dealt with the construction of the Smith Act, or the Anti-Communist Act. The result of it was the interpretation of the act which now legalizes the forming of organizations to teach and advocate or encourage the overthrow or destruction of the Government of the United States by force or violence—to legalize those efforts—and, secondly, to legalize the teaching of the overthrow of the Government by force and violence so long as such teachings do not incite to action. The Court, in that case, ordered five of the convicted Communist defendants acquitted on the facts and decreed new trials for nine others, after making a complete review of the facts in the case, constituting itself jury as well as judge.

Of course, it was clearly the intention of Congress that Communist cells formed subsequent of the formation of the party or organization of the national party in this country should be illegal and sub-

ject to the Smith Act. This decision that does violence to Congressional intent clearly necessitates legislation action, and the subcommittee has this matter under consideration.

I have introduced legislation which clarifies this definition of "organize," in H. R. 8925, which provides: "the term 'organize', with respect to any society, group, or assembly of persons, includes the recruiting of new members, the forming of new units, and the regrouping or expansion of existing clubs, classes, and other units of such society, group, or assembly of persons. This will have the effect of clarifying what Congress meant with regard to organization of the Communist Party and will make such organization illegal in the future.

The Court in the Yates case also laid down a new doctrine of abstract violence the result of which makes it perfectly legal to advocate and teach and conspire with others for the overthrow of the Government of the United States by force and violence so long as the persons listening are not incited to action or the action proposed is in the indefinite future.

Thus it is seen that through this decision the Supreme Court has legalized the organizing of Communist cells and new Communist groups within the United States and also has legalized the teaching of the overthrow of the Government, both of which do violence to the Smith Act and the clear intention of Congress. I believe it is evident from a brief discussion of this case that legislative action is justified. This case is being very seriously considered and studied by this special subcommittee and of course the committee is acting very cautiously and only after lengthy hearings in making its recommendations to the full committee with regard to all of these decisions. This is particularly true in the Yates case, where there was a very strong dissent by Justice Clark in which he states he thought that the Dennis case merely held that a charge was sufficient where it requires a finding that the party advocates the theory that there is a duty and necessity to overthrow the Government by force and violence—not as a prophetic insight or as a bit of speculation, but as a program for willing adherence and as a policy to be translated into action as soon as the circumstances permit. This was the concurring opinion in the Dennis case, which was relied upon in the Yates decision. He also differed with the strained construction concerning the definition of organize as set out in the majority opinion, about which he himself states: "This construction frustrates the purpose of the Congress for the act was passed in 1940 primarily to curb the growing strength and activity of the party."

As evidence of public interest on this decision I embody herein the following resolution of the Kiwanis Club of Miami, Fla., as follows:

#### A RESOLUTION

*Be it resolved by the Kiwanis Club of Miami, Fla.:*

SECTION 1. That it does deplore the decision of the Supreme Court of the United

States, by which supporters of the Communist movement in our country were either freed or given new trials, as one which gives aid and comfort to a political movement in the United States which seeks the overthrow of our democratic system; and which opinion, coupled with prior but recent decisions, reflects a trend in said Court toward a liberalism which we hold to be adverse to the best interests of our Government and people.

SEC. 2. That the secretary be instructed to deliver copies of this resolution to the district committee on resolutions, to the other clubs of the Florida Kiwanis district, and to members of the Florida delegation in the Congress.

This brings us to the Watkins case. In that case Watkins appeared as a witness before the House Un-American Activities Committee when the committee was investigating Communist infiltration in labor unions. Two persons had stated, and incidentally under oath, that Watkins, who was a labor union official, had helped to recruit them into the Communist Party.

Watkins denied that he had ever been a card-carrying member of the Communist Party. He did acknowledge that he freely cooperated with the party, he identified some persons as Communists, but he refused to give identification regarding certain other people. He did not plead the fifth amendment as a basis for this refusal but challenged the committee's jurisdiction, saying: "I refuse to answer certain questions that I believe are outside the proper scope of your activity." He was found guilty of contempt of Congress as a result of this refusal and the full bench of the court of appeals affirmed the conviction, but the Supreme Court set it aside.

Of course, since this decision was rendered it has now become a practice for many of the witnesses to invoke the Watkins ruling before Congressional committees that are carrying on the legitimate investigative function of Congress, a function which is essential for Congress to carry out its responsibilities in the field of legislation, and the only manner in which Congress can determine where the laws already passed are having the desired effect, and second, whether new laws are required in the public interest. The effect of witnesses taking or claiming the first amendment—that is the freedom of speech—which the Supreme Court established—is that the Supreme Court said that the freedom of speech amendment to the Constitution carried with it an implied freedom of silence. Thus this so-called freedom of silence under the first amendment is being used about as often as the fifth amendment against self-incrimination to prevent Congress from getting information which it needs to carry on its responsibilities.

Some time ago in the CONGRESSIONAL RECORD I reviewed this case and its possible implications, many of which are coming into play at this time very pointedly and before the different committees of Congress, and I repeat a portion of that statement to indicate what some of the problems are that arise within the field of Congressional investigation as a result of the Watkins decision. I quote from my remarks in the CONGRESSIONAL

RECORD, volume 103, part 8, page 10188, in which I stated:

I would like to cite a few examples of what could possibly result in the field of Congressional investigations, as I interpret the decision.

First. It could possibly place on Congress the burden of proving that the terms of the charter of the committee or the statements of the chairman preceding the questioning would reasonably establish to the satisfaction of any witness the pertinency of each and every question on which the witness might claim the first amendment which would be an almost impossible burden.

Second. It could possibly strike down the broad authorizing or chartering provisions of committees and thus limit measurably the scope of their investigations on the technical grounds that although the investigation would be within the power of Congress to conduct unless every phase of the investigation is spelled out, the witness would not be put on adequate notice of the pertinency of any question asked by the committee and on which he claimed the right to refuse to answer because of the first amendment.

Third. It could possibly be construed to require preliminary control by Congress of its committee activities to the extent of requiring specific enumeration of every facet of any problem to be investigated or that might arise during an investigation even though the history of the investigative process has shown that Congress cannot foresee the new fields often uncovered as the result of hearings and that must be exhausted if the public welfare is to be served.

Fourth. The practical effect could possibly be that most future witnesses before Congressional committees could only be voluntary because the compulsory subpoena procedure would be completely outmoded and the witness could refuse to appear on the basis that he believed his first amendment constitutional rights were being prejudiced because he wasn't advised adequately of the questions to be asked and the pertinency thereof; or upon appearance could raise the same question and refuse to answer.

Fifth. It could conceivably require that any committee lay a foundation of a more specific nature than the charter granted by Congress in order to establish the pertinency of every question asked in order to prevent a witness from claiming the right of silence which is surely an impractical burden.

Sixth. It could possibly require these committee restrictions as suggested in 1, 2, 3, and 5 above even when the rights of the person testifying are not involved but rather the rights of third persons whom the witness has been asked to identify as in this case and even though it is well settled that one cannot invoke the constitutional rights of another;

Seventh. It raises doubt about the fact that a Congressional committee is acting within the scope of its authority with reference to any given question upon which the first amendment is claimed on the basis that an insufficient foundation of relevancy of the question involved has been laid unless it appears clear on the record or in the charter powers of the committee that the specific facet of the investigation being challenged is spelled out in the record and that it doesn't violate anyone's private affairs.

Thus, a mere statement of some of the possible implications of the decision that, I am sure points up its dangers.

Also the Court overlooked completely in its reasoning the fact that every contempt action by a committee must be ratified by the body of Congress under whose authority the committee operates, the facts fully debated, the relevancy of the question upon which the refusal to answer gives rise to the contempt, the pertinency of the question to the investigation involved and of

the question asked as well as the validity of the grounds for refusing to answer the question—and only after the passage of a resolution by the respective House or Senate after full debate and determination if the committee was acting within its charter and preliminary (broad) authority can the committee acquire needed authority to bring a court action through the Attorney General for contempt of Congress. I fail to understand how the Court, under the separation-of-powers doctrine, can inject itself into this matter in this instance on the facts and overturn the findings and policy determinations as they relate to the previously determined relevancy and pertinency as made by the Congress. Although broad investigatory powers are often granted, many protections against the abuse of the contempt power of Congress are provided. It is interesting to me that this phase of practical legislative process apparently escaped the Court—and indicates further the impracticality—due to lack of understanding of some of the problems of Congress and its workings—of the proposals made by the Court in this case.

In connection with this, of course, last year the Congress did vote in contempt of Congress a couple of witnesses before the committee, including Hartman, and the House Committee on Un-American Activities was careful to instruct the witnesses at great length as to the relevancy of the questions and the powers of the committee, and possibly this will serve as a test case for the Supreme Court to render a more realistic and definitive decision.

Legislative consideration of this matter is essential and our committee has it presently under study. Thus we have the decisions of the Supreme Court which are before our subcommittee in the field of communism and criminal law enforcement which merit the very serious consideration and sound, constructive efforts to plug some of the legal loopholes that have been established contrary to the best interests of the general public within, of course, the limitations of our Constitution and within the limitation of the powers that Congress has as a legislative body.

Now, very briefly, I wish to discuss those cases that were assigned to our committee that deal with the subject of States rights or the powers of the States as they relate to our State legislative as well as the investigative powers.

The first of these cases is the Sweezy case, which applied the Watkins case to a State proceeding. The State of New Hampshire had authorized an investigation into subversive activities within the State in connection with carrying out the statute which the legislature had passed in 1951 for the purpose of controlling sedition and subversive organizations and persons and also establishing a loyalty program. The legislature had adopted a joint resolution relating to the investigation of subversive activities and the attorney general was authorized to make these investigations.

The attorney general called Sweezy as one of the witnesses and during the first hearing he refused to disclose his knowledge of the Progressive Party in New Hampshire or persons with whom he was acquainted in that organization and claimed the first amendment based upon the Watkins case theory as his justification for refusing to answer. A

second investigation was held and the petitioner refused to answer questions concerning the Progressive Party and its predecessor, the Progressive Citizens of America, as well as certain subject matter contained in a lecture delivered to a class of a hundred students in the humanities course at the University of New Hampshire. Sweezy in this instance again pleaded the first amendment and his right of silence thereunder, and of course the Supreme Court upheld this right. This was done despite the fact that this was a State legislative investigating authority, after the State court had found him guilty of contempt of the legislature.

The Court based its decision upon the following reasoning: "Our conclusion does not rest upon a separation of the powers of a State legislature to conduct investigations from the responsibility to direct the use of that power insofar as that separation causes a deprivation of the constitutional rights of individuals in a denial of the due processes of law," and the Court went on further to find that Sweezy had been denied due process of law and therefore the conviction was reversed. In this opinion Justices Frankfurter and Harlan agreed with the result that the case should be reversed but for a different reason.

Justice Clark wrote a minority opinion dissenting. The State court had made a finding of fact according to Justice Clark to the effect that the attorney general was directed by the legislature to inquire as he did, as a matter of fact, and therefore the question of being beyond the scope of the investigating authority of the legislative resolution should not be, from a factual standpoint, subject to review by the Supreme Court. He states: "We are bound by the State court findings. We have no right to strike down the State action unless we find not only that there has been a deprivation of Sweezy's constitutional rights, but that the interest in protecting those rights is greater than the State's interest in uncovering subversive activities within its confines. The majority made no such findings."

Justice Clark goes on to point out that the Court, in effect, blocks New Hampshire's effort to enforce its own laws and it was Clark's opinion that the Pennsylvania against Nelson decision left open the legitimate powers of the State to control subversive activities leveled against the interest of the State as compared to subversion against the Federal Government.

Thus it is seen that the Supreme Court applied the doctrine of the Watkins case in State legislative investigations as well as Federal, despite the fundamental concept of our Constitution that the State should have full authority to carry out its own laws and to hold its own investigations, and that decisions of the State supreme court should be final on the questions of fact raised as to whether the questions asked are relevant to the investigation. This finding is necessary of course before the Watkins doctrine can be employed and the constitutional rights of the witness can be raised.

The other series of cases with which the special subcommittee is concerned



as it affects powers of the States are those dealing with the admission of certain individuals to the practice of law within the State of California, as in the *Konigsberg* case, the State of Louisiana, as in the *Theard* case, and the State of New Mexico, as in the *Schware* case.

The petitioner, in the *Konigsberg* case graduated from the law school of the University of South Carolina in 1953 and 4 months later passed the bar examination and the State committee of bar examiners held hearings with regard to his moral character and refused to certify him to practice law on the grounds that he had failed to prove, first, that he was of good moral character; and second, that he advocated the overthrow of the Government of the United States or California by unconstitutional means. *Konigsberg* appealed to the courts and the State supreme court upheld the committee by turning down a petition for review. The United States Supreme Court reversed the California findings and Justice Black in writing the opinion stated:

There is no evidence in the record which rationally justifies a finding that *Konigsberg* failed to establish his good moral character or failed to show that he did not advocate forceful overthrow of the Government. Without some authentic reliable evidence of unlawful or immoral actions reflecting adversely upon him, it is difficult to comprehend why the State bar committee rejected a man of *Konigsberg's* background and character as morally unfit to practice law. As we said before, the mere fact of *Konigsberg's* past membership in the Communist Party, if true, without anything more, is not an adequate basis for concluding that he is disloyal or a person of bad character. A lifetime of good citizenship is worth very little if it is so frail that it cannot withstand the suspicions which apparently were the basis for the committee's action.

Justice Harlan in a strong dissent stated a very sound position, which is as follows:

1. The record, in my opinion, reveals something quite different from that which the Court draws from it; (2) this case involves an area of Federal-State relations—the rights of States to establish and administer standards for admission to their bars—into which this court should be especially reluctant and slow to enter. Granting that this area of State action is not exempt from Federal constitutional limitations, see *Schware v. Board of Examiners*, decided today, I think that in doing what it does here the court steps outside its proper role as the final arbiter of such limitations, and acts instead as if it were a superstate court of appeals.

Thus, in the *Konigsberg* case the Supreme Court affirmed the petition of *Konigsberg* contending that the Board's action in the State of California deprived him of rights secured by the 14th amendment to the Constitution, the due process clause.

In the *Theard* case the Supreme Court of Louisiana disbarred the petitioner, the United States District Court for the Eastern District of Louisiana struck him from its roll of attorneys and the Court of Appeals for the Fifth Circuit affirmed that order.

The Supreme Court in this opinion reversed the decision of the court of appeals which had the effect of permitting

the complainant to practice in the Federal courts, the Supreme Court finding that the disbarment within a State court does not necessarily result in disbarment by a Federal court and that therefore the Supreme Court has power to look into the conditions that qualify the State court judgment. The court found we do not think the principles of right and justice require a Federal court to enforce disbarment of a man 18 years after he had uttered a forgery when concededly he was suffering under an exceedingly abnormal condition, some degree of insanity. The Supreme Court thus remanded the case for the appellate court's decision and disposition under the Court's rule of Federal disbarment that the Federal court does not disbar except upon the conviction that, under the principles of right and justice, the Court is constrained so to do. This decision, of course, had the effect of permitting the Federal court to review the facts and circumstances surrounding the decision of the State court upon which the State disbarment was based, and could lead to the result that the complainant would be able to qualify to practice before the Federal court but not the State.

The third case in this series is that of *Schware* against Board of Bar Examiners of State of New Mexico, and in that case the question presented was whether *Schware* had been denied a license to practice law in New Mexico in violation of the due process clause of the 14th amendment, the same question as raised in the *Konigsberg* case.

In this opinion Justice Black rendered the decision and the Supreme Court reversed the decision of the State court of New Mexico. The bar examining group elicited evidence that *Schware*, at the age of 18 in 1932 had joined the Young Communist League, he making application for the bar in 1954. *Schware* admitted that he was a Communist between 1932 and 1940 and the State Supreme Court of New Mexico placed heavy emphasis on this point in denying his application to practice law. *Schware* had also been found to have used a number of aliases and have been arrested a number of times, as well as having been a member of the Communist Party, and the State of New Mexico took the position that even though standing alone any one of these might not be grounds that standing together the exclusion was not unwarranted. Thus the Supreme Court completely reviewed the evidence and reversed the State supreme court on the evidence, declaring on the evidence that the due process of the complainant had been denied.

Thus it can be seen by a discussion of this series of decisions that these matters require immediate Congressional action and I trust the subcommittee, on which I am the ranking minority member, will, after due consideration bring forth sound and constructive legislation.

It is essential that Congress assert its full legislative power and responsibility in recapturing any of its lawmaking authority that might have been usurped by the Supreme Court, to correct misinterpretations of the intent of Con-

gress where that has occurred, and to reassert its intended legislative prerogatives to strengthen our criminal laws, our anticommunistic statutes, and to establish a pattern consistent with the 10th amendment in future State and Federal relationships.

This can and must be accomplished at the earliest possible time, within Congress' prescribed legislative functions under the Constitution, obviously without violation of individual rights but with adequate protection of the rights of the people as a whole and the general welfare. This is the challenge to Congress—I trust it will be accepted this session—it must be accepted.

Mr. AVERY. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield.

Mr. AVERY. I would like to compliment the gentleman from Florida for bringing this matter before the House and pointing out to the House the importance of the matter that he is discussing. I make this observation not as a lawyer, but as a layman, if you please. I would further like to point out to this body and to the gentleman's constituents in the State of Florida that it was the gentleman from Florida [Mr. CRAMER] who took the floor last summer to protest the inaction by the Committee on the Judiciary in bringing about legislation to protect the FBI files following the Supreme Court decision last June 6 known as the *Jencks* case. I think this is particularly significant together with his being appointed as ranking minority member of such an important subcommittee, particularly since the gentleman from Florida is a relatively new Member of the House, and is a member of the Committee on the Judiciary without much seniority, yet it seems to be his responsibility to search out these difficult matters and make rather complete analyses and studies of them, and present them to the House in the manner which he is now doing this afternoon.

I certainly want to express my personal appreciation for the service that the gentleman from Florida is rendering.

Mr. CRAMER. I thank the gentleman from Kansas very much for his kind remarks.

Mr. HENDERSON. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield.

Mr. HENDERSON. I, too, would like to express my admiration for the fine presentation that the gentleman from Florida has made and for the work that he has performed both on the floor of the House and in his committee.

Many people from my district in Ohio have talked to me with reference to the many recent decisions of the Supreme Court. Particularly they have expressed concern over a case which I believe is the *Nelson* case, which more or less has indicated that action by the States is not warranted where the Federal Government may seem to have assumed to have preempted the field. I still feel that in this country of ours there is ample room for the operation of both State governments and the Federal Government; that the two should continue and should exist side by side, one supplementing the other, and not forgetting the admonition which

is contained in our Constitution that the rights which people have not granted to the Federal Government they have reserved unto themselves and unto the States.

I again express my appreciation to the gentleman for bringing this matter to our attention. I, too, as have many other Members, have introduced legislation which would be designed to supplement the decisions of the Supreme Court. It is our responsibility in that balance of power between the executive, the judicial, and the legislative, to exercise our will so that one or the other of any of the three may not become too strong.

Mr. CRAMER. I thank the gentleman for his interest in the subject. I know he will pursue it as assiduously as he has other matters previously, during the balance of this session.

I want to review the cases which were involved, and I will do it briefly, and then extend my remarks. In particular, the effect of these decisions has been demonstrated, even during the recess, since the decisions were made, and new evidence has been presented to our special subcommittee.

I want to start with the Mallory case. It provides, in effect, that a person who is arrested and held for a period of 7½ hours between his arrest and arraignment, even though the confession received from him is wholly voluntary, without any coercion, the mere fact that he was held for a period of 7½ hours in and of itself constitutes coercion and makes the confession inadmissible in evidence. Mallory was permitted to go scot-free, when the Supreme Court remanded the case for a new trial. No new trial was possible without the confession.

In the Watson case, another case also decided in the District of Columbia, which is one of the pieces of evidence of the effect of this Mallory decision which arose during the recess, a twice-convicted rapist was permitted to go scot-free as a result, first under the Mallory decision, that his confession was nonadmissible. They went back and tried him on other physical evidence which arose out of the confession, that is, physical evidence; and the Supreme Court found the physical evidence which arose as a result of the confession itself was also not admissible, applying the "poisoned fruit of the poisoned tree" doctrine and let him go free again. So that is how broadly the Mallory doctrine has been extended. I say, based on those circumstances and many others, the Congress should take action in attempting, to some extent, to reinstate the commonsense rule of evidence and give adequate elbow room for the law-enforcement officers to work, to weed out the innocent and to properly investigate those cases, which is essential if the general public is to be protected.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Michigan.

Mr. HOFFMAN. Is the gentleman going to comment on the Green case?

Mr. CRAMER. I had not intended to.

Mr. HOFFMAN. I would like the gentleman to yield to me for a comment on the Green case, if he would be so kind.

Mr. CRAMER. I shall be delighted to.

Mr. HOFFMAN. One other question, if the gentleman will yield?

Mr. CRAMER. I yield.

Mr. HOFFMAN. We have had a number of bills, some of them before the Committee on Education and Labor on Federal aid to education—I am serious now, have you thought of introducing legislation which would provide for education of the judges from the practical standpoint that the effect of these decisions is the releasing of these criminals? The Circuit Court of Appeals and the Supreme Court are turning loose these habitual criminals and someone, someone should set those courts wise as to the practical results which follow their decisions. It might be well to include that editorial from the Star last night which gave another freed criminal's record, that of Dallas Williams.

Mr. CRAMER. I will be delighted to, I say to the gentleman from Michigan. (The editorial referred to follows:)

#### SOCIOPATHIC JUSTICE

Everyone knows that justice is blind. But the case of Dallas Williams raises a suspicion that justice, in Washington, may also be suffering, figuratively speaking, from a mental disease or defect.

The best way to get into the case of Dallas Williams, who is a free man in this city today, is to take a look at his criminal record. The following is from an opinion by the United States Court of Appeals:

"The prosecutor told the court at the opening of the trial, 'This man (Williams) has the worst criminal record for violence I have ever seen.' We are informed by the Government that he was convicted of attempted robbery in 1933; twice of assault and battery in 1934; of manslaughter in 1936; of assault and battery with intent to kill in 1940 and in 1941; of shooting with intent to kill in 1942; of assault with a pistol in 1944; of assault in 1945; of assault with intent to kill, assault with a dangerous weapon and carrying a dangerous weapon in 1949. In 1952, 12 days after he was released on bail to await his second trial for the present (the 1949) offense, he threatened someone with a pistol and was convicted of that offense. While on bail before his fifth trial in 1956, he committed another crime involving a pistol and was convicted of that crime a month after the present conviction. William told one of the court-appointed psychiatrists who examined him in 1953 that he had spent about 20 of his 39 years in jail."

But he is not in jail today. This charming fellow is loose in Washington, and he probably will remain free unless or until he commits another crime.

How is it possible that a man with such a record is not either in jail or in a mental institution? Well, it's a long story, but we'll try to tell it as briefly as possible.

The case which has just resulted in his release began when he shot a man on September 26, 1949. He has been tried five times for that offense. Two trials ended in mistrials and three in convictions. For one reason or another all three convictions were reversed on appeal. The latest reversal came on November 1, 1957, when Judges Bazelon, Fahy, and Washington held that Williams had been deprived of his right to a speedy trial.

In all of this time there was a serious question as to Williams' sanity, and the appellate judges, although they dismissed the charge against the man, were not at all anxious to see him released. So they suggested that the Government might seek to

have Williams committed to a mental institution in civil, as distinguished from criminal, proceedings.

United States Attorney Oliver Gasch took the hint and asked Chief Judge Laws of the District court to send Williams to St. Elizabeths Hospital. Judge Laws was sympathetic, wanting to protect the public, and on January 7 he ordered Williams committed pending a report on his condition from the Mental Health Commission. However, there was one important hitch.

Ten days prior to this the prosecutor, as he had to do, had asked two Government psychiatrists to examine Williams. They agreed that, as of that time, the man was not insane. One of the doctors warned of the potential danger to the community if Williams should be released. The other went even further. He said: "At present there are no symptoms, singly or in the aggregate, which would justify a hospital commitment for this man. However, it should be kept in mind that he is, potentially, definitely dangerous to others, and once released, is likely to repeat his patterns of criminal behavior, including homicide."

Judge Laws ordered a temporary commitment. But Williams' lawyers, Nestor S. Foley and George Rublee II, doing their duty as defense counsel, went before Judge Keech to challenge the legality of the commitment. In the absence of an accusation that Williams was insane at the time, they said, he could not be lawfully committed. Reluctantly, Judge Keech agreed, and ordered Williams released.

The United States attorney went back to the court of appeals, before the same panel of judges, asking that they reverse Judge Keech. The appellate judges refused, however, because there was no verified allegation that Williams now is insane. They suggested that the prosecutor might try all over again, although they did not explain how or why. For the United States attorney cannot accuse Williams of insanity at this time if the Government's own psychiatrists say that he is sane.

So this, in summary form, is the case of Dallas Williams. He is a free man today—despite his shocking criminal record, despite the fact that he pleaded insanity as a defense at his latest trial, despite the warning from the doctor that, if released, he may go out and kill someone. Is this a record, and a prospect, which suggests that justice is functioning rationally and impartially in the District of Columbia? We do not think so. For justice is supposed not only to safeguard the interests of an accused person, which has been amply done in this case. Justice is also supposed to concern itself with protecting the public interest. And that has not been done in this case.

It is not our purpose to attempt to fix responsibility on any individual for the release of this dangerous man. Perhaps it should be pointed out that Williams, with time off for good behavior, would have been released this coming September if he had been sent to jail to serve his sentence after his first conviction in this case. And he would be just as dangerous in September as he is now.

The essential point, we think, is that there is something seriously wrong with a system of justice which frees a man with Williams' incredible record. This is an offense against society. If an individual were to commit such an offense he surely would be entitled to plead, under the Durham insanity rule, that he was suffering from a mental disease or defect, or what the psychiatrists now describe as a "sociopathic" personality. Justice, as justice has functioned in this case, must be suffering from some equally serious disability. There may be those who will think that this is carrying a figurative analogy a bit too far. If so, we suggest that they go back and reread the third paragraph



of this editorial and then ask themselves: By what rational process of justice has Dallas Williams been turned loose?

Mr. CRAMER. I am as concerned as you are, obviously, as a member of this subcommittee, and on the evidence before us as to the effect of these decisions on criminal law enforcement, the effort to stamp out the Communist conspiracy in this country, and the question of the rights of the States under the 10th amendment to the Constitution. The effect of these decisions in all those fields is adverse, and I think legislative action is essential.

Mr. HOFFMAN. Would this be a good place to put in the Green case and make a statement about it?

Mr. CRAMER. I yield to the gentleman for that purpose.

Mr. HOFFMAN. In that particular case the defendant was charged, in one word, with arson. Under the code here it is a first-degree murder charge if, without knowledge of the defendant, there is another person in the house which is burned and death results. He was also charged with murder in the first degree, under the code. The jury in the district court convicted him of arson, and the judge having given instructions about second-degree murder, they convicted him not on the first-degree murder charge but on the second-degree murder charge. The case then went to the circuit court of appeals, three judges sitting. They said that the first trial in the district court was all wrong, that there was not any room for any instruction about second-degree murder, that if he was to be convicted at all it should have been on the first-degree murder charge.

After he was convicted of first-degree murder in the district court on the second trial the court of appeals sustained it, but then it went to the Supreme Court, and then the Supreme Court reversed it on the ground of double jeopardy.

Now I am wondering what the prosecuting attorneys and the juries are going to do. Here is this fellow turned loose. He was convicted of arson, and the fire which he started resulted in the death of this woman, but the Supreme Court says "No, he has been tried once and acquitted of that." He goes scot free.

Mr. CRAMER. And I say to the gentleman that fits into the general pattern of discussion with regard to the rights of individuals, as compared to protection of general rights of society, and that the Supreme Court is going to have to give equal weight to the latter as it does to the former.

Mr. HIESTAND. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield.

Mr. HIESTAND. I am especially interested in this subject, having introduced a bill, H. R. 679, a duplicate of H. R. 3, which the gentleman has mentioned. I commend very highly the presentation made by the gentleman from Florida. I think it is very timely, urgent, and important. I know a number of bills have been introduced on this doctrine of preemption. I have studied a number of cases involved.

I introduced a subsequent bill, H. R. 6567, which has the approval of the

American Bar Association. It is practically the same as H. R. 3. I take it that same bill would meet the gentleman's approval.

Mr. CRAMER. I believe legislation of that nature is essential, and I congratulate the gentleman from California for his work and interest in this matter, he having discussed this with me on many occasions. I have introduced a bill myself slightly modifying the one the gentleman introduced, a matter which I previously discussed.

I am hopeful that the committee at this session will take action on it. In the last session there was a bill reported out, but it dealt only with the Nelson case, not with the general subject of preemption of State statutes by Federal law. I appreciate the gentleman's interest and I wish to congratulate him. I think this is a matter of extreme concern to all the people of this country.

Mr. HENDERSON. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Ohio.

Mr. HENDERSON. Is there any question in the gentleman's mind that the Congress has the right and the responsibility to enact legislation that will have the effect of correcting the decisions of our judicial branch?

Mr. CRAMER. As I have previously stated, I think it is the duty and the responsibility of Congress within its constitutional authority to review the decisions of the Supreme Court and its interpretations of the laws as passed by the Congress; also to make certain that the Supreme Court does not usurp the law-enactment authority and power of Congress, and that it is its duty to do so and its responsibility. That is why I think the formation of this committee is timely under our constitutional powers and it should go forward with this work.

Mr. HENDERSON. It should be one of the missions of this Congress?

Mr. CRAMER. Yes. The Congress does not hesitate to criticize the executive branch of the Government any time Congress disagrees with the executive branch. I can see no reason why constructive criticism of actions taken by the judicial branch and legislative action within the power of Congress to legislate under the Constitution should not be equally well taken.

Mr. SCHWENGEL. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Iowa.

Mr. SCHWENGEL. Mr. Speaker, first, I would like to say that I want to associate myself with the remarks of the gentleman on this important subject and at this point I should also like to say to the membership of the House that for 2 years it was my pleasure to serve with the gentleman from Florida [Mr. CRAMER] who is giving us this dissertation as a member of the Public Works Committee. Both he and I were freshmen, but I found out as we were considering a most important internal-improvement bill in Congress at that time—the National Defense Highway Act of 1956—that we were fortunate to have a man of his caliber and his ability to think and to figure out answers to

the difficult problems of our committee. May I say to the membership of the House further that at least in one significant instance he was responsible for plugging up some shortcomings in legislation then under consideration and suggest a provision for advance purchase of rights-of-way that will save the people of this country several hundred millions of dollars. I was glad to see him appointed to also work with another committee and it seems sort of fortunate he did find a place on the Judiciary Committee where he could delve into this subject that is so important to our country and to its future. I want to commend him for the contribution he is making and assure him of my support in his effort. I fervently hope with him and many others that the Committee on the Judiciary will act promptly and give us an opportunity to correct some of these very obvious injustices that have come about through the rulings of our courts. I commend him highly and wish him success in his objective of getting corrections in our basic laws in this regard.

Mr. CRAMER. I thank the gentleman. May I say that I, too, have enjoyed and will continue to enjoy sitting with the gentleman on the Public Works Committee. I look forward to serving with him and I want to commend him for the service he is rendering.

Mr. TEAGUE of California. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from California.

Mr. TEAGUE of California. I would like to add my voice to those who have commended the gentleman from Florida for this timely, scholarly, and helpful report on a most serious subject.

Mr. CRAMER. I thank the gentleman from California.

Mr. HENDERSON. Another question I had in mind; Is work being done to legislatively supplant the decision in the Yates case?

Mr. CRAMER. Yes. That matter is under active consideration by our subcommittee. Legislation, as I say, has already been proposed by the gentleman from New York [Mr. KEATING], by myself, and by other members of the Committee on the Judiciary that would have the effect of redefining the language to include the organizing of present-day cells of Communists as well as other types of Communist organizations throughout the country. Secondly, on the question of inciting to action, that is a more difficult question which we have under active consideration. We are starting hearings on that in the very near future to see what legislative action can be taken and not run afoul of the constitutional rights of freedom of speech declared in that particular case.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Michigan.

Mr. HOFFMAN. Will the gentleman tell us how we can be helpful to the Committee on the Judiciary; how we can blast this legislation out?

Mr. CRAMER. I suggest to the gentleman that he will be notified of the hearings before our subcommittee and

we will be delighted to hear him as well as his suggestions as to how the Yates and other cases can legislatively be overcome.

Mr. HOFFMAN. When are you going to have your hearings before the Committee on the Judiciary? Day after day these criminals are being turned loose. Just the other day the circuit court of appeals sent a case back and in effect told the district judge to send the fellow to jail. All right. He did. Then the circuit court of appeals, when the case got there on a writ of habeas corpus, turned him loose.

Mr. CRAMER. Although the subcommittee was not established until late last session of the 85th Congress, we are already in the process of drafting legislation in regard to the Mallory case, after holding lengthy hearings, and we are holding hearings on these other cases, and I am sure action will be taken expeditiously. That is what I am working for as ranking minority member of that committee.

Mr. HOFFMAN. I know there are many Members on the floor or in the House who want to be helpful if they can get it out and get action. For example, many of us have wives here. They walk up and down the street, as do you and I, and over here, even near the Congressional Library not too many years ago a woman was assaulted at dusk. What you said earlier about the courts protecting the rights of the citizens while ignoring the rights of the community is all too true. You talk about civil rights. Apparently the Court seemed to think these fellows' rights ought to be safeguarded in every way, their constitutional privileges stretched in every way. Now, three people were assaulted last night, viciously. How long does that have to go on, or do we have to arm ourselves?

Mr. CRAMER. I am as concerned as the gentleman is, and we are holding hearings constantly, and legislation will be reported out soon. The reason I am laying this foundation is to advise the House what work is being done and the problems involved in the legislation presented before the subcommittee in the hope that the members will take an active interest in this matter, the full committee will report legislation out, and let Congress work its will.

Mr. HENDERSON. I would like to add my word to that which has been given, if it is of any help at all to the committee, that the people I am in contact with are highly concerned both about the present legislative situation and about the necessity for earnest consideration of new legislation to do something about these decisions, and I hope your committee will take that into consideration, that the public does want something done.

Mr. CRAMER. I am thoroughly aware of the position of the gentleman's constituents. That position is the same as in my district. Knowing of the considerable public concern our committee is carrying out its instructed duties of proceeding expeditiously.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield further?

Mr. CRAMER. I yield.

Mr. HOFFMAN. Now, the courts are turning these criminals—and they are confessed criminals—loose. They have been convicted, but the Court says that in some way some technical rule has been violated and they are turning these fellows loose just as fast as the prosecuting officers and the police can send them to jail.

How long is the chairman of the gentleman's committee, the gentleman from New York [Mr. CELLER] going to continue by inaction to protect those fellows? That is what I am trying to get at.

Mr. CRAMER. I will say to the gentleman that last year I was very much concerned about there having been no action with regard to these decisions. Finally this subcommittee was appointed and I think we will get action this year, at least reports from the subcommittee to the full committee will be made shortly. Whether or not legislation will get out of the full committee is a question which that committee will have to decide.

In closing, let me say to the Members of the House that I trust this session of Congress will accept this challenge. As the gentleman from Michigan [Mr. HOFFMAN] has pointed out, it is urgent that that challenge be accepted, that we do not overlook this essential legislation in the maelstrom of other legislative matters with which we are all concerned, such as our defense. This involves the very sinews and the very vitals of our country and of our people.

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

#### FARM PROBLEMS IN 1957 DUE TO EXCESSIVE RAINS

The SPEAKER pro tempore (Mr. JONES of Missouri). Under previous order of the House, the gentleman from Arkansas [Mr. GATHINGS] is recognized for 30 minutes.

Mr. GATHINGS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. GATHINGS. A widespread, ruinous catastrophe has been the result of continuous excessive rains during the planting, growing, and harvest seasons in many parts of the Nation in 1957. As a result, the crops were planted over as many as three times before a good stand was obtained. The wet growing season added to the plight of the farmer by heavy pest infestation. This made it necessary to poison the crops a number of times, running the cost exceedingly high. Taking into account the increased cost of labor, equipment, repairs, fuel, initial outlays for machinery, taxes, and other costs, it has been said that the

1957 crop year was one of the most expensive—if not the most expensive—in the history of farming in the Middle South area, and other areas were also adversely affected.

An announcement was made yesterday by the officials of the Department of Agriculture that Public Law 38, originally enacted in 1949, was being liberalized in this extreme emergency. The Department has given sympathetic consideration to the plight of not only the farmers, but the business concerns of the broad territory affected and is fully aware of the need for credits, as well as to provide funds for the payment of interest, taxes, and personal property depreciation allowance. It has been determined by the Department that in addition to the requirements for crop loan purposes in 1958, it was felt that the disaster was of such severity that advances should be made to pay existing taxes, interest, and up to 15 percent depreciation allowance on the farmers' personal equipment. The Department has the grateful thanks of not only the producer, but private lending institutions in the communities affected, for stepping in and recognizing this problem and drafting regulations with such elasticity as would to a good degree meet at least some of the needs. It is necessary, however, to enact legislation, in addition, to the extent to which the Department has gone in order that adequate funds may be made available to meet the great needs and requirements of such a severe and deplorable disaster. A separate and distinct loan to refinance all existing debts, affording the farmer up to 5 years to liquidate, is what is needed.

It is the purpose and intent of all of us who are interested in solving this problem that the farmer continue to till his soil. In order to do this he must, of necessity, have his chattels; that is, tractor, combines, and other implements, available to him for use in the 1958 crop year.

Although the losses were great in the making of the 1957 crops and, as a result, heavy debts hang over these farmers, it may be very difficult to obtain nondisturbance agreements from the holders of the mortgages on the farmers' implements and equipment unless such creditor or creditors are paid a sufficient amount on the past-due indebtednesses as would put them in a position to in turn meet their own obligations. In so many instances the holder of implement notes has hypothecated these instruments with lending institutions who are pressing for payment. The open accounts owed by these same farmers is another most serious factor. These debts are real. They exist in large quantities. That is a phase of the issue that must be solved by legislation.

The area affected includes Arkansas, Mississippi, southeast Missouri, western Tennessee, Louisiana, Texas, Oklahoma, Florida, Minnesota, and other States. The Representatives from all of these States have to a person worked tirelessly on this problem in an effort to assist in every way possible the disaster victims in their particular Congressional Districts. Meeting after meeting has been held.



Every one of these Members has attended or had a representative from his or her office present on each occasion.

At this point, I would like to incorporate some figures relative to the crop losses of 79 major crops in some of the States in which the disaster occurred. They are as follows:

*Disaster data on selected States (as of December crop estimates, 1957)*

	Cotton ginned (running bales)	Total value on 79 major crops	
		Year	Amount
Arkansas:			
1955.....	1,568,159		
1956.....	1,368,625	1956	\$458,946,000
1957.....	806,248	1957	389,542,000
			-69,404,000
Florida:			
1955.....	14,763		
1956.....	9,178	1956	459,338,000
1957.....	6,786	1957	425,466,000
			-33,872,000
Louisiana:			
1955.....	564,136		
1956.....	568,047	1956	269,863,000
1957.....	310,025	1957	228,490,000
			-41,373,000
Kentucky:			
1955.....	6,957		
1956.....	7,384	1956	430,556,000
1957.....	3,331	1957	378,745,000
			-51,811,000
Minnesota:			
		1956	881,361,000
		1957	771,840,000
			-109,521,000
Mississippi:			
1955.....	1,940,186		
1956.....	1,572,907	1956	425,268,000
1957.....	943,530	1957	335,981,000
			-89,227,000
Missouri:			
1955.....	396,473		
1956.....	438,891	1956	644,098,000
1957.....	148,831		508,107,000
			-135,991,000
Tennessee:			
1955.....	564,086		
1956.....	515,830	1956	337,775,000
1957.....	341,235	1957	292,241,000
			-45,534,000
Texas:			
1955.....	3,810,990		
1956.....	3,499,625	1956	\$1,125,741,000
1957.....	2,739,046	1957	1,250,445,000
			+24,704,000
Total estimated 1957 loss on 79 major crops in selected States.....			576,643,000

An article written by Gerald L. Dearing, cotton editor of the Memphis Commercial Appeal, dated November 16, 1957, gives vital information concerning the cotton situation in the mid-south territory. Cotton requires a long growing season; warm nights are necessary for the bolls to grow and mature. Mr. Dearing stated that the growing season for the 1957 cotton crop in the Memphis area was 30 days shorter than the average growing season. This condition created smaller yields. Mr. Dearing brought out in his article some pertinent facts with reference to the excessive number of days of rain occurring throughout the year, which was most harmful to cotton growth, progress, and

turnout. Mr. Dearing's article is set forth below in its entirety:

**COTTON COMMENT—LOOK AT THE WEATHER RECORDS REVEALS CONDITIONS THAT MADE FOR SORRY COTTON CROP THIS YEAR—IT MAY BE THE WETTEST YEAR IN HISTORY**

(By Gerald L. Dearing)

Everyone knows that the weather is responsible for the conditions of the cotton crop and the harvest, but just what was different this year than other years?

We asked Ted Trapp with the Weather Bureau at Memphis for some figures.

In the first place the growing season was 30 days shorter than average, 201 days compared with a normal 231 days between frosts. The last killing frost in the spring came on April 9, and the first in the fall on October 28. It is the shortest growing season since 1934, when it was 185 days. Only 4 years in the past 85 that records are available have had shorter seasons. The shortest, 184 days was in 1893. The longest, 290 days in 1931.

#### FROST DATE GIVEN

The normal spring last frost date is March 20 and the average first fall frost date is November 6.

Cotton is a plant which requires warm weather to make it grow. This year there were only 4 days—all in July—when temperatures were above 95 degrees. This compares with 1956 when the total was 32, spread over 3 months; or 1954, which had 12 such days in June, 28 in July, 25 in August, and 11 in September for a total of 77. Other years have shown high temperatures from May through September.

This year, through October, 164 days were cloudy and 82 partly cloudy, and only 58 days have been clear. The 85-year average is 92 cloudy, 92 partly cloudy, and 120 clear.

In only 2 months were the percentages of sunshine possible above normal, July saw a sunshine percentage of 75 percent compared with a 73 percent normal and August saw 76 compared with 73.

#### RAINS FREQUENT

From January 1 through October 31 it has rained on 155 of the 304 days. During the growing season of cotton the days of rain were: April, 18; May, 13; June, 17; July, 15; August, 11; September, 17, and October, 12.

Last year there were only 105 days of rain to October 31. The volume of rains also has been a factor, since heavy rains keep the fields wetter and prevent working.

This may be the wettest year in history. Through midnight Thursday night the precipitation at Memphis has been 68.43 inches. Only 2 years exceed this figure, either for the 11-months' period or for the full year. The 1957 year, at 10½ months ranks third. For the 11 months in 1882 the rainfall was 69.27 inches, and for 1877 it was 69.06 inches. This is the wettest year since 1882 or in 75 years.

#### WETTEST IN 1877

The year 1877 was the wettest full year, even though at the end of 11 months it was in second place. The total for the year was 73.50 inches.

If it rains no more this year, 1957 will be the third wettest year in history. The previous third was 1890 with 68.28 inches, a mark surpassed this year by mid-November. Normal rainfall for the rest of this year will set a new rainfall record and make it the wettest year in history.

Temperatures this year ranged below normal, especially in October, when it was most needed to develop the late cotton.

So 1957 has seen a short growing season with a late spring frost and an early fall frost; cooler than normal temperatures; fewer days of high temperature; fewer hours of sunshine; rains on half the days and at a record-setting rate.

The Department of Commerce weekly weather and crop bulletins reflect the scope and intensity of the most unusual and deplorable crop year of 1957.

The national summary for the week ending February 4, 1957, states in part:

Devastating floods in southeast Kentucky, southern West Virginia, southwestern Virginia, and portions of Tennessee caused the loss of more than a dozen lives and millions of dollars in damages. The floods were the highest in 100 years at numerous points, and the waters rose many feet over any floods previously experienced by residents.

The weather and crop bulletin for the week ending April 1, 1957, states:

Precipitation March 1957: From 2 to over 4 inches of moisture fell over the Texas Panhandle and practically all of Oklahoma, Kansas, southeastern and extreme southern Nebraska, Missouri, and Arkansas, and generally somewhat greater amounts over the region from middle and eastern Texas eastward over the Gulf and South Atlantic States. The totals were more than twice the normals in the upper coastal area of Texas, the Amarillo-Dodge City-Goodland area of the western plains, and the eastern portions of Washington and Oregon.

The national summary for the week ending May 6, 1957, further illustrates the disastrous weather and crop conditions:

Cotton: In most of Texas, Oklahoma, Louisiana, Arkansas, and southern Missouri soil preparation and cotton planting several weeks late due to prolonged heavy rains.

For the same week, the special telegraphic summaries on States reports:

Arkansas: Only small amount of cotton planting; a few fields up to good stands.

For the week ending June 3, 1957, the bulletin states:

Floods: Rainfall was recorded daily throughout the past week in the central and southern Great Plains region. Most rivers remain at high levels and rather widespread flooding is still reported on major streams in central and eastern Texas, Arkansas, and eastern Oklahoma. Brief but locally excessive showers on Saturday and Saturday night, June 1, produced flooding again on the Arkansas River tributaries.

In their telegraphic summary for the same week, the bulletin reports:

Arkansas: Greatest weekly total rainfall—13.85 inches at Camden \* \* \* bottomlands wet or under water \* \* \* general rain halted activities.

The following week, the National Summary reports:

Floods: Serious flooding continues on the Red River below Shreveport \* \* \* In the Arkansas River drainage a cloudburst occurring Saturday night over the headwaters of the Spring River near Pittsburg, Kans., produced flash flooding from Quapaw, Okla., downstream to the confluence with the Neosho River near Miami, Okla.

Cotton: In Arkansas, planting which is about 85 percent completed and replanting made some progress on well-drained land late in the week, but rain occurred again at the end of the period in this State and in Missouri \* \* \* the most critical concern (in Texas) is for the late-seeded cotton in the low plains, north-central, and north-eastern portions where the crop is 2 to nearly 4 weeks late. Much cotton is yet to be planted in the northeastern portion of this State and over one-half in Oklahoma.

The State summary for the same period has this to say with respect to crop conditions in Arkansas:

Crop late and there is great need for favorable weather.

The National Summary for the week ending July 1, 1957, continues to outline the serious consequences of the 1957 crop year:

**Floods:** Floods highlights of the week were the continued serious flooding on the lower Minnesota River near St. Paul, Minn., and the near record flooding on the Crow River north of Minneapolis, Minn. \* \* \* serious flooding on the Saline River and considerable overflow on the Solomon River \* \* \* Heavy rains extending northward through Missouri, Illinois, Indiana, and portions of Ohio and western Pennsylvania caused serious flooding especially on the Kaskaskia River in east-central Illinois and on the Sangamon River in the Illinois River drainage in Illinois.

**Cotton:** The crop suffered wind and rain damage in Louisiana and Mississippi and to a lesser extent in Tennessee, Alabama, northern Georgia, and some adjacent areas, as hurricane Audrey struck the Louisiana coast on the 27th with winds up to over 100 miles per hour, and rainfall to over 8 inches, and moved with decreasing intensity northeastward over Louisiana, Mississippi, and middle Tennessee.

Again for the week ending July 8, 1957, the National Summary stated:

**Floods:** Flooding was still in progress on the upper reaches of the St. Francis River in southeastern Missouri and northeastern Arkansas. Light lowlands overflow was still reported in Colorado along the Arkansas River.

**Cotton:** Moderate to heavy rains on a day or two at the beginning of the period in Missouri, Arkansas, Tennessee, Mississippi and until about Wednesday in Georgia and southern South Carolina hampered boll-weevil control and cultivation.

The National Summary for the week ending August 5, 1957, reported:

Weekly precipitation totals were moderate to heavy mainly in the lower, eastern middle and southern upper Mississippi Valley; lower lakes region; extreme Southeast; Texas-Oklahoma Panhandle; and isolated locations in the West. \* \* \* Heavy hail, rain, and strong winds caused an estimated \$1 million damage to crops in Lac qui Parle County, Minn.

**Arkansas:** All stations reported rain during week, except Flippen \* \* \* greatest total, 1.58 inches at Pine Bluff. \* \* \* Craighead County reports rain damage to stalks and foliage.

The National Summary for the week ending September 9, 1957, from the paragraph, Weather of the Week, I quote:

Weekly precipitation amounts were moderate to heavy in extreme northwestern Washington, eastern Texas and throughout Louisiana; southeastern Kansas, northeastern Oklahoma, southwestern Missouri and northern Arkansas; eastern sections of the Dakotas, central Minnesota, and northern Wisconsin and Michigan; and northern portions of the New England States.

On page 5, the percentage of normal precipitation, summer—June to August—1957, showed that in many areas of the Nation the precipitation for the

3 months was 150 to 200 percent of normal.

Special telegraphic summaries reporting from Arkansas stated as follows, and I quote:

Early cotton opening rapidly, picking general; late continues blooming and fruiting heavily, needs warmer weather. Insects a problem, and insecticides being applied at regular intervals.

The Weekly Weather and Crop Bulletin National Summary for the week ending September 2, 1957, showed a map on page 4 which reflects that more than twice as much as normal rainfall was recorded for the month of August 1957 in various States of the Middle West and Florida.

The summary for the week ending October 7, 1957, showed an interesting chart on page 5 reflecting that in the Southern and Midwestern States there was 200, 300, to 400 percent of precipitation in comparison with the normal precipitation for that month—September 1957.

The summary for the week ending November 4, 1957, had a paragraph on cotton on page 2, part of which I would like to quote:

Picking generally made slow progress in the Tennessee-southern Missouri area during the week, due to light to moderate rains on about 3 days.

The summary for the week ending November 11, 1957, special telegraphic summaries from Arkansas, stated in part as follows:

Heavy rainfall fell on Friday and thereafter little harvesting of farmwork possible. Cotton picking slowed and some complaint of bolls rotting.

The Summary for the week of December 9, 1957, on that portion under the title, "Effects of Weather on Crops and Farm Activities," for cotton, contains the following information: "Many fields did not become dry enough for machines in this region (northeastern Louisiana, the delta district of Mississippi, and in Arkansas, southeastern Missouri, parts of Tennessee, and some adjacent areas) and the moderate to heavy rains from Friday to Sunday will cause further delay. The crop shows the adverse effects of wet weather."

The Summary for the week of December 2, 1957, showed in a chart on page 4 that the Middle South area received 12 inches of rain during the month of November.

I would like to place in the RECORD at this point some figures released by the Bureau of the Census, Department of Commerce, on cotton ginned in Arkansas prior to December 1, 1957, compared with 1956:

COTTON GINNED PRIOR TO DECEMBER 1 IN ARKANSAS: CROPS OF 1957 AND 1956

Preliminary figures by counties for cotton ginned from the crop of 1957, with comparative figures to the same date for the crop of 1956, were released today for Arkansas, by the Bureau of the Census, Department of Commerce. Cotton ginnings by States were released on Monday, December 9, 1957.

[Quantities are in running bales. Linters are not included]

County	1957	1956
The State.....	729,269	1,323,495
Arkansas.....	4,536	6,611
Ashley.....	17,783	28,362
Bradley.....	1,344	2,724
Calhoun.....	1,300	2,574
Chicot.....	18,273	34,050
Clark.....	814	2,742
Clay.....	19,186	39,822
Columbia.....	3,349	4,949
Craighead.....	38,002	75,715
Crittenden.....	50,909	105,660
Cross.....	21,804	40,450
Desha.....	22,809	46,529
Drew.....	4,851	11,301
Faulkner.....	4,512	9,318
Greene.....	16,705	35,114
Hempstead.....	3,344	6,736
Independence.....	571	3,138
Jackson.....	25,072	40,871
Jefferson.....	42,946	63,559
Lafayette.....	8,151	9,411
Lawrence.....	11,626	18,322
Lee.....	37,952	54,464
Lincoln.....	17,975	28,064
Little River.....	1,736	3,487
Lonoke.....	44,690	63,728
Miller.....	2,851	5,388
Mississippi.....	91,978	198,119
Monroe.....	27,729	31,676
Nevada.....	851	2,439
Phillips.....	44,090	70,183
Poinsett.....	45,722	93,574
Prarie.....	3,433	6,052
Pulaski.....	4,226	8,945
Randolph.....	7,386	11,481
St. Francis.....	41,154	75,444
White.....	6,646	14,862
Woodruff.....	19,569	29,895
Yell.....	3,216	8,529
All other.....	10,178	20,207

Also, I would like to include a report prepared by the Bureau of the Census, Department of Commerce, on 1957 cotton ginnings prior to December 13, 1957, and comparative statistics to the corresponding date in 1956 and 1955:

#### REPORT ON COTTON GINNING

Number of bales of cotton ginned from the growth of 1957 prior to December 13, 1957, and comparative statistics to the corresponding date in 1956 and 1955:

State	Ginning (running bales—linters not included)		
	1957 <sup>1</sup>	1956	1955
United States.....	29,200,665	12,815,385	13,713,519
Alabama.....	521,049	743,010	1,026,770
Arizona.....	559,295	707,003	524,264
Arkansas.....	806,248	1,368,625	1,568,159
California.....	1,438,749	1,397,338	1,023,975
Florida.....	6,786	9,178	14,763
Georgia.....	387,227	575,060	686,782
Illinois.....	837	2,424	1,477
Kentucky.....	3,331	7,384	6,957
Louisiana.....	310,025	568,947	564,136
Mississippi.....	943,630	1,572,907	1,940,185
Missouri.....	148,831	438,891	396,473
New Mexico.....	181,505	273,158	227,891
North Carolina.....	230,080	352,581	351,166
Oklahoma.....	204,571	251,198	434,395
South Carolina.....	341,235	515,830	560,970
Tennessee.....	371,254	523,136	564,085
Texas.....	2,739,046	3,499,625	3,810,990
Virginia.....	7,066	9,990	10,079

<sup>1</sup> The 1957 figures include estimates made for cotton gins for which reports were not obtained in time for use in the preparation of this report. Figures on cotton ginnings prior to Dec. 13 were collected by mail and reports were not received for all cotton gins at which cotton had been ginned.

<sup>2</sup> Includes 230,756 bales of the crop of 1957 ginned prior to Aug. 1 which was counted in the supply for the season of 1956-57, compared with 404,845 and 313,958 bales of the crops of 1956 and 1955.

The statistics in this report include 54,589 bales of American-Egyptian for 1957, 40,061 for 1956, and 29,279 for 1955.

The statistics for 1957 in this report are subject to revision when checked against the individual returns of the ginner being



transmitted by mail. The revised total of cotton ginned this season prior to December 1 is 8,034,771 bales.

CONSUMPTION, STOCKS, IMPORTS, AND  
EXPORTS—UNITED STATES

Cotton consumed during the month of November 1957, amounted to 656,205 bales. Cotton on hand in consuming establishments on November 30, 1957 was 1,442,047 bales and in public storage and at compresses, 11,330,443 bales. The number of active consuming cotton spindles for the month was 18,133,000. The total imports for the month of September 1957, were 31,122 bales and the exports of domestic cotton, excluding linters, for October, were 483,654 bales.

Certain correspondence which I have received from the Congressional District that I am privileged to serve follows.

A letter from Mr. Frank Hyneman, president, Trumann National Bank, Trumann, Ark.:

TRUMANN NATIONAL BANK,  
Trumann, Ark., January 15, 1958.

Hon. E. C. "Took" GATHINGS,  
House of Representatives,  
Washington, D. C.

DEAR SIR: Have just returned to the bank from Lions Club where I saw Earl Moon and he told me you called him this morning. Earl suggested I write you a letter and explain, as much as possible, our situation in eastern Arkansas. No doubt, you have talked to J. W. Kirpatrick and he has explained the different problems to you.

At the bank here, our crop collection loans lack about 20 percent being paid. Of course, you know that is not good and in addition to that, the farmers that couldn't pay the bank or even in some instances if he did pay the bank in full, he is not able to pay the implement dealer or the ginner from whom he has purchased cotton seeds, bean seeds, fertilizers and poisons. Then, too, I am sure you realize that the items mentioned above are essential to the farmer but he cannot go to the ginner or seedsman or implement dealer and obtain credit this coming Spring. In fact, as you know, the merchant himself cannot carry those accounts and continue to work with the farmer.

Earl mentioned to me the fact that you might try to get an appropriation or something to work through PCA that would enable the farmers to pay the different merchants. That is probably well and good. However, my thinking off hand is if you could get some means to help the business man to obtain a loan for those accounts and probably work them out over a 5-year period, I think this would be even a better solution in the overall picture, as well as the PCA cooperation.

Just to give you an idea of the collections at our gin, I will tell you that we lacked approximately \$100,000 collecting our accounts up to what they normally are each year. Naturally, this works a hardship on that particular corporation. If I can be of any assistance to you in any way, please do not hesitate to advise.

Thank you.

Yours truly,

FRANK HYNEMAN,  
President.

I would like to include a most significant letter from Mr. Luther Sigman, of the Sigman Gin, Vannale, Ark.:

SIGMAN'S GIN,  
Vannale, Ark., January 15, 1958.

Hon. E. C. GATHINGS,  
House of Representatives,  
Washington, D. C.

DEAR CONGRESSMAN: I am writing you with regard to the financial plight of the cotton

farmers and secondary financing groups (cotton ginner, etc.) as a result of excessive rain, floods, and the early freeze this past fall.

Took, to begin with, our crop was about 55 percent of normal for the county. There are a number of farmers that were washed out completely, and then those that made, maybe, 5, 10, or 20 percent of a crop, having had the full year's expense put into the crop. These people have put up as security everything that they have and in many cases have borrowed full value on their equipment. As you know, this places these people and their lenders in a position of difficulty for the coming crop year. All of this you no doubt are familiar with. The point is this: we are badly in need of extending the disaster-relief program that we now have in Cross County to a financing program for these hard-hit people, which will take up their principal mortgage indebtedness and place it on a 3- to 5-year pay-back plan along with the current crop loan. This type of plan is not unreasonable for our good farmers who have been helpless victims.

I join many others from your district in urging your serious and prompt efforts in getting a program of this sort available through our local FHA office. We understand that the Administrator of the FHA in Washington can authorize such a plan.

We hope to hear from you soon, and with every good wish to you, I am,

Sincerely yours,

LUTHER SIGMAN.

A telegram from Mr. LeRoy Carter, Lambrook, Ark.:

ELAINE, ARK., January 14, 1958.

Hon. E. C. GATHINGS,  
House of Representatives,  
Washington, D. C.:

Hope you may see your way clear to work for the passage of Eastland bill which would loan money to farmers to pay their 1957 crop debts. You know something must be done to help them. The present FHA and disaster loan does not go far enough in Phillips County around Lambrook area which is probably hit harder than any place in our State. There will be many farmers who must give up their land and lots and go search for factory work. Would appreciate it if you would give me your idea on what chances such a bill might have in passing and how soon.

LEROY CARTER,  
Lambrook, Ark.

A telegram from Mr. J. H. Holland, president, Delta Farmers Service Co., Marion, Ark.:

MARION, ARK., January 10, 1958.

Hon. E. C. GATHINGS,  
House Office Building,  
Washington, D. C.:

Urge that you give your support to bills introduced by Senator EASTLAND giving financial relief to business and farmers in the rain-stricken areas. Gross income from cotton in Crittenden County is considerably under one-half of normal. Some Federal assistance would help us to recover from this serious blow.

J. H. HOLLAND,  
President, Delta Farmers Service Co.

A telegram from Mr. Robert F. Howe, Southern Implement Co., Inc., Helena, Ark.:

HELENA, ARK., January 8, 1958.

Hon. E. C. "Took" GATHINGS,  
Washington, D. C.

DEAR SIR: Please use all influence to see that amendment to pay a reasonable portion of existing indebtedness is included in disaster law. Many farmers, especially the smaller ones, will be unable to operate since implement dealers are financially unable to

carry delinquent implement notes, and banks will not do so unless some reduction is made. Understand that payoff percentage in 1950, when the FSA made this type loan coupled with a production loan to be paid back over a 3-year period, was over 95 percent.

SOUTHERN IMPLEMENT CO., INC.  
ROBERT F. HOWE.

A telegram from Mr. S. J. Howe, Wabash, Ark.:

HELENA, ARK., January 9, 1958.

Hon. "Took" GATHINGS,  
House Office Building,  
Washington, D. C.:

Appreciate your efforts on disaster loan legislation. If passed, could save economy of Phillips County.

S. J. HOWE.

WABASH, ARK.

A copy of a letter written to Senator FULBRIGHT by Louis G. Nash, Delta Implement Co., Blytheville, Ark.

Subject: Small Business Administration.

DECEMBER 20, 1957.

Senator J. W. FULBRIGHT,  
Senate Office Building,  
Washington, D. C.

DEAR SENATOR: I have noticed with interest your proposal of an amendment to the Small Business Administration law.

I do not think this is exactly what we need. We need a bill to help refinance our farmers in handling their open accounts, and notes, and this loan made direct to farmer with a provision that he has 1 to 3 years to pay it back, as it is going to take the farmers from 1 to 3 years to recover from 1957. We should have a setup where Planter's Production could handle this additional money or through the banks. I would not want to see this handled through FHA, as from our experience, it is not at all satisfactory and their attitude is not good toward the implement dealer or whomever the farmer may owe. If the lending agency should be Planter's Production or the bank, they would be responsible for the collection. If this money is appropriated, it should take care of the farmers' implement notes, open accounts, and other indebtedness.

We finance most of our notes through local banks and we do carry some ourselves and this would give them relief also. We are having to renew a great many notes and when 1957 installments are carried over with some spring payments and the balance of 1957 due in 1958, along with their 1958 maturities, the farmer has 2 years' notes to meet in 1 year and its going to be impossible for them to pay. The implement dealers are not going to be able to pay off the banks.

I also think if this money can be made available at once, that it will stimulate business and the implement dealers can employ more people as the implement dealers have had to lay off a lot of employees and are going to have to lay off more if the farmer does not get relief. I do not see how some farmers are going to be able to operate, as most of them owe us and other implement dealers and we can extend them no further credit.

If there is any way that I can help, please do not hesitate to call on me.

Best wishes.

Yours very truly,

DELTA IMPLEMENT CO.,  
L. G. NASH.

(Copies to Congressman E. C. "Took" GATHINGS, Senator JOHN MCCLELLAN, Mid-South Farm Equipment Association, Harvey Adams, Arkansas Agricultural Council.)

The next letter gives specific information with reference to the severity and acuteness of the financial hardships suffered by the flood-stricken cotton farmers in Poinsett County, Ark., in support

of legislation to amend the Small Business Administration Act:

TRUMANN IMPLEMENT CO.,  
Trumann, Ark., December 19, 1957.  
Representative E. C. "TOOK" GATHINGS,  
Capitol Building, Little Rock, Ark.

DEAR SIR: I am a small business located in Poinsett County in the heart of the disaster-stricken mid-south farming territory. I am deeply interested in the amendment to the Small Business Administration law that Senator JAMES EASTLAND and Senator BILL FULLBRIGHT are proposing in Washington.

This amendment would make it possible for farm-equipment dealers to secure loans from the SBA to take care of the normal excess of open accounts over and above the same accounts receivables of a normal period. Due to the disastrous crop that we have suffered this year I am holding an excessive amount of open accounts and notes receivables that I am not able to collect. At the end of October I had in the amount of \$19,069.73 in accounts receivables and \$21,281.68 in notes receivables. At the end of November, we should have collected nearly all of this in a normal year, but we had \$17,558.02 in accounts receivables and \$16,501.84 open in notes receivables.

As you know by your recent visit to the Trumann Lions Club meeting, that we are making or have made only a half crop in this area. Cotton is bringing only about 20 cents per pound and most of the beans are ruined. We, the farm-equipment dealers, and small-business men are left holding the bag, in other words.

For these reasons I certainly want to urge your support to Senator EASTLAND's amendment to the SBA law.

Sincerely yours,

EARL MOON.

Yesterday I received an informative telegram from the president of the Arkansas Farmers Union and the president of the Poinsett County Farmers Union, regarding the need for emergency loans and refinancing of the 1957 debts. This wire is set forth below:

HARRISBURG, ARK.

HON. E. C. (TOOK) GATHINGS,  
New House Office Building,  
Washington, D. C.:

As you are well aware the need is most urgent for additional adequate farm-credit facilities in our State of an emergency nature. To alleviate the financial disaster to our farmers climaxed by weather conditions of 1957, financiers approach the critical point of having to foreclose on farm equipment and other securities. We urge you to make every effort possible to bring about legislation which will make loan funds available through Farmers' Home Administration to relieve farmers from this chaotic condition and to make possible the refinancing of chattels with longer term credit. It is exceedingly important that the facilities and trained personnel of Farmers' Home Administration be utilized in this emergency financing so as to make adequate credit available without discrimination. As you know, FHA officials are well informed as to the seriousness of the situation since they, along with the Civil Defense Administration, made the original survey and compiled the data which was the basis for declaring this an emergency area. We feel assured that you will do all that you can.

ROBERT W. DOWNS,  
President, Arkansas Farmers Union.  
LESTER L. TERRELL,  
President, Poinsett County Farmers Union.

Emergency loans have been made over a period of many years. The authority

for these loans is contained in the following acts, to wit:

Act of 1944, Public Law 140; loans to farmers; 1943 floods; made \$15 million available.

Act of 1945, Public Law 307; loans and grants to farmers; same as previous act, but made available the \$13 million not spent under Public Law 140.

Act of 1946, Public Law 52; reappropriation to loans, grants, and rural rehabilitation—Appropriation Act of 1946.

Act of 1946, Public Law 82; reappropriation under title "Loans, Grants"; 1945 flood damage; \$2 million.

Act of 1948, Public Law 785; loans to farmers, 1948 floods; \$6 million.

Act of 1949, Public Law 71, extended Public Law 785 through June 30, 1950.

Act of 1949, Public Law 38, expanded coverage to include "all natural disasters" rather than just "flood and windstorm."

Act of 1951-52, Missouri floods handled under ACP and soil-conservation programs with regular FHA programs.

The cost of all programs administered by the Farmers Home Administration throughout the years is small—almost an insignificant amount. On Friday, January 15, 1958, in testimony before the House Subcommittee on Agricultural Credit, Mr. Charles Barnard, Budget Director for the Farmers Home Administration stated that, "As of June 30, 1957 repayments on emergency FHA agricultural loans amounted to 91 percent. On maturities in their accounting reserves, the FHA estimates that their losses on all loans will amount to about 4.5 percent. In other words, the FHA expects that repayments on all FHA loans to amount to 95.5 percent."

These farmers are the best people we have in the communities. They are sound farmers—they ask no gift—they only ask an opportunity to continue in the farming business and also that they be given up to 5 years to pay the losses which were suffered in the disastrous year 1957.

As an indication of the seriousness of the economic plight of farmers in the vast region beset by floods, excessive rains, and other damage from the elements, the farmers are making a run on the soil bank acreage reserve. This is most unusual since heretofore the allocation for these counties has been undersubscribed. There is a reason for this sudden change of attitude. That reason is debt—heavy back debts hanging over these farmers. They are desperate. Their creditors are pressing them. They want to pay their obligations. They want the peace of mind that goes with such an effort. Many of those who desire to place their acreage in the soil bank feel that it will be difficult to obtain crop production loans for the 1958 crop-year.

Many of these producers are attempting to put their allotments in the acreage reserve and in turn agree that whatever is realized from the Government in the form of a payment should and would be credited on their notes and open accounts which were due in the fall of 1957 and were not paid due to crop failure and

loss of quality and grade due to unusual weather conditions.

Today an appeal is being made to Assistant Secretary Marvin McLain and the Director of the Soil Bank Division of the Department, Mr. Howard Doggett, to make new allocations in the counties that have been designated as disaster counties. It is a matter of utilizing existing funds to meet the needs that are present.

These people are not desirous of planting less acreage; they would like to plant even more than their allotment. They are driven to this most heartrending course or decision that at least part payment may be made on their 1957 losses. That decision means, in many instances, that the farmer will leave the farm and seek employment in the towns and cities.

Yesterday I received a telegram from Mr. Allen B. Helms, president of the Crittenden County Farm Bureau, on this subject. The telegram reads as follows:

MARION, ARK., January 21, 1958.

E. C. GATHINGS,  
House Office Building,  
Washington, D. C.:

Due to acute financial conditions a great number of Crittenden County farmers feel that they need to place the limit of their cotton acreage in acreage reserve phase of soil bank. Local ASC office are advising that this program is limited due to the shortage of available funds. Please use your influence in making it possible for all our farmers to take advantage of this program.

ALLEN B. HELMS,  
President, Crittenden County Farm Bureau.

The following telegram has been received from outstanding farmers, businessmen, and civic-minded citizens:

HELENA, ARK.

HON. E. C. GATHINGS,  
Washington, D. C.:

Urgent need for additional soil bank funds for Phillips County farmers. Farmers not yet signed should not be penalized. Request your assistance.

GEORGE GOLDSMITH,  
DAVID SOLOMON, JR.,  
F. F. KITCHENS,  
JOHN H. WOODS.

An appeal has been made by me to the Soil Bank Division of the Department of Agriculture to transfer funds from States that will not require all of the funds allocated to them so that these applicants can go into the bank this year.

JAMES GORDON STEESE: SOLDIER, ENGINEER, SCHOLAR, EXPLORER, AND STATESMAN

The SPEAKER pro tempore (Mr. JONES of Missouri). Under previous order of the House, the gentleman from Texas [Mr. THOMPSON] is recognized for 20 minutes.

Mr. THOMPSON of Texas. Mr. Speaker, former President Theodore Roosevelt once said that the only adequate compensation for the tribulations incident to public office is the occasional opportunity to render an important public service. The truth of this statement Members of the Congress will appreciate.

In viewing my own legislative career, I count as among its most gratifying



experiences those in connection with the problems of interoceanic canals—services that brought about close associations with many leaders, in and out of Government service, who, during construction of the Panama Canal or its subsequent operation, have contributed greatly to an important chapter of American achievement and world history.

Started early in 1949 in the 81st Congress, when the late distinguished chairman of the House Committee on Merchant Marine and Fisheries, Hon. Schuyler Otis Bland, of Virginia, designated me as chairman of a special subcommittee to investigate the operations of the Panama Canal, this interesting but difficult task opened up a long chain of events that has never ended.

When first seeking reliable background information for that study I was fortunate in knowing well former Representative Willis W. Bradley, of California, an extraordinarily able naval officer and student of Panama Canal problems, who arranged with the Secretary of the Navy for a presentation in the Navy Department on interoceanic canal questions. Public mention of this presentation was previously made by me in a eulogy of Representative Bradley in the CONGRESSIONAL RECORD of February 25, 1955.

Accompanying Captain Bradley on that occasion was Gen. James Gordon Steese, of Mount Holly Springs, Pa., an eminent engineer and former business executive with extensive Panama Canal experience, both construction and operating.

Masters of their subjects, these two leaders, with the aid of terrain models of the Panama Canal and schematic diagrams, described its key problems with such forthrightness and vigor that I shall never forget: Captain Bradley, the operational; and General Steese, the engineering.

The lessons I learned that day proved to be of immeasurable value. They helped to clear away the fog of confusion that then featured so much canal debate and aided greatly in placing the 1949 study on a path that overcame obstacles. That inquiry culminated in the first reorganization since 1914 of the Panama Canal enterprise pursuant to Public Law 841, 81st Congress, approved September 26, 1950, which placed the Panama Canal on a self-sustaining basis.

It can now be revealed that one of the principal consultants of the subcommittee in preparation of its report and findings was General Steese. Many of his constructive suggestions were embodied in its recommendations, House Report 1304, 81st Congress. In fact, for formal testimony before the subcommittee, started on June 6, 1949, General Steese was chosen as the first witness. (See House hearings on Panama Canal tolls, March 14–June 14, 1949, pp. 3 and 96.)

In the years that followed, General Steese and I kept in close touch. A man of high intelligence, commanding personality, and vast background, he grew in stature on closer acquaintance. In due course, the story of his life slowly

unfolded. I shall summarize some of its highlights, especially those related to the Panama Canal in which he was so greatly interested.

A cadet at West Point during the stirring days of the Panama Revolution of 1903, the acquisition of the Canal Zone in 1904, the "battle of the levels" of 1905–06 to determine the type of canal, and the starting of large-scale construction, young Steese naturally aspired to be associated with the majestic project. Visiting the Isthmus for that purpose, he interviewed Col. George W. Goethals, then chairman and chief engineer of the Isthmian Canal Commission, and thus secured the first significant assignment of his engineering career.

A careful student and keen observer with an insatiable thirst for knowledge and with the capacity to understand and appreciate the problems thus presented, Lieutenant Steese became well grounded in the subject of interoceanic canals—engineering, geological, administrative, and political. A firm believer in personal examinations in the field as prerequisites for logical engineering decisions, he developed a love for exploration and a lifelong interest in the canal at Panama. Among his finest and strongest characteristics were those of candor and independence.

After leaving canal service his assignments while on the active list of the Army expanded greatly the range of his experience and professional associations. Eventually reaching Alaska, he became a recognized authority on the problems of that Territory and made important contributions toward its development in the building and operation of the Alaska Railroad and in construction of highways, one of which is named in his honor—the Steese Highway.

Retiring from active service in the Army in 1927 as the result of an injury, he was promptly employed in executive capacity in the oil industry. With service in this field, abroad and at home, he rose rapidly to high position in the business world but never lost interest in the Panama Canal, which he repeatedly visited.

It is, I believe, noteworthy that his travels gradually included all the oceans and continents except the Antarctic making him one of the most extensive travelers of this generation. These enabled him to observe the more important ports and canals of the world. Thus, the pattern of his experience served to supply a profound insight into the practical needs of the navigator as well as the engineer in the design of works affecting navigation, and to emphasize the Panama Canal as a key transportation utility for the economic transit of vessels. These features, he often stressed to me as basic in dealing with canal problems.

Notwithstanding an unusually busy life, much of it on the frontiers, he found time to read voluminously, publish numerous papers, give lectures, attend international conferences, and to take a tireless interest in fostering his first alma mater—Dickinson College of Carlisle, Pennsylvania, from which he graduated in 1902 before going to West Point.

In 1941, as the United States verged toward involvement in World War II, the Army recalled General Steese to active duty with assignment to the Panama Canal—the scene of his youthful endeavors.

Serving in a variety of capacities including that of engineer of maintenance—now called lieutenant governor—during what is today recognized as the most critical period in the history of the Panama Canal, he gained the additional benefit of service in its permanent operation organization.

These years in the Isthmus, 1941–47, covered preparation of the canal for war, World War II, and demobilization, all of which introduced difficult problems of many types that served as challenges. Among his experiences in 1943 was close observation of the development in the canal administration, as the result of war operating experience, of the Terminal Lake—Third Locks Plan and its review by canal authorities.

Throughout this last canal assignment General Steese was ever on the alert for men of inquiring mind, especially among young engineers and officers, to whom he devoted many hours of thoughtful instruction and exploration. Always interested in their professional betterment, he sponsored the formation of professional engineering societies and encouraged discussions dealing with canal problems in fundamental ways.

Finally leaving canal service in 1947 and retiring from the Army a second time, he had already become a tradition on the Isthmus. Thus, in 1949 when, as previously stated, I first met General Steese, he was preeminently qualified to act as a consultant for the subcommittee of which I had the honor to be the chairman.

When discussing basic canal issues, it was but natural that he should have stressed the 1943 Terminal Lake—Third Locks Plan for the operational improvement of the Panama Canal as the first major contribution to the waterway since the decision in 1906 to relocate the Atlantic Locks from Bohio to Gatun to form Gatun Lake.

Notwithstanding his strong advocacy of the Terminal Lake Plan as the only logical solution of the canal problem, he never failed to include adequate descriptions of what may be termed as the 1947 Sea-Level Tidal-Lock Plan, with thoroughly objective comparisons.

Of all his clarifying explanations, his most telling points concerned questions of security and national defense, injected into the canal situation pursuant to Public Law 280, 79th Congress, after the startling advent in 1945 of the atomic bomb. In these, he constantly reiterated that the defense of any canal is not a question of inherent characteristics that could conceivably be included in constructional design but a matter that depends on the combined military, naval, and air might of the United States, coupled with its industrial capacity. The problem of modernizing the Panama Canal, which he never failed to stress, consists of a combination of factors: capacity, engineering, functional, construction, and diplomatic to get the best

operating waterway that is economically feasible.

In many statements to the Congress, my colleagues and I have repeatedly reflected the sagacious thoughts of General Steese derived from a lifetime of study, travel, and observation. There is no doubt in my mind that his statesmanlike views were major factors in the restoration of sound thinking about Panama Canal planning and that they contributed greatly in the avoidance of precipitate and unfortunate action that otherwise might have occurred.

Still later, 1955-56, when a determined effort was made by the directorate of the Panama Canal Company to abandon the Panama Railroad, General Steese again came to the aid of the Congress with thoughtful and equally courageous statements that materially assisted in preserving that vital rail link.

After his second retirement from the Army in 1947, General Steese did not settle down to a life of ease but, despite the growing infirmities of advancing age, extended the range and intensity of his travels with the enthusiasm of youth, concentrating on Africa, which he visited in extensive manner at least eight times. Alert to major developments in the many regions visited and possessing the capacity for vivid description, he was an inspiration to all who knew him well.

Thus, his injury in an automobile accident and death 2 days later on January 11, 1958, in Banqui, French Equatorial Africa, in the vast continent that he had explored in such great detail and knew so intimately, injected a dramatic but tragic note at the end of a remarkable career. I am sure that all my colleagues in the Congress who knew him will agree that in his death the Nation has lost not only one of the greatest experts on Panama Canal problems but an outstanding explorer, scholar, and statesman.

It is indeed historically fitting that I may conclude with the eloquent elegiac poem from the gifted pen of Maurice H. Thatcher, former distinguished Member of this House from Kentucky, and sole surviving member—1910-13—of the Isthmian Canal Commission. He watched, with great interest and understanding, the career of General Steese from its start in the Canal Zone during the construction of the Canal, until its end in Africa. Thus, he epitomizes, in most admirable and effective manner, the life, character, and achievements of General Steese.

**JAMES GORDON STEESE: A TRIBUTE**  
(By Maurice H. Thatcher)

Within the compass of these petty lines  
Only the briefest mention can be made  
Touching the splendid deeds and brave  
designs

Of him to whom this tribute now is paid.  
If there be lacks in phrase or amplitude—  
These may be cured when all is well pur-  
sued.

James Gordon Steese, during his long career,  
Spent in a skilled and practiced engineer-  
ing role,  
Wrought nobly in our growing hemisphere—  
In tropic Panama and nigh the Pole.  
The great trans-Isthmian Link proclaims his  
praise,  
And in Alaska his monuments upraise.

His limpid thought, his judgment quick and  
true;

His wisdom, courage, and his faith and  
hope;

His forward look to what is yet to do;

His breadth of mind; his vision, poise, and  
scope,—

Attest his worth and make his stature plain:  
Not soon, indeed, we'll see his like again.

As soldier, planner, builder, patriot,

He was distinguished, fearless, and dis-  
tinct;

In every labor which befell his lot,

He won renown; with all his name is  
linked.

His life shall prove inspiring decades hence,  
And time shall yield posthumous recom-  
pense.

Altho high honors in ample numbers came

To him at home and from abroad, he wore  
Them all in modesty. He was the same

Whate'er the restless tides of fortune bore.

In every facet of his character

There gleamed a jeweled light which nought  
could blur.

He was a bold adventurer, and o'er

The rounded Earth—and quitting all of  
ease—

He traveled oft. His thirst for more and  
more

Of vital knowledge he ne'er could quite  
appease.

At last his greatest venture was to die,

And find his rest, beneath an Afric sky.

For such a man our gratitude ascends,

As incense, rich, to deck his memory;

We're honored as we honor all that lends

Itself to honor and to probity.

This epitaph is writ for all to read:

"Yet shall he live because of thought and  
deed."

In order that the record of General Steese may be accessible throughout the Nation, especially to historians and writers, under leave to extend, I quote his biographical sketch in *Who's Who in America*, volume 27, 1952-1953, pages 2312-13:

Steese, James Gordon (stēs), civil engr.; b. Mt. Holly Springs, Pa., Jan. 21, 1882; s. James Andrew and Anna Zug (Schaeffer) S.; A. B., Dickinson College, 1902, A. M., 1906; B. S. (st honors), U. S. Mil. Acad., 1907; studied U. of Calif., 1908; grad. U. S. Engr. Sch., Washington, 1910; Sc. D., U. of Alaska, 1932; unmarried. Comm'd. 2d. lt. engrs., June 14, 1907; promoted through grades to col., June 18, 1918; brigadier general and adjutant general Alaska N. G., 1926-27; retired Oct. 1927. Asst. engr. San Diego and San Francisco bays, Calif., 1907-08; asst. engr. Panama Railroad Co. and Panama Canal, 1908-12; chief engr. 5th (expeditionary) Brig., Tex., 1913; instr. and asst. prof. engring, U. S. Mil. Acad., 1913-17; spl. rep. of gen. mgr., West Md. Ry., June-Sept., 1916; organized O. T. C., Ft. Riley, Kans., and Instr. Engr. O. T. C., Ft. Leavenworth, Kan., 1917; asst. chief of engrs., U. S. Army, 1917-18; detailed on General Staff and chief of section, Sept. 1918-June 1920; spl. mission to Adriatic and Balkan countries, 1919; pres. Alaska Road Commn., 1920-27, also chief engr., 1924, 27; dist. and acting div. engr. for rivers and harbors, Alaska Dist., 1921-27; cons. engr. Dept. Commerce, 1921-27, also for Ty. of Alaska, 1921-23; mem. spl. commn. to investigate Russian, Japanese, and Am. fur seal rookeries, June-Sept. 1922; dir. pub. works, Alaska, 1923-27; chmn. Alaska R. R. 1923-24, also chief engr., Mar.-Oct. 1923; with Gulf Oil Corp. as gen. mgr. foreign subsidiary co., 1927-32; chmn. bd. and pres. Guajillo Corp. and affiliated cos., 1932-41; pres. Slate Creek Placers, Inc., 1936-41; recalled to active duty, Corps of Engrs., U. S. Army, detailed as asst.

enr. of maintenance, Panama Canal, and asst. to 2d v. p. Panama Ry. Co., Jan. 1941-Mar. 1946; asst. to Gov., Panama Canal and asst. to pres. Panama Ry. Co., 1946-47; cons. engr. N. Am. Car Corp. since 1947. Brig., gen., a. d. c., Alaska Nat. Guard, 1935-37. In charge Pres. Harding's tour of Alaska, 1923. Trustee Dickinson College since 1919, Amelia S. Givin Free Library since 1921. Fellow Royal Geog. Soc. (London), Am. Geog. Soc., A. A. A. S.; mem. Am. Soc. C. E. (life), Soc. Am. Mil. Engrs., Phi Beta Kappa, Phi Kappa Sigma, Am. Legion. Decorated Distinguished Service Medal, Legion of Merit (U. S.); Distinguished Service Medal, 2d class (Panamanian); Officer, later Comdr. Order of Prince Danilo I, and silver medal for bravery (Montenegrin); Croix de Guerre, 2d Class (Greek); Officer of Public Instruction (French); Khamés de l'Ahal Saxaoul, French Sahara; Knight of Order of Compassionate Heart, Comdr. Imperial Order of St. Nicholas (Russia); Interallied Victory Medal, American Defense Medal with star, and American Theatre Medal (U. S.); specially commended in Senate and House of Rep. of United States, and salary raised by spl. act of Congress, 1926; mil. road from Fairbanks, Alaska, to Yukon River at Circle officially named Steese Highway by War Dept. Del. U. S. Govt. to XIV Internat. Navigatn. Congress, Cairo, Egypt, 1926 (sec. Am. sect.), XV Internat. Navigatn. Cong., Venice Italy, 1931, XVI Cong., Brussels, Belgium, 1935, XVII Cong., Lisbon, 1949; del. Internat. Geog. Congress, Paris, France, 1931, XVI Con., Lisbon, 1949; del. U. S. Govt. to 5th Internat. Congress of Surveyors, London, Eng., 1934 (chmn. Am. section), to Internat. Geog. Congress, Warsaw, Poland, 1934 (pres. sec. I-cartography), to 4th Internat. Congress and Expn. of Photogrammetry, Paris, France, 1934 (declined), to Second World Petroleum Congress, Paris, 1937, Internat. Geog. Congress, Amsterdam, Netherlands, 1938. Republican. Episcopalian. Mason (33°), Elk. Clubs: Army and Navy (Washington); West Point Army Mess; University (N. Y.). Author of numerous articles in tech. periodicals and daily press. Home: Army and Navy Club, Washington, D. C. Office: care North Am. Car Corp., 231 S. La Salle St., Chicago 4.

### SATELLITES FOR PEACE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Maine [Mr. HALE] is recognized for 30 minutes.

Mr. HALE. Mr. Speaker, 4 years ago on December 8, 1953, President Eisenhower appeared before the United Nations General Assembly and captured the imagination of the world with a stirring proposal for the peaceful use of atomic energy. This atoms-for-peace plan was implemented last year with the formation of an International Atomic Energy Agency.

The President's message at that time constituted a ray of hope for peace-loving millions in what was then called the atomic age. Here was a call for peace from the world's foremost statesman. Here was evidence that at least one nation wanted to devote to peaceful purposes the most destructive weapon ever perfected by man. Here was hope that total annihilation could be avoided through peaceful cooperation.

Much has happened since that time. Atoms for peace has worked. But the atom as a war weapon already is almost obsolete. We have moved from the atomic age to the hydrogen age to the space age—all within the short span of 4 years. Never before have conditions



changed so rapidly, affording man so little time for adjustment. Horrible weapons capable of destroying entire populations can be sent thousands of miles in a matter of minutes. Earth war is being superseded by the concept of space war. We ask ourselves what lies ahead besides utter chaos.

Can the current trend toward war be redirected toward peace? This question is the most important ever posed in the history of the world. As the leader of the free world, our role is paramount. What constructive action can we take? Certainly we can and must continue to build bigger and more powerful missiles to blast an aggressor from above. We must build underwater craft capable of striking from below. But is this the ultimate answer. Of course not. We are building missiles and submarines, but the enemy is building them faster. We are creating a striking power able to destroy the enemy, but how can we avoid being destroyed ourselves?

No; the ultimate answer does not lie in an arms race to oblivion. True, we must continue to increase our defensive strength and offensive striking power until an alternative can be found. To display weakness would be to invite destruction. But true and lasting peace has never been built on the shifting sands of military power. The two concepts—peace and military power—are antithetical.

President Eisenhower recognizes the necessity of an alternative to the arms race which may some day lead to total war. He pleaded for peace at the Geneva Conference of 1955. He continued disarmament negotiations with Russia even after the Communists showed the world that they were interested only in making more bombs and more propaganda. He has now met the space-age challenge by calling upon Russia to dedicate space to the peaceful uses of mankind. In a letter to Soviet Premier Bulganin, the President has asked:

Can we not stop the production of such weapons which would use, more accurately misuse, outer space? Should not outer space be dedicated to the peaceful uses of mankind and denied to the purposes of war?

The answer to that question is obvious. Space not only should be devoted to peace. Space must be devoted to peace. The question, of course, is how can this be accomplished? Many proposals have been offered for international agreements for the peaceful use of space. But I think most of them have been too broad and sweeping to stand much chance of implementation in the face of Russian intransigence. I believe the President should take the same approach he used in his atoms-for-peace proposal. Mr. Eisenhower did not maintain the inflexible position in that proposal that all nations must agree to stop producing atomic energy for war purposes. Rather, he recommended that at least some of this power potential be devoted to peaceful uses beneficial to mankind. Why could not Mr. Eisenhower make the same type of proposal in relation to the conquest of space? Instead of seeking agreement

for the cessation of all war-oriented efforts on missiles, satellites, and related space vehicles, he could call for the devotion of satellites to peaceful purposes.

This, then, is my suggestion—that President Eisenhower go before a special session of the United Nations with a single proposal. This proposal would call for an international agreement, similar to the International Atomic Energy Agency, to cooperate in the development and launching of earth satellites, and to share in the information obtained therefrom, for the mutual benefit of all in the conquest of space. This proposal could appropriately be called "satellites for peace."

If we study the language of the President's atoms-for-peace proposal, we find that much of it—with minor changes—is just as appropriate today as it was in 1953, and could be used to present the proposal I have suggested. For example, Mr. Eisenhower declared:

I know that the American people share my belief that if a danger exists in the world it is a danger shared by all, and equally, that if hope exists in the mind of one nation that hope should be shared by all.

Today a danger exists that has increased a thousandfold since December 8, 1953. Today that danger is shared by all without exception. But now even as in 1953, a hope still exists—not only in the United States, but also in many other nations of the world. It is the hope that man can somehow substitute peace for international turmoil and crisis. We would like to think that this hope is shared by Russia as well. The Russian reaction to a satellites-for-peace proposal would show the world whether the Communists truly do want peace, as they have so often claimed.

Up to this point almost every attempt by the United States to obtain Russian cooperation for peace has failed. The Communists have refused to accept a realistic disarmament plan. In fact, now they refuse even to negotiate. Under these circumstances it would be suicide for the United States to suspend unilaterally missile development and hydrogen-bomb testing.

If disarmament is impossible to effect, then we must look for a simpler path which ultimately may lead to the road to peace. This is why I suggest satellites for peace. It is a beginning—a small beginning, but it could foster better things. Actually, it already has a basis in the International Geophysical Year program, under which scientists of many nations are working together to learn more about earth and space. The earth satellite is an important phase of their cooperation. Russia has not shared all of her satellite knowledge, but she has given American scientists some data.

IGY ends in December of this year. We need some type of agreement to pledge even greater cooperation in the satellite undertaking. The United States has not yet formally suggested such an agreement. The President indicated in his 1957 state of the Union address a willingness to enter into "any reliable agreement" which would "mutually control the outer space missile and satellite development." But Mr. Eisenhower

did not make a distinction between missiles and satellites. This distinction is important, as I shall point out. Then, shortly after the President's message, our representative in the United Nations said that:

The first step toward the objective of assuring that developments in outer space should be devoted exclusively to peaceful and scientific purposes would be to bring the testing of such objects under international inspection and participation.

But here again the reference was to earth satellites, intercontinental missiles, long-range unmanned weapons, and space platforms. It is extremely doubtful that a comprehensive agreement of this kind can be obtained under existing conditions, although we should continue to seek such an agreement.

In the meantime, we should distinguish between earth satellites and ballistic missiles. The missile, an extension of a long-range gun, should continue to be subject to general disarmament negotiations. But the satellite, which spends its time in an orbit, is entirely different. Its development has not yet been oriented predominantly to war purposes, making it a logical starting point for an international agreement. Such an agreement should be proposed now, however, before military aspects of satellite development take precedence over the current emphasis along peaceful lines. Because earth satellites will not be vital to national defense for some time to come, a system of international cooperation and even control might have enough time to take hold before they become primarily military weapons.

International cooperation and control obviously would be difficult to obtain once the satellite is regarded as an important military asset. Yet it is at that stage—when the satellite is militarily dangerous—that international control is most necessary. Why wait until it is all but impossible to achieve such control? "Satellites for peace" should be proposed while most feasible. That time is now. Such an agreement could be highly important as a precedent leading to the eventual control of all outer space for peaceful purposes.

It might be argued that even the "satellites for peace" proposal is too comprehensive for general acceptance. Perhaps this is why the Commission to Study the Organization of Peace, in its report Strengthening the United Nations, suggested that the United States seek only the international registration and verification of satellite flights as a short-run policy. But I think we should go further than the Commission has suggested. The cooperation of all nations in the peaceful development of these satellites would be far more substantial, and would set an important precedent. The registration and verification of flights would naturally be included in such cooperation.

The United States hopes to launch its satellite soon. The time is ripe for giving serious thought to an international agreement along the lines I have suggested. We must not overlook any possibility of easing the tension which

exists today in this race to obliteration. If "satellites for peace" is such a possibility—and I think it is—then we should propose it to the world.

**THE LATE HONORABLE  
LAWRENCE H. SMITH**

The SPEAKER pro tempore (Mr. JONES of Missouri). Under previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 5 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, yesterday I was in the House restaurant when the angel of death hovered over the restaurant and God took the soul of our late colleague, LAWRENCE SMITH, to be with Him. It was a wonderful way for LAWRENCE SMITH to go. He died in the service of his Government. He served his country in peace just as he served so gallantly in the war with all that he had of his love and his devotion. It is terribly hard for his family to spare him and for us here in the House to spare him. Here we knew him and loved him. I had many talks with him on matters of mutual interest. I had the privilege of serving on the Committee on Foreign Affairs with him for a while. I always admired his courage. We did not always agree, but he always had the greatest possible faith that he was right and was so gentle with others in their right to their views. He had faith in God and faith in America and faith in the things that he fought for and stood for in this Congress. If he had stood alone in every measure, he would still have voted as he thought right no matter how many were against him. My deepest sympathy goes to his beautiful wife who was one with him and to his splendid son and daughters and relatives. He and his wife were constantly together in veterans' affairs and in every other great work. The last time I saw them both together, we spoke of his son, the son who was so very badly injured in the World War and who gave so much for us. All three worked constantly for the veterans. It was always: "What can we do for those who have suffered and for those who have given so much and those who have paid such a tremendous price?" My sympathy goes to the Members of Congress from Wisconsin and to all of the people of Wisconsin who have lost such a great statesman, a great hero, and a great man. My heart aches for all of us here in the House who will miss his wise counsel and his tremendous kindness. Mr. Speaker, let the tremendous amount of work that he did and the sacrifices that he made serve as a warning to those Members of the Congress who are working too hard today under such terrific pressures and anxieties. Let it be a warning to them not to overdo because it can happen to us. I am going in a few moments to see all that is earthly that is left of him before his wife and colleagues take him back to Wisconsin for burial. His spirit will live on. His kindnesses and his words and thoughts and deeds will be a benediction to us always.

**WE SHOULD IMMEDIATELY START  
BUILDING 100 NUCLEAR-POWERED  
ATTACK SUBMARINES AT THE  
RATE OF 20 PER YEAR**

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes and to revise and extend my remarks in the CONGRESSIONAL RECORD.

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

There was no objection.

Mr. VAN ZANDT. Mr. Speaker, I am convinced that the most serious military threat to our national safety is the large Soviet submarine fleet already in being.

A very few of these Soviet submarines equipped to fire missiles can place most of our seaboard cities and other large cities not too far from the coast in danger of being completely destroyed in the event of war.

In this regard I quote from the recent Rockefeller report:

The Soviet Union now has the second largest Navy in the world and since World War II has produced more vessels of every type, except aircraft carriers, than the United States.

The Soviet Union has long concentrated on submarines.

A fleet of well over 400 is already in operation.

This number is greatly in excess of the German force which severely menaced Allied surface shipping during the early years of World War II.

There is no doubt about the capacity of the U. S. S. R. to develop naval atomic powerplants, or to adapt ships and submarines to launch short- and medium-range missiles: In fact, Soviet leaders have pointedly discussed the vulnerability of the United States in such attacks.

The magnitude of the threat becomes clear when it is realized that 43 of our 50 largest cities and 85 percent of our industry are located within 500 miles of our coasts.

Missile-launching submarines are the Soviet equivalent of our overseas air bases.

No longer is the ocean our protector.

In fact, the ocean now becomes the hiding place for the most serious threat to our safety.

The task of combating the Soviet submarine menace in the event of war would be a difficult one.

This is our Navy's most vital and important defensive mission.

At the outbreak of World War II, Germany had 57 submarines of which 22 were oceangoing.

Before the war was over, 40,000 men lost their lives and 14 million tons of Allied shipping went to the bottom of the sea.

It took us 4 years to combat the German submarine menace.

Mr. AVERY. Mr. Speaker, will the gentleman yield?

Mr. VAN ZANDT. I yield.

Mr. AVERY. Can the gentleman tell the House how many submarines, if he is permitted to do so, are in the service of the United States Navy at this time?

Mr. VAN ZANDT. There are about 119 submarines in the active fleet at the present time and most of these 119 submarines are what we call snorkel types of modern submarines.

Mr. AVERY. Would the gentleman be at liberty to disclose to the House the number of submarines that are nuclear-powered?

Mr. VAN ZANDT. None of the 119 submarines that are on duty with the fleet are nuclear-powered submarines. We do have, however, 19 submarines nuclear powered, either operating, under construction, or authorized. To break down those 19, we find that 3 of them are actually active today with the fleet. Fifteen others are under construction or have been authorized and should be in service by the end of 1960.

The bill which was passed by the House today included three submarines that will be equipped to launch the guided missile Polaris. I understand that the appropriation for fiscal 1959 will call for 1 guided-missile submarine and 4 attack submarines.

In this age of advanced missiles the submarine is even a more powerful weapon.

Not only does it threaten our ability to control the seas, but it now has the ability to destroy our cities and our industrial might.

The knowledge that the Russian submarine fleet is nearly 10 times as large as was the German submarine force at the outbreak of World War II should stir us to action now, rather than waiting for destruction.

For survival we not only must be able to control the surface of the sea but the waters beneath.

Disaster could be the only result from our failure to do so.

Fortunately we have in our arsenal a weapon which if produced in sufficient numbers could deter the large Soviet submarine fleet—the nuclear powered submarine.

The best way to destroy a submarine is with another submarine.

In this regard the nuclear submarine has no peer.

As Admiral Rickover testified the other day, if the Soviets were to start building nuclear powered submarines at a fraction of the rate they have been building conventional submarines we would lose our present lead in submarine nuclear propulsion by 1961.

He urged, and I strongly agree, that we immediately build large numbers of attack submarines which could sink Russian submarines.

To get started on this effort now, I have introduced this date a bill authorizing the construction of 100 nuclear powered attack submarines during the next 5 years at the rate of 20 per fiscal year.

If we started now, I am confident that these ships could be completed in 1961 and 1962.

If we built them on an accelerated basis with top priority, and I propose that we do so, I am confident that they can all be completed before the end of 1961.



From my own investigations I have determined that these 100 ships could be built with our present facilities at the rate of 20 per fiscal year.

No retooling would be required.

Further the nuclear reactors and components could be built within the present industrial capacity which has been built up by Admiral Rickover and his organization for naval reactors work during the past 8 years.

Failure to immediately start constructing these attack submarines is a national admission that we do not intend to protect the lead we now have in the nuclear submarine field.

We have no other recourse in the light of this known threat but to immediately construct these vessels.

#### THE ADMINISTRATION'S MONETARY POLICY

Mr. BROWN of Missouri. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. DINGELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. DINGELL. Mr. Speaker, the administration's monetary policy is a huge flop. I refer to the administration's idea that a modern economy with all its complexity could be regulated by the use of monetary policy alone, that is by manipulating interest rate and supply of loanable funds available to banks.

I rejoice that one district of the Federal Reserve has reduced its rediscount rate to 2¼ percent from the previous 3 percent. I expect other districts of the Federal Reserve to follow suit momentarily. That is good.

The economy needs this, but in point of fact this is not enough. The rediscount rate should never have been raised to the 3 percent and 3½ percent. This was a substantial factor in the present recession. It should now be lowered below the present 2¼-3-percent figure.

The 1953-54 recession was of about the same or slightly less intensity than that into which our economy is presently sliding. At that time the rediscount rate was 1½ percent, or about half the present rate of 2¼-3 percent.

The Eisenhower administration has worked together with the reactionary elements on the Federal Reserve Board to apply the above-mentioned policy.

This policy was never effective in combating inflation; it did bring about a tremendous increase in the cost of financing the national debt, and the substantial economic recession now deepening. However, reducing the rediscount rate will help restore prosperity. The money charge for financing the national debt is about \$7.9 billion this year. The yearly cost of financing the national debt has risen about \$2 billion since the administration came into power.

A second thing which the administration-Federal Reserve hard money policy

has done has been to raise banking profits and insurance company profits to an all time high. This was particularly apparent in the recent refinancing of the national debt. In that instance, Government securities which had cost the taxpayers about 2½ percent were raised to 3½ and 4 percent on selected issues, most of which were owned by banks and insurance companies. Here are the flaws in the policy: it is costly, as shown by the tremendous rise in the cost of financing the national debt; it discriminates between small and weak borrowers and large corporate interests; it is ineffective; and it is not only potentially dangerous, but has actually been one of the principal contributing features to the present depression striking large segments of the economy and which has put out of work about 3.7 millions of workers.

Unless this hard money policy is relaxed further, at once, the probability is that the depression will worsen substantially before Fall. Already 5 to 7 million unemployed are predicted for later this year.

A well known and respected economist recently said that never had a recession struck the American economy which was so easy to correct. He referred to the possibility of Federal action in this field.

The only guise under which the administration has retained this hard money policy has been the claim that it would counteract inflation and that it would halt the spending on which inflation was blamed. It is interesting to note that the Chairman of the Federal Reserve Board himself admitted that this policy had been ineffective. He said:

The economy has been undergoing a capital gains boom and the capital industries as well as industries requiring heavy capital investment are generally characterized by large-scale enterprises.

This means simply this, the big industries have been expanded tremendously; no one denies that. The little industries and the small businesses have been unable to expand and have been unable to get risk capital and short term capital just to carry them over tough times. The high interest, hard money program of this government has made things equally impossible for farmers. It is very interesting to note that the inflation this policy was to control persisted at a time when there was unemployment, and substantial surplus industrial capacity.

A very grave warning to the people of this country should be the fact that depressions and substantial periods of economic hardship in this country have always been preceded by periods of extremely high interest rates.

The present administration has deliberately fostered these high interest rates, perhaps as a payoff to certain supporters. Large corporations and big industries do not suffer under such monetary policy. These corporations can finance from earnings as they have been during the last few years. They can and do pass higher interest charges along to the customer. Such a thing cannot be done by the little fellow.

The President and the Federal Reserve Board must act to further reduce this

rediscount rate. No denial by the administration will suffice to disprove the fact that this is an administration-Federal Reserve policy. The two have been working hand in hand to bring about high interest and a reduced amount of loanable funds available. Unless this policy is changed forthwith, the number of unemployed in this country is going to rocket above the 3.7 million at which it is presently, and higher than the 5 million plus forecast by the administration for later in the year. Forty-five major industrial centers are already classed as areas of substantial unemployment with 6 percent or more of the worker force unemployed. My own city of Detroit is among them, with 8 percent or 123,000 out of work. Worse, 200,000 or 6.8 percent of all the workers of Michigan are unemployed. Other States and cities are similarly affected.

This should be in and of itself adequate warning to bring further action now.

#### THE EFFECT OF THE BUDGET ON SOCIAL LEGISLATION

Mr. BROWN of Missouri. Mr. Speaker, I ask unanimous consent that the gentlewoman from Oregon [Mrs. GREEN] may extend her remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, there were many of us who were deeply disturbed at the proposals contained in the President's budget as they affected Federal programs relating to the welfare of the people. Over the years these programs were established as a result of a vigorous and nationwide demand that the Federal Government assume its rightful role in promoting the general welfare of the people—all of the people and not a select few.

The Eisenhower budget represents a frontal attack upon these groups. Its true import has been clearly summed up by Mrs. Katie Louchheim, vice chairman of the Democratic National Committee, in a statement issued on January 14.

Mr. Speaker, I ask unanimous consent that Mrs. Louchheim's statement be printed in full in the CONGRESSIONAL RECORD.

The statement by Mrs. Louchheim follows:

The biggest missile the Eisenhower budget proposes to launch is aimed directly at the American people—into the heart of their health, welfare, and education programs.

The President has literally declared war on the social legislation that has been the hallmark of our modern democracy. He has withdrawn his support from the modest overall education effort he suggested last year and he is asking Congress to enact legislation cutting into vital health and welfare programs.

His proposals mean reduction of hospital construction, reduction of disability pensions for veterans, reduction of health insurance for Federal employees. And while no specific proposals are announced, indications are that there will be cutbacks in Federal funds to States on assistance to the needy aged,

dependent children, the blind, and the totally disabled as well.

In his budget, the President has either completely abandoned programs such as assistance to mentally retarded children, children with hearing and speech defects, and juvenile delinquents, or he has adopted the National Association of Manufacturers and chamber of commerce line of "return it to the States and localities"—a line which when properly translated, means kill the program.

The President completely ignores the challenge of the growing suburbs when he proposes cutbacks affecting housing, sewage disposal, and education projects. He strikes at the cities with further limitations on vital slum clearance and urban-renewal planning.

A 2½-percent increase in defense spending at this time does not justify an attempt to turn the clock back a quarter of a century.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. ROONEY (at the request of Mr. SANTANGELO) for the balance of the week on account of death in the family.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. THOMPSON of Texas, for 20 minutes today.

Mr. REUSS, for 60 minutes on Monday next.

Mr. ROOSEVELT (at the request of Mr. REUSS), for 30 minutes on Monday next.

Mr. UDALL (at the request of Mr. REUSS), for 30 minutes on Monday next.

Mr. HALE, for 30 minutes today.

Mrs. ROGERS of Massachusetts, for 5 minutes today.

Mr. VANIK, for 15 minutes on Wednesday next.

Mr. BAILEY, for 30 minutes on Tuesday next.

Mr. PATMAN, for 30 minutes on Monday and Tuesday next, to revise and extend his remarks and include extraneous matter.

Mr. THOMSON of Wyoming, for 1 hour on Wednesday next.

Mr. O'HARA of Illinois, for 20 minutes on January 27.

#### EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. ROOSEVELT and to include extraneous matter.

Mr. ANFUSO and to include extraneous matter.

Mr. FLOOD and include extraneous matter.

Mr. JOHANSEN and include extraneous matter.

Mr. BREEDING and include extraneous matter.

Mr. HALE and include extraneous matter.

Mr. POWELL (at the request of Mr. ALBERT) and include extraneous material.

Mrs. BOLTON.

Mr. ROBINO and to include extraneous matter.

Mr. AYRES (at the request of Mr. FORD).

Mr. BYRNE of Pennsylvania.

Mr. MCINTOSH and to include extraneous matter.

Mr. BECKWORTH.

Mr. CUNNINGHAM of Nebraska (at the request of Mr. MARTIN) and to include extraneous matter.

Mr. BENNETT of Florida and to include extraneous matter.

Mr. LESINSKI in three instances and to include extraneous matter.

Mr. BRAY in two instances and to include extraneous matter.

Mr. VAN ZANDT and to include extraneous matter.

#### ADJOURNMENT

Mr. BROWN of Missouri. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 57 minutes p. m.) under its previous order, the House adjourned until Monday, January 27, 1958, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1503. A letter from the executive secretary, National Advisory Committee for Aeronautics, transmitting a draft of proposed legislation entitled "A bill to promote the national defense by authorizing the construction of aeronautical research facilities by the National Advisory Committee for Aeronautics necessary to the effective prosecution of aeronautical research"; to the Committee on Armed Services.

1504. A letter from the executive secretary, National Advisory Committee for Aeronautics, transmitting a draft of proposed legislation entitled "A bill to promote the national defense by authorizing the construction of aeronautical research facilities by the National Advisory Committee for Aeronautics necessary to the effective prosecution of aeronautical research"; to the Committee on Armed Services.

1505. A letter from the Director, Legislative Liaison, Department of the Air Force, transmitting a quarterly report showing the number of officers assigned or detailed to permanent duty in the executive element of the Air Force at the seat of government for the quarter ending December 31, 1957, pursuant to section 8031 (c), title 10, United States Code; to the Committee on Armed Services.

1506. A letter from the Secretary of Commerce, transmitting a report of surplus property disposed of during the past year by the Department of Commerce, Maritime Administration, pursuant to Public Law 152, 81st Congress; to the Committee on Government Operations.

1507. A letter from the Chairman, United States Securities and Exchange Commission, transmitting the 23d Annual Report of the Securities and Exchange Commission for the fiscal year ending June 30, 1957, pursuant to the Securities and Exchange Act of 1934; to the Committee on Interstate and Foreign Commerce.

1508. A letter from the Acting Secretary of the Interior, transmitting a report on the activities of, expenditures by, and donations to the anthracite experiment station operated by the Bureau of Mines at Schuylkill Haven, Pa., for the calendar year 1957, pursuant to the act of December 18, 1942 (56 Stat. 1056); to the Committee on Interior and Insular Affairs.

1509. A letter from the Secretary of the Army, transmitting a report on claims for damages caused to inhabitants of the United States by fluctuations in the water level of the Lake of the Woods, pursuant to section 2 of the act of Congress approved August 13, 1954 (68 Stat. 728); to the Committee on the Judiciary.

1510. A letter from the Director of Personnel, Department of Commerce, transmitting a report concerning positions in grades GS-16, 17 and 18, pursuant to Public Law 854, 84th Congress; to the Committee on Post Office and Civil Service.

1511. A letter from the Acting Secretary of the Treasury, transmitting a report on the payment of claims for damage occasioned by vessels of the Coast Guard, which have been settled by the Treasury, pursuant to section 646 (b) of title 14, United States Code; to the Committee on the Judiciary.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WILLIS: Committee on the Judiciary. H. R. 8361. A bill to amend section 2254 of title 28 of the United States Code in reference to applications for writs of habeas corpus by persons in custody pursuant to the judgment of a State court; without amendment (Rept. No. 1293). Referred to the House Calendar.

Mr. MILLS: Committee on Ways and Means. House Joint Resolution 439. Joint resolution to permit articles imported from foreign countries for the purpose of exhibition at the Washington State Seventh International Trade Fair, Seattle, Wash., to be admitted without payment of tariff, and for other purposes; without amendment (Rept. No. 1294). Referred to the Committee of the Whole House on the State of the Union.

Mr. FORRESTER: Committee on the Judiciary. House Joint Resolution 483. Joint resolution to amend the act of August 20, 1954, establishing a commission for the celebration of the 200th anniversary of the birth of Alexander Hamilton; without amendment (Rept. No. 1295). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H. R. 10021. A bill to provide that the 1955 formula for taxing income of life insurance companies shall also apply to taxable years beginning in 1957; without amendment (Rept. No. 1296). Referred to the Committee of the Whole House on the State of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CHELF:

H. R. 10223. A bill to enable former owners of certain property in Hardin County, Ky., to repurchase lands sold by them to the United States; to the Committee on Government Operations.



By Mr. ADAIR:

H. R. 10224. A bill to provide for the establishment of a United States Academy of Science and Technology; to the Committee on Armed Services.

By Mr. ANFUSO:

H. R. 10225. A bill declaring October 12 to be a legal holiday, to be known as Columbus Day; to the Committee on the Judiciary.

By Mr. BOYKIN:

H. R. 10226. A bill to amend section 332 of title 10 of the United States Code to limit the use of the Armed Forces to enforce Federal laws or the orders of Federal courts; to the Committee on Armed Services.

H. R. 10227. A bill to amend title 10 of the United States Code to prohibit the calling of the National Guard into Federal service except in time of war or invasion or upon the request of a State; to the Committee on Armed Services.

By Mr. BREEDING:

H. R. 10228. A bill to amend section 101 of the Agricultural Act of 1949, as amended, relating to price support on wheat; to the Committee on Agriculture.

By Mr. BROOMFIELD:

H. R. 10229. A bill to establish a Commission on the Establishment of a United States Academy of Science; to the Committee on Armed Services.

By Mr. BYRD:

H. R. 10230. A bill to establish a program of economic relief for distressed areas through a system of loans and grants-in-aid; to the Committee on Banking and Currency.

By Mr. COAD:

H. R. 10231. A bill to maintain the price of basic agricultural commodities at a level of equal relationship to the current income needs of the producer and to protect the economic foundation of the United States and the primary market for manufactured products in the United States; to the Committee on Agriculture.

By Mr. FORRESTER:

H. R. 10232. A bill to authorize the admission into evidence in certain criminal proceedings of information intercepted in national security investigations, and for other purposes; to the Committee on the Judiciary.

By Mrs. GRANAHAH:

H. R. 10233. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HEBERT:

H. R. 10234. A bill to amend the Internal Revenue Code of 1954 to prevent the imposition of more onerous recordkeeping requirements with respect to trade and business expenses of employees; to the Committee on Ways and Means.

By Mr. HOLT:

H. R. 10235. A bill to amend the Labor Management Relations Act, 1947, as amended, and for other purposes; to the Committee on Education and Labor.

H. R. 10236. A bill to require labor organization reports, to insure disclosure of certain labor organization information, to define certain duties and responsibilities of labor organizations and employers, and to provide further safeguards for workers against improper activities in the conduct of labor organization affairs; to the Committee on Education and Labor.

By Mr. KEAN:

H. R. 10237. A bill to amend certain subsections of subchapter B of chapter 37 of the Internal Revenue Code of 1954, and for other purposes; to the Committee on Ways and Means.

By Mr. KEARNEY:

H. R. 10238. A bill to protect the right of the blind to self-expression through organi-

zations of the blind; to the Committee on Education and Labor.

By Mr. KEOGH:

H. R. 10239. A bill to amend certain subsections of subchapter B of chapter 37 of the Internal Revenue Code of 1954, and for other purposes; to the Committee on Ways and Means.

By Mr. LESINSKI:

H. R. 10240. A bill to increase the rates of basic salary of employees in the postal field service; to the Committee on Post Office and Civil Service.

By Mr. METCALF:

H. R. 10241. A bill to amend section 101 of the Agriculture Act of 1949, as amended, relating to the price support on wheat; to the Committee on Agriculture.

By Mr. O'BRIEN of Illinois:

H. R. 10242. A bill to permit articles imported from foreign countries for the purpose of exhibition at the Chicago International Fair and Exposition, to be held in July 1959 at Chicago, Ill., to be admitted without payment of tariff, and for other purposes; to the Committee on Ways and Means.

By Mr. PATMAN:

H. R. 10243. A bill to amend the Clayton Act so as to supplement existing laws against unlawful restraints and monopolies by providing that violations of the Robinson-Patman Act shall constitute violations of the antitrust laws; to the Committee on the Judiciary.

By Mr. PELL:

H. R. 10244. A bill to facilitate the application and operation of the Fish and Wildlife Act of 1956, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mrs. PFOST:

H. R. 10245. A bill to add certain lands located in Idaho to the Boise and Payette National Forests; to the Committee on Interior and Insular Affairs.

By Mr. PHILBIN:

H. R. 10246. A bill to provide that the amount of social security benefit based on disability will not be reduced by any benefit awarded under the laws administered by the Veterans' Administration or Armed Forces based on disability; to the Committee on Ways and Means.

By Mr. PRICE:

H. R. 10247. A bill to amend the Veterans' Benefits Act of 1957 to liberalize the basis for, and increase the monthly rates of, disability pension awards; to the Committee on Veterans' Affairs.

By Mr. RHODES of Arizona:

H. R. 10248. A bill to amend the Labor Management Relations Act, 1947, as amended, and for other purposes; to the Committee on Education and Labor.

By Mr. STAGGERS:

H. R. 10249. A bill to amend the Civil Aeronautics Act of 1938, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. TAYLOR:

H. R. 10250. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

By Mr. THOMPSON of New Jersey:

H. R. 10251. A bill to amend the Clayton Act to permit the institution of actions for damages for violations of the Robinson-Patman Act, and for other purposes; to the Committee on the Judiciary.

H. R. 10252. A bill making an appropriation for United States participation in the Universal and International Exhibition of Brussels, 1958; to the Committee on Appropriations.

By Mr. VAN ZANDT:

H. R. 10253. A bill to authorize the Secretary of the Navy to construct 100 nuclear-

powered attack submarine vessels; to the Committee on Armed Services.

By Mr. WESTLAND:

H. R. 10254. A bill to amend the Civil Service Retirement Act to eliminate the reduction in annuity elected for a spouse when such spouse predeceases the person making the election; to the Committee on Post Office and Civil Service.

By Mr. WITHROW:

H. R. 10255. A bill to amend the Internal Revenue Code of 1954 to impose import taxes on lead and zinc; to the Committee on Ways and Means.

By Mr. DELAY:

H. J. Res. 512. Joint resolution to establish the Hudson-Champlain Celebration Commission, and for other purposes; to the Committee on the Judiciary.

By Mr. EDMONDSON:

H. J. Res. 513. Joint resolution to designate the first day of May of each year as Loyalty Day; to the Committee on the Judiciary.

By Mr. SCOTT of Pennsylvania:

H. J. Res. 514. Joint resolution designating the rose as the national flower of the United States; to the Committee on House Administration.

By Mr. TOLLEFSON:

H. Res. 451. Resolution requesting the Secretary of the Interior and all departments of Government to protect Alaska-spawned salmon; to the Committee on Merchant Marine and Fisheries.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOLAND:

H. R. 10256. A bill for the relief of Leonora Holmes Mola; to the Committee on the Judiciary.

By Mr. DEROUNIAN:

H. R. 10257. A bill for the relief of Jolanda Ferretti; to the Committee on the Judiciary.

By Mr. DONOHUE:

H. R. 10258. A bill for the relief of Alberto Altarach; to the Committee on the Judiciary.

By Mr. DOOLEY:

H. R. 10259. A bill for the relief of Giovanna Baseggio; to the Committee on the Judiciary.

By Mr. LANE:

H. R. 10260. A bill for the relief of Natale H. Bellocchi and Oscar R. Edmondson; to the Committee on the Judiciary.

By Mr. McFALL:

H. R. 10261. A bill for the relief of Karnail Singh Mahal; to the Committee on the Judiciary.

By Mr. MAILLIARD:

H. R. 10262. A bill for the relief of Kurt Rietmann; to the Committee on the Judiciary.

By Mr. O'BRIEN of New York:

H. R. 10263. A bill for the relief of Francis M. Halscher; to the Committee on the Judiciary.

By Mr. SHELLEY:

H. R. 10264. A bill for the relief of Pastor Baltazar; to the Committee on the Judiciary.

By Mr. ZABLOCKI:

H. R. 10265. A bill for the relief of George Kharouf; to the Committee on the Judiciary.

## PETITIONS, ETC.

Under clause 1 of rule XXII,

365. The SPEAKER presented a petition of Otis Loper, Weldon, Tex., seeking a redress of grievance relative to requesting an investigation of a court action taken against him, which was referred to the Committee on the Judiciary.