to curb the growing strength and activity of the Communist Party."

And more recently, a United States circuit court of appeals said that in view of the Yates decision it felt duty bound to free some more known Communists, who had been convicted under the Smith Act, but the court of appeals came right out and warned the people that the Yates decision "had made shambles of the Smith Act."

In another dissenting opinion in the Jencks case, to which I previously referred, Justice Clark said, "Unless the Congress changes the rule announced by the Court today, those intelligence agencies of our Government engaged in law enforcement may as well close up shop for the Court has opened their files to the criminal and thus afforded him a Roman holiday for rummaging through confidential information as well as vital national secrets."

When a justice uses such strong language in referring to the opinion of his brethren, and when a court of appeals feels compelled to abide by but expresses open hostility to a Supreme Court decision, don't you think it is time to sit up and take notice?

But let us move on to another case, this one involving States rights.

Raphael Konigsberg applied for admission to practice law in the State of California. He related everything that was good and sad about his past but he simply refused to answer any questions or to talk about his past Communist activities. He made some pious reference to constitutional provisions protecting one's beliefs and associations. In the ultimate, he simply took the position that to inquire into his past Communist activities was none of the business of the bar examiners. The Supreme Court of California held that the State of California, in its sovereign capacity, had the right to decide who could practice law there. The court concluded that Konigsberg did not make out a case of good moral character and refused him a license to practice law.

The Supreme Court reversed the decision of the highest court of the State of California. Despite all the ramifications of the case, the net result is that the Supreme Court is now undertaking to regulate the legal profession in the several States. What next—the medical profession, the accounting profession, the engineering profession, and all others? Is it the business of the Federal Government to regulate the professions, or is this not a matter for the States? The question answers itself.

I think I have cited enough cases to show that we are drifting farther and farther away from the moorings of our Constitution. This is a challenge not only to Members of Congress but to all men of goodwill who believe in our form of Government and democratic institutions. We must not only stem the tide of Federal supremacy. We must return to fundamental constitutional principles. We must repair whatever damage that has been done to the constitutional walls separating the powers of our Government into three dignified branches. And then we must restore to our people the system of government devised by our forefathers.

Those, I think were the mature and humble thoughts of Chief Justice Hughes on the occasion of the celebration of the 150th anniversary of the first meeting of the Congress, and whose words I quote in closing:

"We come from our district departments of government activity to our unity of aim in maintaining our form of Government in accordance with our common pledge. We are here not as masters, but as servants, not to glory in power, but to attest our loyalty to the commands and restrictions laid down by our sovereign, the people of the United States, in whose name and by whose will we exercise our brief authority."

Yes, we must win the cold war, but what will it profit the United States if we gain international prestige and suffer the loss of our fundamental rights? I hope I have made you think about it.

SENATE

TUESDAY, JANUARY 28, 1958

(Legislative day of Monday, January 27, 1958)

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

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

Lord of all being, throned afar, Thou who art the center and soul of every sphere, yet to each loving heart how near; nearer than the hands and feet that serve us, nearer than the problems that front us, nearer even than the comrades who walk beside us. In spite of our frailty and fallibility, speak to us and through us, that to this tangled world Thy kingdom may come and Thy will be done.

Grant us Thy truth to make us free,
And kindling hearts that burn for Thee,
Till all Thy living altars claim
One holy light, one heavenly flame.

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

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Monday, January 27, 1958, was dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting nominations was communicated to the Senate by Mr. Miller, one of his secretaries.

TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that at this time Senators may present petitions and memorials, introduce bills and joint resolutions, and transact other routine business, subject to a 3-minute limitation on statements.

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

LEGISLATIVE PROGRAM—SESSION ON WEDNESDAY

Mr. JOHNSON of Texas. Mr. President, for the information of the Senate, I should like to announce that we anticipate that there will be a session of the Senate tomorrow, if that is agreeable to the distinguished minority leader.

EXECUTIVE SESSION

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

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

EXECUTIVE MESSAGE REFERRED

The VICE PRESIDENT laid before the Senate a message from the President of the United States submitting sundry nominations, which was referred to the Committee on Armed Services.

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

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

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

Karl L. Rankin, of Maine, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to Yugoslavia;

Charles W. Yost, of New York, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to the Republic of Syria; and

Christopher H. Phillips, of Massachusetts, to be representative on the Economic and Social Council of the United Nations.

EXECUTIVE REPORTS OF COMMITTEE ON ARMED SERVICES

Mr. BARRETT. Mr. President, from the Committee on Armed Services, I report favorably a total of 29,083 nominations in the Army, Navy, Marine Corps, and Air Force, many of which are recess appointments. Included in this group are 144 promotions of flag and general officers. I ask that the names of the flag and general officers be printed on the Executive Calendar.

Included also are the names of 28,939 nominations for temporary and permanent appointment and promotion in the Army, Navy, Marine Corps, and Air Force. Of this number 2,229 are in the rank of colonel and below in the Army, 17,010 in the rank of major and below in the Air Force, 7,637 in the rank of captain and below in the Navy, and 2,063 in the rank of colonel and below in the Marine Corps. All of these names have already appeared in the CONGRESSIONAL RECORD, so to save the expense of printing on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Vice President's desk for the information of any Senator.

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

The nominations, ordered to be placed on the Executive Calendar, are as follows:

Maj. Gen. Thomas John Hall Trapnell, United States Army, to be assigned to a position of importance and responsibility designated by the President, in the rank of lieutenant general;

Maj. Gen. Frank Schaffer Besson, Jr., Army of the United States (colonel, U. S. Army), for appointment as Chief of Transportation,

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

United States Army, and as major general in the Regular Army of the United States;

Brig. Gen. Charles Richard Hutchison, United States Army, and sundry other officers for temporary appointment as major general in the Army of the United States;

Maj. Gen. George W. Mundy, Regular Air Force, to be assigned to a position of importance and responsibility designated by the President, in the rank of lieutenant general;

Rear Adm. Eugene J. Peltier, Civil Engineer Corps, United States Navy, to be Chief of the Bureau of Yards and Docks in the Department of the Navy;

Edward C. Kenney, and sundry other officers of the Navy for temporary promotion to the grade of rear admiral;

Wayne R. Loud, and sundry other officers of the Navy for permanent promotion to the grade of rear admiral;

David M. Shoup, and sundry other officers of the Marine Corps for permanent appointment to the grade of major general;

Carson A. Roberts, and sundry other officers of the Marine Corps for temporary appointment to the grade of major general;

Randall M. Victory, and sundry other officers of the Marine Corps for permanent appointment to the grade of brigadier general;

John P. Condon, and sundry other officers of the Marine Corps for temporary appointment to the grade of brigadier general;

Bertrand T. Fay, Marine Corps Reserve, for temporary appointment to the grade of major general;

William W. Stickney, Marine Corps Reserve, for permanent appointment to the grade of brigadier general;

Carlton A. Fisher, Marine Corps Reserve, for temporary appointment to the grade of brigadier general;

Gen. Randolph McC. Pate, United States Marine Corps, to be Commandant of the Marine Corps with the rank of general;

Gen. Ray A. Robinson, United States Marine Corps, retired, to be placed on the retired list with the grade of lieutenant general;

Lt. Gen. Robert E. Hogaboom, United States Marine Corps, for commands and other duties determined by the President, to have the grade, rank, pay, and allowances of lieutenant general while so serving;

Vice Adm. James L. Holloway, Jr., United States Navy, and Vice Adm. Herbert G. Hopwood, United States Navy, for commands and other duties determined by the President, to have the grade, rank, pay, and allowances of admiral while so serving;

Vice Adm. Byron E. Hanlon, and sundry other officers of the United States Navy, for commands and other duties determined by the President, to have the grade, rank, pay, and allowances of vice admiral while so serving;

Vice Adm. Harold P. Smith, United States Navy, to be Chief of Naval Personnel and Chief of the Bureau of Naval Personnel in the Department of the Navy;

Vice Adm. Roscoe F. Good, United States Navy, when retired, to be placed on the retired list with the grade of vice admiral; and

Maj. Gen. Thomas Morgan Watlington, and sundry other officers for appointment in the Regular Army of the United States.

The nominations ordered to lie on the desk are as follows:

Margaret M. Fallon, and sundry other officers, for promotion in the Regular Air Force;

Lee B. James, and sundry other officers, for appointment and promotion in the Regular Army of the United States;

Theodore F. Beeman, and sundry other officers, for temporary appointment in the Marine Corps; and

Hershell L. Abbott, and sundry other persons, for appointment in the Regular Air Force.

The VICE PRESIDENT. If there be no further reports of committees, the nominations on the calendar will be stated.

NATIONAL MEDIATION BOARD

The Chief Clerk read the nomination of Leverett Edwards, of Oklahoma, to be a member of the National Mediation Board for the term expiring February 1, 1961.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

PUBLIC HEALTH SERVICE

The Chief Clerk proceeded to read sundry nominations in the Public Health Service.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that these nominations be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations are confirmed en bloc.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

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

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

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President, it is my intention that all Senators who care to submit insertions for the RECORD may do so; but thereafter, before the Senate proceeds with further business, I shall suggest the absence of a quorum.

EXECUTIVE COMMUNICATIONS, ETC.

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

PROPOSED TRANSFER BY NAVY DEPARTMENT OF MOTORBOAT TO LAKE SINCLAIR POWER SQUADRON, MILLEDGEVILLE, GA.

A letter from the Under Secretary of the Navy, reporting, pursuant to law, that the Navy Department proposed to transfer a 40-foot motorboat, located at the Norfolk Naval Shipyard, Portsmouth, Va., to the Lake Sinclair Power Squadron of Milledgeville, Ga.; to the Committee on Armed Services.

USE OF NAVAL VESSELS TO DETERMINE EFFECT OF NEWLY DEVELOPED WEAPONS

A letter from the Under Secretary of the Navy, transmitting a draft of proposed legislation to authorize the use of naval vessels to determine the effect of newly developed weapons upon such vessels (with an accompanying paper); to the Committee on Armed Services.

REPORT ON CONTRACTS NEGOTIATED FOR EXPERIMENTAL OR RESEARCH WORK

A letter from the Acting Executive Secretary, National Advisory Committee for Aeronautics, Washington, D. C., transmitting, pursuant to law, a report on contracts negotiated for experimental or research work, for the period July 1 to December 31, 1957 (with an accompanying report); to the Committee on Armed Services.

REPORT OF NATIONAL ADVISORY COUNCIL ON INTERNATIONAL MONETARY AND FINANCIAL PROBLEMS

A letter from the Chairman, National Advisory Council on International Monetary and Financial Problems, transmitting, pursuant to law, a report of that Council, for the period January 1–June 30, 1957 (with an accompanying report); to the Committee on Banking and Currency.

REPORT OF UNITED STATES ADVISORY COMMISSION ON EDUCATIONAL EXCHANGE

A letter from the Chairman, United States Advisory Commission on Educational Exchange, transmitting, pursuant to law, a report of that Commission, for the period July 1–December 31, 1957 (with an accompanying report); to the Committee on Foreign Relations.

PROPOSED CONCESSION PERMIT, MUIR WOODS NATIONAL MONUMENT, CALIF.

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed concession permit at Muir Woods National Monument, Calif. (with accompanying papers); to the Committee on Interior and Insular Affairs.

AMENDMENT OF ATOMIC ENERGY ACT OF 1954

A letter from the Chairman, United States Atomic Energy Commission, Washington, D. C., transmitting a draft of proposed legislation to amend the Atomic Energy Act of 1954, as amended (with accompanying papers); to the Joint Committee on Atomic Energy.

AMENDMENT OF SECTION 2734, TITLE 10, UNITED STATES CODE, RELATING TO SETTLEMENT OF CERTAIN CLAIMS

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to amend section 2734 of title 10, United States Code, so as to authorize the Secretary of the Treasury to settle claims arising in foreign countries incident to noncombat activities of the Coast Guard (with accompanying papers); to the Committee on the Judiciary.

PROPOSED TRAINING SCHOOL FOR IMMIGRATION AND NATURALIZATION SERVICE

A letter from the Attorney General, transmitting a draft of proposed legislation to provide for the acquisition of sites and the construction of buildings for a training school and other facilities for the Immigration and Naturalization Service, and for other purposes (with an accompanying paper); to the Committee on the Judiciary.

AMENDMENT OF CODE RELATING TO CONCEALMENT OF ASSETS IN CONTEMPLATION OF BANKRUPTCY

A letter from the Attorney General, transmitting a draft of proposed legislation to amend section 152, title 18, United States Code, with respect to the concealment of assets in contemplation of bankruptcy (with an accompanying paper); to the Committee on the Judiciary.

REPORT OF NATIONAL MEDIATION BOARD

A letter from the Chairman, National Mediation Board, Washington, D. C., transmitting, pursuant to law, a report of that Board, including the report of the National Railroad Adjustment Board, for the fiscal year ended June 30, 1957 (with an accompanying report); to the Committee on Labor and Public Welfare.

PETITIONS AND MEMORIALS

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

By the VICE PRESIDENT:

A resolution adopted by the Small Craft Harbors Commission, State of California, favoring the enactment of legislation to provide sufficient funds to permit a final survey report of Port San Luis Harbor by the Corps of Army Engineers; to the Committee on Appropriations.

The petition of L. M. Ellithorpe, of Long Beach, Calif., relating to increased deductions in certain income taxes for the benefit of the unemployed; to the Committee on Finance.

A resolution adopted by the Council of the City of Newport Beach, Calif., favoring the recognition of Orange County, Calif., as a metropolitan area; to the Committee on Post Office and Civil Service.

A letter in the nature of a petition from Hugh Wilson, of Port Arthur, Tex., relating to a new system of public transportation in the United States (with accompanying papers); to the Committee on Public Works.

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

A joint resolution of the Legislature of the State of Arizona; to the Committee on Finance:

"Senate Joint Memorial 1

"Joint memorial requesting the maintenance of adequate tariff rates on copper

"To the President, Congress, and the Departments of State and Interior of the United States:

"Your memorialist respectfully represents:

"The mining of copper is one of Arizona's chief industries, an industry so great that in point of copper production Arizona leads all of the States of the United States, and, in fact, is responsible for approximately 50 percent of all copper mined in the Nation.

"The copper mining industry gives employment to many thousands of miners, artisans, mechanics and craftsmen, whose welfare and prosperity is in very large measure dependent upon this major activity; indeed, the economic welfare of the State is vitally affected by the status of the mining industry.

"There are, in addition to the properties now being worked, great areas and bodies of copper ore in the State which are susceptible of development, to the enrichment of the State and the Nation.

"Should the price of copper be allowed to be determined by foreign countries with low-wage standards and high-grade deposits, the result would be a general shutdown of our mines, and a consequent deterioration of the industry both by the heavy damage to the mines and disbandonment of working organizations.

"Should the Nation suddenly be caught without the foreign supply, and should atomic warfare break out overnight, as indeed may well be the case, the copper shortage and the disbandonment of the skilled labor and management so necessary to produce copper might well mean the ultimate defeat of our Armed Forces.

"The possibility of the collapse of the copper mining industry is not a remote circumstance since, with the high cost of labor, increased taxes, higher freight rates and other cost handicaps, domestic producers cannot stay in business competition with the low-wage production from foreign countries.

"It is therefore of major importance, not only from the standpoint of simple economics, but from the standpoint of survival, that the price of copper be maintained on a basis which will insure an active industry with normal production, fair profits, steady employment and a good standard of living for workers in the industry, and from which would result a continuation of the benefits which accrue to the national security and the State's economy by reason of the industry.

"This can only be insured through the medium of an adequate import tax on raw copper to equalize the difference between the cost of producing the metal in this country and in the copper producing countries of South America, Africa, and elsewhere.

"Wherefore your memorialist, the Senate of the State of Arizona (the House of Representatives concurring), urgently requests:

"1. That a 4-cent-per-pound tariff be reinstated on all foreign copper.

"2. That the peril point per pound of copper produced be set at 30 cents and the 4-cent-per-pound tariff be maintained until such time as the price of copper reaches or exceeds 30 cents."

The VICE PRESIDENT laid before the Senate a joint resolution of the Legislature of the State of Arizona, identical with the foregoing, which was referred to the Committee on Finance.

CONCURRENT RESOLUTION OF WEST VIRGINIA LEGISLATURE

Mr. REVERCOMB. Mr. President, by request I present, for appropriate reference, House Concurrent Resolution 3, adopted by the Legislature of the State of West Virginia, relating to the importation of foreign commodities to the detriment of numerous small industries in West Virginia.

This is a question of concern, not only to my own State, but also to many other sections of the country. I ask unanimous consent that the concurrent resolution be printed in the RECORD.

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

To Whom It May Concern:

This is to certify that the following house concurrent resolution was regularly adopted by the Legislature of West Virginia on January 15, 1958:

"House Concurrent Resolution 3

"Resolution memorializing the Congress of the United States to take action so as to afford protection to certain small industries of West Virginia;

"Whereas West Virginia manufacturers of pottery, glass, ceramics, and clothespins, and numerous other small industries are competing constantly with imports of foreign commodities; and

"Whereas said foreign commodities, because of the low cost of foreign labor and the use of inferior material, are sold at such low prices that the aforesaid West Virginia manufacturers are unable to compete with them without some means of protection; and

"Whereas the import of said foreign commodities is presently permitted virtually without restriction and without protection to the aforesaid small industries; and

"Whereas the present influx of foreign commodities is causing irreparable damage to the aforesaid small industries and can only result in their eventually being driven out of business which would foster increased and widespread unemployment in West Virginia: Therefore be it

"Resolved by the house of delegates (the senate concurring therein), That the Congress of the United States is hereby requested to take immediate action to afford relief and protection to the aforesaid small industries of West Virginia, through regulation by tariffs and through such other means as are available to the Congress for the accomplishment of said end; and, be it further

"Resolved, That the secretary of state is hereby directed to forward attested copies of this concurrent resolution to the President of the United States Senate, the Speaker of the House of Representatives, and to each member of the West Virginia delegation in the Congress of the United States."

Given under my hand, this the 15th day of January 1958.

C. A. BLANKENSHIP,
Clerk, West Virginia House of Delegates.

EQUAL RIGHTS—RESOLUTION

Mr. JAVITS. Mr. President, I present a resolution adopted by the board of directors of the Business and Professional Women's Clubs of New York State, Inc., favoring an amendment to the Constitution, relating to equal rights. I ask unanimous consent that the resolution may be printed in the RECORD.

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

Whereas it has long been a stated policy of the National Federation of Business and Professional Women's Clubs, Inc., and of its component State federations to lend their efforts toward bringing about the enactment of an equal rights amendment to the Federal Constitution; and

Whereas such an amendment, titled "Senate Joint Resolution 80," was presented to the 1st session of the 85th Congress, subsequently received a favorable report from the Senate Judiciary Committee, and is now on the Senate Calendar to be called up for a vote, but has not yet been reported on by the House Judiciary Committee: Therefore be it

Resolved, That the board of directors of the Business and Professional Women's Clubs of New York State, Inc., assembled in Utica, N. Y., January 18, 1958, for its regularly scheduled semiannual meeting, reaffirm its approval of and support for this amendment, and express its sincere commendation to the sponsors of Senate Joint Resolution 80, and to the members of the Senate Judiciary Committee for their efforts in behalf of this legislation; be it further

Resolved, That said board of directors strongly urge the leaders of both Houses of Congress to lend their efforts toward the passage of this amendment, without qualifications, restrictions, or amendments; and be it further

Resolved, That copies of this resolution be sent to the sponsors of Senate Joint Resolution 80, to the chairmen of both Senate and House Judiciary Committees, to the majority and minority leaders of both Houses of Congress, and to the Senators and Representatives from New York State.

Presented by the State resolutions committee:

MILDRED E. HOOVER,
Chairman.
DOROTHY B. WELLS,
Vice Chairman.
LUCILLE BARRY.
EVELYN HARRINGTON.
MARY J. MULÉ.
LENA RUPPERT.
LENORE TRAVER.

Approved by board action at Utica, N. Y., January 18, 1958.

AMENDMENT OF IMMIGRATION LAWS—RESOLUTION

Mr. JAVITS. Mr. President, I present, for appropriate reference, a resolution adopted by the Federation of

Jewish Women's Organizations, Inc., of New York, N. Y., favoring the enactment of legislation to revise the immigration and nationality laws. I ask unanimous consent that the resolution may be printed in the RECORD.

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

FEDERATION OF JEWISH WOMEN'S ORGANIZATIONS, INC.,
New York, N. Y.

RESOLUTION ON IMMIGRATION

Whereas the provisions in the immigration laws continue to operate inequitably and the basic inadequacies remain unaltered; and

Whereas we fervently hope that our country will adhere to our tradition of granting asylum and giving hospitality to a just share of those unfortunate, despairing, homeless people who need a haven from oppression and who want their children to grow up in a freedom-loving country; and

Whereas the revision of this law will bring hope to thousands of refugees, expellees, escapees, and other homeless persons: Therefore be it

Resolved, That the Federation of Jewish Women's Organizations, in convention assembled on the 15th day of January 1958, urges its legislators to support vital changes in our immigration and nationality laws, to achieve the elimination of discriminatory quotas; provide a realistic, humane and flexible admission policy; and provide equal protection under the law to native born and naturalized citizens except where immigration or naturalization was secured through actual fraud: Therefore be it

Resolved, That copies of this resolution be sent to the proper Government authorities.

MRS. IDA COOK FARBER,
President.

SUPPORT PRICE ON MILK PRODUCTS—RESOLUTION

Mr. JAVITS. Mr. President, I present a resolution adopted by the Ellisburg local of the Dairymen's League, Ellisburg, N. Y., favoring the continuation of dairy price supports. I ask unanimous consent that the resolution be printed in the RECORD, and appropriately referred.

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

ELLISBURG LOCAL OF DAIRYMEN'S LEAGUE,
January 20, 1958.

Hon. JACOB K. JAVITS,
Senate Office Building,
Washington, D. C.:

Whereas the Secretary of Agriculture has announced plans to reduce the support price on milk products to 75 percent; and

Whereas no such announcement has been made for other farm products; and

Whereas the dairy interest is developing a self-help plan to relieve burdensome surpluses: Therefore be it

Resolved, That the Ellisburg local go on record as favoring the continuance of dairy supports at present levels until the dairy industry has time to put its self-help program in effect.

ROY BELLINGER.
HARRY EASTMAN.
KENNETH M. OTIS.
G. M. EASTMAN,
Secretary.

ELLISBURG, N. Y.

CONTROL OF ANIMAL DISEASES—RESOLUTIONS

Mr. THYE. Mr. President, during the first session of this Congress, I introduced Senate bill 2192, a comprehensive animal disease control bill, the purpose of which is to improve the joint livestock disease prevention, control, and eradication program. This bill serves the need for clarification and extension of the authority vested in the Department of Agriculture in its working relationship with the several States in the control of animal diseases. My proposal is now pending before the Committee on Agriculture and Forestry, and I ask unanimous consent that resolutions in support of S. 2192 adopted by the American National Cattlemen's Association and the National Association of State Departments of Agriculture be printed in the RECORD as part of my remarks and that they be referred to the Committee on Agriculture and Forestry for consideration.

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

EXCERPT OF MINUTES OF EXECUTIVE COMMITTEE MEETING, AUGUST 5 AND 6, 1957, OF NATIONAL ASSOCIATION OF COMMISSIONERS, SECRETARIES, AND DIRECTORS OF AGRICULTURE

The several States are responsible for the prevention, control, and eradication of livestock diseases at the State level. There is a close working relationship between the States and the United States Department of Agriculture. There is also need for clarification and extension of authority to be granted to the United States Department of Agriculture.

The executive committee of the National Association of Commissioners, Secretaries, and Directors of Agriculture, at its meeting held August 5, 1957, carefully reviewed Senate bill 2192 and believes its enactment would improve the joint livestock disease prevention, control, and eradication program: Therefore be it

Resolved by the executive committee of the National Association of State Commissioners, Secretaries, and Directors of Agriculture, That we recommend the passage of Senate bill 2192.

Motion carried unanimously.

GEORGE S. MCINTYRE,
Secretary.

RESOLUTION ADOPTED AT THE 61ST ANNUAL CONVENTION, AMERICAN NATIONAL CATTLEMEN'S ASSOCIATION, OKLAHOMA CITY, JANUARY 6–8, 1958—ACTION ON PENDING LEGISLATION BILL S. 2192 (THYE)

Whereas because of the enormous trade and travel with foreign countries where dangerous animal disease, not found in this country, abounds; and

Whereas the problem of rabies in livestock is a matter of increasing concern of livestock men because of danger of spread from wildlife: Be it

Resolved, That this association recommend enactment of bill S. 2192, which would give the Secretary of Agriculture authority to (1) protect against importation of foreign animal diseases, (2) take immediate action for the eradication of dangerous diseases, such as foot-and-mouth disease, in case of an extraordinary emergency, and (3) cooperate with the States in the control and eradication of communicable diseases such as rabies of livestock.

FEDERAL PROGRAMS FOR CONTROLLING STREAM POLLUTION—RESOLUTION

Mr. NEUBERGER. Mr. President, in December I received a copy of a resolution which has been adopted by the Common Council of the City of Ontario, Oreg. This resolution is an affirmation supporting the provisions of section 6 of Public Law 660, 84th Congress, by which "the Surgeon General is authorized to make grants to any State, municipality, or intermunicipal or interstate agency for the construction of necessary treatment works to prevent the discharge of untreated or inadequately treated sewage or other waste into any waters and for the purpose of reports, plans and specifications in connection therewith." The United States Chamber of Commerce and the National Association of Manufacturers oppose these grants, and now the President has yielded to this opinion and his recommendation, if followed, would substantially reduce the assistance contemplated when the President originally signed Public Law 660.

I am sure the members of the Ontario Council are just as strong advocates of self-reliance and local resourcefulness as are those who would eliminate Federal assistance for construction of sewage disposal plants and similar municipal projects. However, as the city fathers of Ontario, Oreg., are the ones at the point of need, they have the practical aspect of the problem to solve—actually providing the projects and facilities that residents of a community must have. As they have pointed out in their resolution, the Federal grants received by municipalities for assisting in the construction of sewage-disposal works further the public interest by reducing, if not eliminating, stream pollution. Controlling stream pollution is equally a matter of importance to all levels of government—municipal, county, State, and Federal.

Mr. President, I ask unanimous consent to have the excellent resolution of the Common Council of the City of Ontario, Oreg., printed in the RECORD.

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

On motion of Don Benson, city councilman, seconded by C. R. Van Patten, the following resolution was adopted, to wit:

"Whereas the Common Council of the City of Ontario, Malheur County, Oreg., a municipal corporation of approximately 4,700 persons, has learned of the efforts of the United States Chamber of Commerce and the National Association of Manufacturers to limit or do away with the Federal assistance and benefits to municipalities in financing sewage disposal works under the provisions of Public Law 660; and

"Whereas the said common council feels that said Public Law 660 is a good law which has been of great benefit, not only to cities in assisting with their sewage disposal problems, but also to the general public in controlling stream and river pollution, and that said law should not be restricted or done away with, and that the 10-year period contemplated by the law is an appropriate length of time, and that the Congress of the United States should implement said law by annual appropriations and should extend the benefits of said law rather than to restrict the same: Now, therefore, be it

"Resolved by the Common Council of the City of Ontario, That it be noted of record as supporting Public Law 660 and opposing any legislation which would restrict or eliminate any of the beneficial provisions of said law. That said common council is in favor of continued appropriations by the Congress of the United States to make possible further financial assistance to cities in the field of sewage disposal; be it further

"Resolved, That a certified copy of this resolution be sent by the city recorder to the Senators and Congressmen from the State of Oregon and to the various committees in the Congress of the United States before which any legislation may be considered with reference to sewage disposal or stream pollution."

Passed and adopted by the Common Council of the City of Ontario on the 2d day of December 1957.

Approved by the mayor of the city of Ontario this 2d day of December 1957.

EARL BOPP, *Mayor.*

Attest:

ELDON S. MILLS,
City Recorder.

RESOLUTIONS OF OREGON DIVISION OF IZAAK WALTON LEAGUE

Mr. NEUBERGER. Mr. President, many of the major achievements in conservation of natural resources in the State of Oregon are due to the leadership and foresight of the members of the Oregon division of the Izaak Walton League of America. This group was one of the first to undertake the Red Hat Day program as a means of calling attention to safe handling of firearms by hunters. The program of the Oregon division was eventually adopted on a national basis.

I cite this example of the work done by the Oregon Izaak Walton League members because it shows the effectiveness of their undertakings. The league has also played a leading role in establishing sound conservation policies. The official viewpoint of the Oregon league is developed at annual conventions where policy matters are thoroughly discussed and studied. As a result of these discussions the league is able to develop a surprising degree of unanimity on many of the complex problems connected with management and use of land, water, and wildlife resources. I support the league's present opposition to Nez Perce Dam.

Mr. President, I ask unanimous consent to have printed in the RECORD some of the resolutions adopted at the November 1957 convention of the Oregon division of the Izaak Walton League.

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

RESOLUTION OF OREGON DIVISION, IZAAK WALTON LEAGUE

KLAMATH INDIAN RESERVATION LAND DISPOSAL

Whereas the Congress of the United States has enacted Public Law 587 which provides for the termination of Federal control and supervision over the trust and restricted properties of the Klamath, Modoc, and Yahooskin Band of Indians; and

Whereas the Oregon division of the Izaak Walton League of America, Inc., is of the opinion that Public Law 587, dealing with the Klamath Indian Reservation, is so worded as to jeopardize orderly distribution and continued sustained-yield management as well as other factors of multiple use of these lands and waters despite the intent of Congress as expressed in Report No. 248 of the House Committee on Interior and Insular Affairs: Therefore be it

Resolved, That the Oregon division of the Izaak Walton League of America in convention assembled at Eugene, Oreg., this 30th day November 1957, recommends to the Congress of the United States that section 5 of Public Law 587 be amended to assure continued sustained-yield management and multiple use, including retention of the marshland as is for use of migratory waterfowl on the Pacific Flyway, for maximum public benefit of the lands and waters contained in the Klamath Forest property; be it further

Resolved, That the secretary of the Oregon division of the Izaak Walton League of America send copies of this resolution to the director of the Oregon Game Commission, the Secretary of the Interior, the Secretary of Agriculture, and to the members of the Oregon Congressional delegation.

NEZ PERCE DAM

Whereas certain interests advocate the construction of a dam in excess of 700 feet in height on the Snake River immediately below the mouth of the Salmon River, to be known as the Nez Perce Dam; and

Whereas other interests advocate the construction of a dam about 675 feet high on the Salmon River about one-half mile above the mouth, to be known as Lower Canyon Dam, and another dam on the Salmon River 660 feet high about 100 miles above the mouth, to be known as Crevice Dam; and

Whereas other interests advocate the construction of a dam about 580 feet high on the Grande Ronde River, a tributary of the Snake River in Washington State, to be known as Wenaha Dam; and

Whereas a significant portion of the salmon run of the Columbia River enters the Snake and spawn in the Salmon River in Idaho, and the Grande Ronde River also supports anadromous fish; and

Whereas dams of such heights across streams present an impassable block to anadromous fish, and there is no way at the present time of passing anadromous fish up and down stream by structures of such heights; and

Whereas the Federal Power Commission has authority to license power projects on the Snake River, the Salmon River and certain tributaries of both, and has indicated in the licensing of dams on the Cowlitz River in Washington State and in other ways that the commission will license projects in advance of the determination of ways of successfully passing anadromous fish up and down streams by high structures: Now, therefore, be it

Resolved by the Oregon division of the Izaak Walton League of America, in convention assembled at Eugene, Oreg., this 30th day of November 1957, That this convention express its opposition to authorization or licensing for construction of Nez Perce Dam on the Snake River, of Lower Canyon and Crevice Dams on the Salmon River, and of Wenaha Dam on the Grande Ronde River, unless it can be shown that the salmon runs entering the Salmon and Grande Ronde Rivers will not be injured, or that other structures in the Columbia and Snake Rivers have eliminated the runs of salmon entering the Salmon and Grande Ronde Rivers, or unless it can be shown that other methods can successfully sustain the volume of anadromous fish necessary to the commercial and sports fishery below the Salmon and Grande Ronde Rivers; and be it further

Resolved, That copies of this resolution be sent to the Federal Power Commission; the North Pacific division of the Corps of Engineers, United States Army; the Chief of Engineers, Corps of Engineers, Department of Defense; the Oregon Congressional delegation; the Washington State Congressional delegation; the Idaho Congressional delegation; the Oregon Water Resources Board; the Washington State Game and Fish Commissions; and to the Oregon Game and Fish Commissions; and be it further

Resolved, That the Oregon, Washington and Idaho State Congressional delegations are hereby requested to seek legislation that will defer authorization of any projects affecting the anadromous fish runs on the Salmon and Grande Ronde Rivers and will suspend the licensing authority of the Federal Power Commission over dams affecting the anadromous fish runs on the Salmon and Grande Ronde Rivers until it is shown that the volume of anadromous fish can be sustained either by passage past high dams or by other methods, or the anadromous fish runs have ceased due to other causes.

NATIONAL YOUTH CONSERVATION LEAGUE

Whereas in our country there are 52 million nonproductive acres of forest land as a result of fire, poor cutting practices, natural catastrophes and abandonment of land cleared for agriculture; and

Whereas there are additional millions of acres of watershed, range, and other lands upon which many types of conservation practices are needed to increase forage, wildlife and water production as well as to improve their value for recreational purposes; and

Whereas there is a vast storehouse of unused human energy in the form of teen-age boys suitable for employment in these productive, useful conservation tasks: Now therefore, be it

Resolved, That the Oregon division of the Izaak Walton League of America in convention assembled at Eugene, Oreg., this 30th day of November 1957, recommends to the Oregon Congressional delegation the enactment of appropriate legislation establishing a National Youth Conservation League for the employment of youths in tasks designed to improve and develop all the natural and human resources of the United States, its Territories and insular possessions; and be it further

Resolved, That the secretary of the Oregon division of the Izaak Walton League of America send copies of the resolution to the members of the Oregon delegation in Congress.

RECREATIONAL USES OF NATIONAL FORESTS

Whereas the recreational use of the national forests of the West continues to grow; and

Whereas the national forests are becoming increasingly important in the West from the standpoint of providing recreational facilities, including camping and hunting and fishing; and

Whereas there is a definite need for the repair and maintenance of existing recreational facilities and a growing need for additional camping and recreational areas: Now, therefore, be it

Resolved, That the Oregon division of the Izaak Walton League of America in convention assembled at Eugene, Oreg., this 30th day of November 1957 does hereby commend the Department of Agriculture and the Congress of the United States for their appropriation of over $7,500,000 for recreational needs on national forests; and be it further

Resolved, That the Oregon division urges the enactment of legislation which would assure sufficient moneys each year to maintain, carry on, and expand the recreational and wildlife habitat needs within the national forests; and be it further

Resolved, That the secretary of the Oregon division of the Izaak Walton League of America send copies of this resolution to the Secretary of Agriculture, the Oregon Congressional delegation, the chairman of the House

Committee on Appropriations, and the Senate Committee on Appropriations.

WENATCHEE RIVER DAM (WASHINGTON)

Whereas according to information and belief, the proposed Wenatchee River Dam, Washington, will be used to produce electrical energy for peaking purposes, and that there is no present need for such electric peaking plant; and

Whereas at the time of construction of the Grand Coulee Dam, it was found not feasible to provide fish passage facilities over the Grand Coulee Dam, which resulted in permanent destruction of large spawning areas above the Grand Coulee Dam; and

Whereas the Federal Government, acting through the United States Fish and Wildlife Service, in cooperation with the Department of Fisheries and Game of the State of Washington, transferred the fish runs from the Columbia River at Grand Coulee Dam to the Entiat, Wenatchee, Methow, and Okanogan Rivers, and that hatcheries were built at Leavenworth, on the Wenatchee River, and on the Entiat and Methow Rivers to supplement the runs in the area of the proposed Wenatchee project. That all of these fish conservation measures were done at the expense of the Federal Government to repair damage done to the Columbia River fishery by construction of the Grand Coulee Dam. That construction of the proposed Wenatchee project would severely damage or destroy this conservation program and that licensing of the proposed project would be in direct conflict with the previous intent of the Federal Government to maintain the affected area as a spawning and rearing area; and

Whereas the anadromous fish populations of the State of Washington constitute its second most valuable natural resource and source of natural food supply. That the fresh water spawning and rearing areas within the State which are suitable for the production and propagation of anadromous fish have been reduced to a critical point by past and current construction of dams and other factors, and that continued encroachment upon these natural spawning and rearing areas will endanger the commercial fishing industry and sports fishing in the State of Washington; and

Whereas the spawning and rearing areas upstream of the proposed dam are extremely important for the production of chinook salmon, sockeye salmon, and steelhead; that Lake Wenatchee, which is upstream of the proposed dam, is the major sockeye producer in the United States; that the dam as proposed by applicant will result in total destruction or serious impairment of approximately 20 miles of spawning area from the dam to the confluence of the Wenatchee River with the Columbia River and seriously impair or destroy all spawning and rearing areas upstream of the dam site; and

Whereas the area above the proposed project has steadily increased in production since the time of transplanting when Grand Coulee Dam was being constructed; that it is anticipated that the proposed means of handling upstream migrants submitted by applicant will result in nearly a total of the chinook run and as much as two-thirds loss of the sockeye run in this area; that no suitable means of transporting downstream migrants has been tested and found to be satisfactory; and that applicant has not proposed any known satisfactory means of transporting the downstream migrants past this dam; if no successful means of passing downstream migrants is provided, a 90-percent fatality of all downstream migrants passing through the proposed tunnel can be anticipated; and

Whereas the proposed dam is contemplated as peaking plant, which will result in large flows of water from the powerhouse to the confluence of the Wenatchee River with the Columbia River, alternating with a drastic reduction in flow of water; that this extreme peaking condition will result in a mortality of eggs in the spawning area from the powerhouse to the mouth of the Wenatchee River and in entrapment of spawning and rearing salmon: Now, therefore, be it

Resolved, That in view of the foregoing, the Oregon division of the Izaak Walton League of America, in convention assembled at Eugene, Oreg., this 30th day of November 1957, finds that the proposed project is not in the public interest in that any anticipated benefits from the building of this peaking plant will be far outweighed by damage to the natural resources of the State of Washington, and that the State division is opposed to the project; and be it further

Resolved, That the Federal Power Commission be so advised.

SALMON RIVER WITHDRAWAL

Whereas the Oregon division of the Izaak Walton League of America is vitally interested in the proper protection, utilization, and conservation of our natural resources; and

Whereas the chinook salmon and steelhead trout resource of the Pacific Northwest forms one of our principal recreational and commercial sources of natural foods and economic wealth; and

Whereas more than 50 percent of the spring chinook in the Columbia River system spawn within the proposed withdrawal area; and

Whereas the commercial fishery and the sport fishery of the Pacific Northwest are vitally dependent upon the protection of the salmon and trout spawning, incubation, and rearing areas in the Columbia Basin and other regional stream systems; and

Whereas considerable sums of money have already been expended in protecting and assisting the anadromous fish runs at various dams and water-development projects; and

Whereas the perpetuation of our fishery resources in the Pacific Northwest must be maintained at their highest sustained yield of productivity: Now, therefore, be it

Resolved by the Oregon division of the Izaak Walton League of America in convention assembled at Eugene, Oreg., this 30th day of November 1957, Do find that the request by the United States Fish and Wildlife Service for the withdrawal of some 31,000 acres of land in the upper reaches of the Salmon River area in Idaho is in the public interest and should be granted in behalf of protection for the anadromous fish runs of the Columbia River; and be it further

Resolved, That copies of this resolution be furnished to the United States Fish and Wildlife Service, the Secretary of Interior, the Secretary of Agriculture, and the members of the Oregon Congressional delegation.

AMENDMENT OF COORDINATION ACT

Whereas the Coordination Act of 1946 (Public Law 732) provides for the evaluation of effects of planned water development projects upon fish and wildlife resources and public recreation; and

Whereas, opportunities to enhance wildlife and recreational values or mitigate losses thereof are not adequately practiced by constructing agencies for want of authority or directive, and

Whereas, the many public and private water development projects in the northwest are seriously jeopardizing fish and wildlife resources and recreational values: Now, therefore, be it

Resolved by the Oregon division of the Izaak Walton League of America in convention assembled at Eugene, Oreg., this 30th day of November 1957, That the Congress of the United States amend the Coordination Act in a manner that will assure protection of wildlife and recreational values affected by water development projects; and be it further

Resolved, That copies of this resolution be furnished to the Oregon Water Resources Board, the Secretary of Agriculture and the members of the Oregon Congressional delegation.

KLAMATH BASIN WATERFOWL REFUGE

Whereas the present status of public lands within the lower Klamath and Tule Lake National Wildlife Refuges is insecure, and

Whereas this lack of security precludes maximum development and utilization of the wildlife and recreational potentials of said lands, and

Whereas the Oregon division of the Izaak Walton League and other conservation organizations have repeatedly urged the Secretary of Interior to secure those values by delegating responsibility for the development and administration of those lands to the United States Fish and Wildlife Service and permanently withdrawing them from entry, and

Whereas the Secretary of Interior has caused thorough studies of the Klamath Basin to be made and has that information available as a basis for a decision: Now, therefore, be it

Resolved, That the Oregon division of the Izaak Walton League of America in convention at Eugene, Oreg., this 30th day of November 1957, respectively urges the Secretary of Interior to render a decision without further delay that will fully meet the requirement of the Pacific Flyway waterfowl resource as it currently uses the Klamath Basin and provide security for future development and use of the wildlife and recreational potentials of the public lands in the Klamath Basin; and be it further

Resolved, That copies of this resolution be furnished to the regional director of the Fish and Wildlife Service in Portland, Oreg., the State game commission, and the Secretary of Interior.

MAINTENANCE OF FISH STRUCTURES ON COLUMBIA RIVER DAMS

Whereas the United States Government, through the Bureau of Reclamation and Corps of Engineers, has constructed more than 40 dams on the Columbia River watershed; and

Whereas an agreement has been entered into between the United States and the several States concerned in the Columbia Basin regarding the construction of fishways, salmon hatcheries, and other facilities to provide for the passage of fish, resulting in the completion of many of these projects and the planning of others; and

Whereas the maintenance of these structures will result in a continuing cost that has not been provided for in the original agreement; and

Whereas the several States concerned, through their legislatures, have petitioned the President and Congress of the United States to recognize the permanent maintenance of these structures as a Federal responsibility: Now, therefore, be it

Resolved, That the Oregon division of the Izaak Walton League of America in convention assembled at Eugene, Oreg., this 30th day of November 1957, does hereby urge the Congress of the United States to recognize the permanent maintenance and operation of these facilities as Federal responsibility and to appropriate moneys for their continued operation and maintenance on a permanent basis; and be it further

Resolved, That copies of this resolution be furnished to the Secretary of the Interior and to the Idaho Congressional delegation.

BILLBOARDS

Whereas the new Federal freeway program brings into focus a highway hazard and nuisance which has long vexed the American public—namely billboards along our highways. The motorists whose gas taxes pay for these highways are entitled to protection from the annoyance, exploitation, and hazard from this form of advertising. Permitting them to be made a captive audience is contrary to the principles of free American democracy. Billboards frequently obstruct and disfigure the view of our fair land, and

deprive the motorist of his right to an unobstructed view of the natural scene; and

Whereas action should be taken at once before billboards are erected on new freeways. It will never again be as easy to protect our freeways and the motoring public from this growing nuisance as it is now. Legislators should not be deceived by the persuasive propaganda of high-priced lobbyists interested only in exploiting the rich gold mine presented gratis to the billboard industry, unless Congress and motorists whose money builds the freeways gives the protection to which they are entitled: Now, therefore, be it

Resolved by the Oregon division of the Izaak Walton League of America in convention assembled at Eugene, Oreg., this 30th day of November 1957, That it urge Congress to keep all freeways in the Nation free of billboards of every kind. (Save only signs necessary for roadside business, and these to be within 1 mile of the entrance of such business and to conform to standard highway sign pattern and size): Now, therefore, be it further

Resolved, That copies of this resolution be furnished to the Chief of the Bureau of Public Roads and to the members of the Oregon delegation in Congress.

STANLEY JEWETT

Whereas the Oregon division of the Izaak Walton League of America has in the past honored some of its outstanding deceased members; and

Whereas the late Stanley Jewett was not only a longstanding and loyal member of the Izaak Walton League but one of the recognized authorities in conservation work and many of the bounties that we enjoy today are the result of Stanley Jewett's dedicated work of the past: Now, therefore, be it

Resolved by the Oregon division of the Izaak Walton League of America in convention assembled at Eugene, Oreg., this 30th day of November 1957, That funds be appropriated sufficient to provide a suitable plaque in memory of the greatest contributions made to our organization and to wildlife resources in general by the late Stanley Jewett, and that said plaque be erected and dedicated by the Oregon division at a suitable and proper place, preferably in the wildlife refuge.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SALTONSTALL, from the Committee on Armed Services, without amendment:

H. R. 5809. An act to authorize construction of a United States Ship Arizona Memorial at Pearl Harbor (Rept. No. 1229).

By Mr. BUSH, from the Committee on Armed Services, without amendment:

H. R. 6078. An act to provide for the erection of suitable markers at Fort Myer, Va., to commemorate the first flight of an airplane on an Army installation, and for other purposes (Rept. No. 1228).

By Mr. STENNIS, from the Committee on Armed Services, with amendments:

H. R. 9739. An act to authorize the Secretary of the Air Force to establish and develop certain installations for the national security, and to confer certain authority on the Secretary of Defense, and for other purposes (Rept. No. 1231).

REPORT ENTITLED "GROWTH AND EXPANSION OF THE DISTRICT OF COLUMBIA AND ITS METROPOLITAN AREA" (S. REPT. NO. 1230)

Mr. BIBLE. Mr. President, pursuant to House Concurrent Resolution 172, 85th Congress, from the Joint Committee on Washington Metropolitan Problems, I submit a report entitled "Growth and Expansion of the District of Columbia and Its Metropolitan Area." I ask unanimous consent that the report be printed, with illustrations.

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

BILLS AND JOINT RESOLUTION INTRODUCED

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

By Mr. SMITH of New Jersey (for himself, Mr. ALLOTT, Mr. BUSH, Mr. CASE of New Jersey, Mr. COOPER, Mr. IVES, Mr. PAYNE, and Mr. PURTELL):

S. 3163. A bill to encourage and assist in the expansion and improvement of educational programs to meet critical national needs through the early identification of student aptitudes, strengthening and counseling and guidance services in public high schools, provision of scholarships for able students needing assistance to continue their education beyond high school; strengthening of science and mathematics instruction in the public schools; expansion of graduate programs in colleges and universities, including fellowships; improvement and expansion of modern foreign language teaching; improving State educational records and statistics; and for other purposes; to the Committee on Labor and Public Welfare.

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

By Mr. PROXMIRE:

S. 3164. A bill to amend the public assistance provisions of the Social Security Act to provide that a bona fide resident of a State may not be denied assistance under the applicable State plan solely because of his failure to complete a minimum period of residence in such State; to the Committee on Finance.

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

By Mr. PASTORE (by request):

S. 3165. A bill to amend the Atomic Energy Act of 1954, as amended; to the Joint Committee on Atomic Energy.

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

By Mr. JAVITS (for himself and Mr. IVES):

S. 3166. A bill to provide for exclusion from the mails of mail violating certain State laws dealing with improper solicitations of contributions by charitable organizations and to forbid the payment of money orders therefor; to the Committee on Post Office and Civil Service.

S. 3167. A bill providing for the Surgeon General of the United States to establish a hospital in the State of New York especially equipped for the treatment of persons addicted to the use of habit-forming drugs; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. JAVITS when he introduced the above bills, which appear under separate headings.)

By Mr. KEFAUVER:

S. 3168. A bill for the relief of John Haskell Chesshir; to the Committee on the Judiciary.

By Mr. EASTLAND:

S. 3169. A bill to amend section 552 of title 28 of the United States Code, as amended, relating to the salaries of United States marshals; to the Committee on the Judiciary.

By Mr. THYE:

S. 3170. A bill for the relief of Paul Christian Davidson and Timothy John Davidson; and

S. 3171. A bill to amend the Immigration and Nationality Act so as to permit certain adopted children to be naturalized without complying with the residence and physical presence requirements of such act; to the Committee on the Judiciary.

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

By Mr. KENNEDY:

S. 3172. A bill for the relief of Ryfka Bergmann;

S. 3173. A bill for the relief of Frisco Di Flumeri;

S. 3174. A bill for the relief of Ilva Ghiloni;

S. 3175. A bill for the relief of Giuseppina Fazio; and

S. 3176. A bill for the relief of Teofilo M. Palaganas; to the Committee on the Judiciary.

By Mr. BEALL:

S. 3177. A bill authorizing the modification of the Crisfield Harbor, Md., project in the interest of navigation; to the Committee on Public Works.

By Mr. DOUGLAS:

S. 3178. A bill for the relief of Johann Baptist Krebs; to the Committee on the Judiciary.

By Mr. KENNEDY:

S. 3179. A bill to authorize Federal assistance to the States and local communities in financing an expanded program of school construction so as to eliminate the national shortage of classrooms; to the Committee on Labor and Public Welfare.

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

By Mr. KEFAUVER:

S. 3180. A bill to establish a United States Department of Science and to prescribe the functions thereof; to the Committee on Government Operations.

By Mr. EASTLAND (for himself, Mr. STENNIS, Mr. SPARKMAN, and Mr. WILEY):

S. J. Res. 147. Joint resolution to designate the first day of May of each year as Loyalty Day; to the Committee on the Judiciary.

IMPLEMENTATION OF THE PRESIDENT'S EDUCATION PROPOSALS

Mr. SMITH of New Jersey. Mr. President, on behalf of myself, the Senator from Colorado [Mr. ALLOTT], the Senator from Connecticut [Mr. BUSH], the Senator from New Jersey [Mr. CASE], the Senator from Kentucky [Mr. COOPER], the Senator from New York [Mr. IVES], the Senator from Maine [Mr. PAYNE], and the Senator from Connecticut [Mr. PURTELL], I introduce, for appropriate reference, a bill implementing the education proposals made by President Eisenhower in his special message of yesterday.

This is one of the most important pieces of proposed legislation to come before the Congress at this session. The time has now come to remedy certain deficiencies in education which can no longer be ignored without seriously jeopardizing our national security. Prompt action must be taken if the schools are to provide the Nation with the technical, intellectual, and moral resources needed to meet the Communist challenge in the years ahead.

The President's program is a sound, realistic plan for action. It would mobilize our national brainpower more effectively, stimulate more talented students to become scientists, and alleviate the critical shortage of college teachers and language experts.

These steps are clearly in the interest of national security, and it is my hope that the bill carrying out the President's program will receive strong bipartisan support. For this reason, I ask unanimous consent that the bill be permitted to lie at the desk through Monday of next week, in order that other Senators may have an opportunity to join in sponsoring it.

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

Mr. SMITH of New Jersey. Mr. President, it is not my purpose here to give a detailed description of the bill. Instead, I wish to call attention to a thorough analysis which has been prepared by the Department of Health, Education, and Welfare; and I ask unanimous consent that the analysis be printed in the RECORD, at the conclusion of these remarks.

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

SUMMARY OF EDUCATION PROPOSALS

The bill, entitled the "Educational Development Act of 1958," is divided into five titles.

Title I would provide assistance to the States in the early discovery of student aptitudes and the maximum development of these aptitudes during high school through improved counseling and guidance services. It would also provide an incentive to able students in need of financial assistance therefor to continue their education at institutions of higher education through provision of a limited number of undergraduate scholarships.

Title II would provide assistance to State educational agencies to strengthen their supervisory, teacher-training, and related activities in support of science or mathematics instruction in public elementary or secondary schools. It would also provide, through grants to the States, assistance to local educational agencies to expand and improve science or mathematics instruction in their public secondary schools.

Title III would authorize assistance in the expansion and improvement of the teaching of modern foreign languages through arrangements with institutions of higher education to establish institutes for advanced training of foreign language teachers and through assistance to institutions of higher education to establish centers for teaching rare foreign languages.

Title IV would provide assistance to institutions of higher education for the establishment of new programs of graduate education and for expansion of existing programs, including fellowships, with preference for individuals interested in teaching at institutions of higher education.

Title V contains definitions and other general provisions. It would also authorize grants to assist State educational agencies in improving and strengthening State educational statistics and information.

The programs authorized by the bill would be for a period of 4 years beginning July 1, 1958, except that scholarships awarded under title I and graduate fellowships awarded pursuant to title IV during the 4-year period would continue beyond that period to permit completion of the undergraduate or graduate training.

The programs authorized by the bill would be applicable to the 48 States, the District of Columbia, Alaska, Hawaii, Puerto Rico, Guam, and the Virgin Islands.

The bill would be administered at the Federal level by the Commissioner of Education.

TITLE I—IDENTIFICATION OF APTITUDES AND ENCOURAGEMENT OF ABLE STUDENTS

Part A—Testing and counseling and guidance

Allotments

The appropriations for each of the 4 years of this program would be allotted among the States in two ways:

1. Each State would first be allotted an amount equal to $1.25 multiplied by the total enrollment in grades 9 to 12, inclusive, in public and private nonprofit schools in the State.

2. The balance of the appropriation each year would be allotted among the States on the basis of their relative public school enrollments in grades 9 to 12, inclusive, but with a minimum of $5,000.

Matching and Expenditures Covered

A State's allotment for each year would be available for paying one-half of the expenditures (under the State's approved plan) for—

(a) Testing of students in public or private nonprofit elementary or secondary schools and maintenance of cumulative test and other pertinent educational progress records for public-school students.

(b) Salaries of additional supervisors of counseling and guidance personnel and salaries of additional counseling and guidance personnel, and training of counseling and guidance personnel and of teachers who engage part time in counseling and guidance work (including those who are preparing for employment in counseling and guidance).

Payment of salaries under item (b) above would be available only for personnel who are engaged exclusively or primarily in counseling and guidance of students in public secondary schools (and their supervisors) and who are fully certified for such work by the State.

State Administration

The administration of this program in the States would be by the State educational agencies under plans approved by the Commissioner. However, in any State in which the State educational agency could not lawfully make payments to cover the cost of testing in private schools, the Commissioner would reserve from the State's allotment an amount equal to $1.25 multiplied by the enrollments in such private schools in grades 9 to 12, inclusive. The amount reserved would be available for payment of one-half of the expenditures incurred under arrangements made by the Commissioner for testing of the students in the private schools, up to a maximum Federal payment of $1.25 multiplied by the number of students enrolled in such private schools in such grades.

A State plan for testing and for counseling and guidance of high school students would be approved by the Commissioner if it met certain conditions set forth in the bill. One of these is provision for administration of the plan by the State educational agency. Also, a State must have some programs for the testing of students, for the maintenance of testing and other student records, and for strengthening counseling and guidance of students; and these are to be set forth in the State plan, along with the methods of doing the testing, maintaining the records, and strengthening the counseling and guidance. The testing program so included must provide for testing during each year of at least all students in grade 9 or all students in a lower grade and all students in grade 11 or all students in grade 12. The plan also must set forth the minimum qualifications for counseling and guidance personnel. Finally the plan would have to include provision for adequate accounting, budgeting, and other fiscal methods and procedures and for the making of necessary reports to the Commissioner.

Counseling and Guidance Training Institutes

The Commissioner would be authorized to make grants to or contracts with institutions of higher education for operation by them of short term and regular training institutes to improve the qualifications for counseling and guidance work of personnel in the public or other nonprofit secondary schools engaged in such work (full time or part time). Personnel attending such institutions would receive stipends, including allowances for their dependents and for travel to and from their places of residence.

Appropriations

While no specific sum is authorized to be appropriated, the order of magnitude of program costs which the Department believes to be necessary is reflected in the cost table accompanying this submission and goes from an estimate of $17,275,000 in the first year to $26,300,000 in the fourth year.

Part B—Undergraduate scholarships

Appropriation Ceilings

The appropriations for carrying out this program would be limited to $7,500,000 for the fiscal year ending June 30, 1959, $15 million for the next fiscal year, $22,500,000 for the third year, and $30 million for the fourth year.

For the fifth, sixth, and seventh years appropriations would be authorized to cover the cost of scholarships to enable recipients selected during one of the first 4 years to complete their course of study.

Allotments

The appropriations for the first fiscal year of the program would be allotted among the States on the basis of their relative numbers of public or private nonprofit high school graduates.

For the next 3 years the Commissioner would first allot funds among the States for continuing payments to scholarship recipients during the preceding year. The remainder of the appropriations would be allotted among the States on the same basis as is provided for the first fiscal year of the program.

The appropriations for each of the last 3 years of the program would be allotted among the States for continuing payments to scholarship recipients during the preceding year.

State Administration

A State desiring to participate in the scholarship program could do so by establishing a State commission on Federal scholarships (or designating an existing agency to serve as its commission) and submitting a State plan complying with the requirements described below.

The selection of individuals for scholarships under this program would be made by State commissions on Federal scholarships in accordance with the approved State plans.

In connection with his review and approval of a State plan, the Commissioner would provide technical assistance and advice to promote effective coordination between a State's scholarship program and its testing and counseling and guidance programs.

The Commissioner would approve, for purposes of participation in the scholarship program, any State plan which—

(a) Provides for administration by the State commission;

(b) Provides for selection of scholarship recipients and determination of the amount

of scholarships in accordance with standards, procedures, and criteria, established by the State commission and found by the Commissioner to provide reasonable assurance of selection on the basis of ability to pursue a college course of study successfully, but with preference being given to those with good preparation in or high aptitude for mathematics or science, as well as reasonable assurance that only individuals in need of financial assistance to continue their education at institutions of higher education will be selected, that the amount of the scholarship for those selected will be based on financial need, that the maximum scholarship allowable under the plan will be $1,000, and that reasonable opportunity for selection will be afforded eligible applicants in foreign countries. The existence and extent of an applicant's need for financial assistance would be determined without regard to the expenses of attendance at the college chosen by him.

A State's plan would also have to provide for certification of new recipients and of the continued need of individuals previously selected from that State, for adequate accounting, budgeting, and other fiscal methods and procedures, and for making necessary reports to the Commissioner.

Federal funds to pay one-half the necessary cost of administration of the State plans approved under this part of the bill would be authorized.

Eligiblity for and Award of Scholarships

An individual would be eligible to apply for a scholarship in any State if (a) he is living in the State (or, if not living in any of the States is domiciled in such State), and (b) he has a certificate of graduation from a secondary school meeting State requirements or has attained an equivalent level of educational advancement.

The Commissioner would, within a State's allotment available for the purpose, award scholarships to individuals certified to him by the State commission. Applicants who were rated, on the basis of ability, above the last applicant receiving a scholarship and who failed to receive one solely because of lack of financial need would be awarded appropriate certificates by the Commissioner.

Duration of Scholarships

A scholarship awarded under this program would be for the period necessary to complete the recipient's work for his first bachelor's degree. No scholarship, however, could extend for more than 4 academic years.

Continued eligibility of an individual awarded a scholarship would depend on his continued financial need, determined annually by the State commission, and his continued full-time enrollment at an institution of higher education and maintenance of satisfactory standing there, although certain absences for vacations, military service, or other good and sufficient reasons would not disqualify him.

Courses of Study Covered

Scholarships awarded under this program could be for any course of study leading to an undergraduate degree at any institution of higher education, selected by the recipient in any of the States or in a foreign country. Institutions of higher education in a foreign country would, however, have to be approved by the Commissioner.

Adjustment for Other Federal Educational Assistance

The Commissioner would, by regulations prescribed after consultation with the other Federal agencies concerned, provide for adjustment (including complete withholding where appropriate) of scholarship payments to avoid duplication of educational assistance available under programs administered by such other Federal agencies.

TITLE II—GRANTS TO STATES FOR STRENGTHENING SCIENCE OR MATHEMATICS INSTRUCTION IN PUBLIC SCHOOLS

Part A—Strengthening supervisory, teacher-training, and related activities of State educational agencies

Appropriation Ceilings

Appropriations authorized to carry out the purposes of this part would be limited to $15 million annually for the fiscal year ending June 30, 1959, and the 3 succeeding fiscal years.

Allotments

Allotments of the appropriations among the States would be based on their relative public school enrollments in grades 1 to 12, inclusive, but with a minimum of $5,000.

Matching and Expenditures Covered

A State's allotment would be available for paying one-half of the expenditures under expansion and improvement programs (included in the approved State plan) and one-half of the necessary cost of administration of the State's approved plan.

State Plans

The Commissioner would approve, for purposes of this title, any State plan which—

(a) provides for administration by the State educational agency;

(b) sets forth the expansion and improvement programs to be carried out under the State plan. These programs must include programs for expansion or improvement of (i) supervision by the State agency of public school science or mathematics instruction, (ii) studies and demonstrations to modernize public school science or mathematics curricula, instructional materials, and equipment, and (iii) preservice undergraduate teacher-training and training to improve qualifications of science or mathematics teachers. The State may also include programs for expansion or improvement of other activities of the State agency in support of science or mathematics instruction in public schools.

The State plan must also show the methods for carrying out programs under it and provide for adequate accounting, budgeting, and other fiscal procedures and for the making of necessary reports to the Commissioner.

In the case of existing programs carried on by a State educational agency only the portion of the program which the Commissioner of Education finds is an addition to or an expansion of that program will be deemed to be an "expansion or improvement program" that may be included under the State plan.

Part B—Strengthening science or mathematics instruction in public secondary schools

Appropriation Ceilings

The amounts authorized to be appropriated for purposes of this part (for grants to States to assist local educational agencies to expand and improve science or mathematics instruction in public secondary schools), would be limited to $150 million annually for the fiscal years ending June 30, 1959, and the 3 succeeding fiscal years.

Allotments

The appropriations for each fiscal year would be allotted among the States on the basis of their relative public school enrollments in grades 9 to 12, inclusive.

Matching and Expenditures Covered

The State's allotment would be available for paying one-half of the expenditures under local educational agency programs approved by the State agency under its approved State plan.

Federal payments under this part, however, could be made with respect to local educational agency programs in any State only if the State has a plar approved under part A of this title of the bill and such plan—

(a) Sets forth minimum qualifications for science or mathematics teachers which are required to be met by teachers whose compensation is paid or increased under such a local educational agency program;

(b) Sets forth criteria, standards, and procedures to be followed by the State educational agency in approving programs of local educational agencies. Such programs may be for (i) employment of additional qualified science or mathematics teachers, (ii) increasing the rate of pay of science or mathematics teachers or increasing the amount of their pay to reflect additional work (increases pursuant to laws passed prior to July 1, 1958, would not be counted), (iii) science or mathematics laboratory and related special equipment and minor remodeling of space used for such equipment, or (iv) expanding or improving science or mathematics teaching in public secondary schools through any activities or expenditures not involving the salaries of science or mathematics teachers, the provision of equipment, or capital outlay. Only that portion of an existing program which the State educational agency finds is an addition to or an expansion of such program could be considered a program for "expanding or improving science or mathematics teaching in public secondary schools."

Science or mathematics teachers whose compensation could be paid or increased under programs approved by the State educational agency for purposes of this part would be only those engaged exclusively or principally in teaching science in public secondary schools or in supervising such teachers in public elementary or secondary schools. Secondary schools, for purposes of this program, would not include any education beyond grade 12.

TITLE III—FOREIGN LANGUAGE DEVELOPMENT

Foreign Language Institutes

The Commissioner of Education would be authorized to arrange for the establishment and operation by institutions of higher education of short-term and regular-session institutes for modern foreign language teachers, supervisors, and teacher-trainers, who are in service or preparing for service in public or private nonprofit elementary or secondary schools or institutions of higher education. The institutes would provide advanced training, with special emphasis on the use of new teaching methods and instructional materials.

The Commissioner could also pay stipends, including allowances for dependents and travel, to individuals attending any such institute.

Foreign Language Centers

The Commissioner of Education would also be authorized to make grants to or contracts with institutions of higher education covering one-half of the cost of establishment and operation by them of centers for teaching rare foreign languages—foreign languages which are needed by Government, business, or industry, or education and for which adequate instruction is not readily available.

The Commissioner would also be authorized to pay stipends, including allowances for dependents and for travel, to persons taking advanced training, at short-term or regular sessions of domestic or foreign institutions of higher education, in a foreign language needed by Government, business, or industry, or education, but only upon reasonable assurance that the recipients will be available for employment for teaching a foreign language at an institution of higher education.

Research and Studies

The Commissioner of Education would be authorized, directly or by contract, to study the need for increased or improved foreign language training, conduct research on more effective foreign language teaching methods,

and develop specialized foreign language teaching methods.

Advisory Committee

The Commissioner of Education would be authorized, with the approval of the Secretary of Health, Education, and Welfare, to appoint a twelve-member National Advisory Committee on Foreign Languages to advise on matters of policy or general administration under the title.

Duration

As in the case of the other programs authorized by the bill, the programs under this title would be authorized for the 4-year period ending June 30, 1962.

Appropriations

While no specific sum is authorized to be appropriated, the order of magnitude of program costs which the Department believes to be necessary is reflected in the cost table accompanying this submission and goes from an estimate of $1,284,000 in the first year to $2,514,900 in the fourth year.

TITLE IV—EXPANSION OF GRADUATE EDUCATION

Eligible Programs

Grants would be authorized to institutions of higher education with respect to programs of graduate education which require for admission a bachelor's, master's, or professional degree, and which lead to a Ph. D. or equivalent degree.

Amount of Payments

The annual grant to an institution could not exceed 50 percent of the costs of expanding old or instituting new graduate programs, including additional or increased faculty salaries, and other costs (including overhead and equipment) attributable to establishing new programs or expanding existing programs, although an institution could, instead of receiving such grants, elect to receive not to exceed $500 per fellow awarded a fellowship pursuant to this title of the bill. The payments for these costs for new or expanded programs to any institution for any fiscal year could not, however, exceed $125,000; nor could they (or the alternative grants of $500 per fellow) be made for any period after June 30, 1962.

Grants to institutions under this title would also be available for costs of fellowships for students enrolled in new graduate programs or whose enrollment in a graduate program constitutes an increase in enrollment.

Fellowships

Fellowships paid for from grants to institutions under this title would be awarded by the institutions under approved criteria providing a preference for individuals interested in teaching in institutions of higher education. The amount of the fellowships would be set in accordance with regulations.

A fellowship would be for the length of time required to complete the graduate course of study involved, but with a limit of 3 academic years.

Advisory Committee

The Commissioner of Education would be authorized, with the approval of the Secretary of Health, Education, and Welfare, to appoint a 12-member National Advisory Committee on Graduate Education to advise on matters of policy or general administration under the title.

Duration

As in the case of other programs under the bill, a 4-year program would be authorized by this title although fellowships awarded during the 4 years could extend to June 30, 1964 (subject to the 3-academic-year limitation).

Appropriations

While no specific sum is authorized to be appropriated, the order of magnitude of program costs which the Department believes to be necessary is reflected in the cost table accompanying this submission and goes from an estimate of $7,800,000 in the first year to $21,600,000 in the fourth year.

TITLE V—GENERAL PROVISIONS

Improvement of Statistical Services of State Educational Agencies

The Commissioner of Education would be authorized to make grants covering one-half of the cost of State educational agency programs to improve and strengthen the adequacy and reliability of State and local educational statistical data and the methods and techniques for collecting and processing such data and disseminating information about the condition and progress of education in the State.[1]

The total of the payments to any State for these purposes for any fiscal year would be limited to $50,000.

These grants could be made to the States only for new programs or additions to or expansions of existing programs.

Withholding of Funds and Judicial Review

Notice and opportunity for hearing would be required before grants to a State could be withheld under title I or title II of the bill for failure to comply with the required provisions of approved State plans under those titles. Any State dissatisfied with such withholding action could obtain judicial review thereof in the Federal circuit court of appeals.

Cooperation Between Federal Agencies

Provision has also been included in the bill for consultation and cooperation with other Federal agencies having educational programs, with a view to better interchange of information and development of policies and procedures which will strengthen the programs and objectives of the educational institutions involved. In addition, the existing authority of other Federal agencies would be preserved, but they would be directed to exercise their existing functions in a manner which will assist in carrying out the bill's objectives.

Exemption From Conflict-of-Interest Laws of Members of Advisory Committees

The bill would exempt any member of the two advisory committees provided for under the bill (titles III and IV) from operation of the conflict-of-interest laws, except for prohibition against participation, within 2 years after his appointment ends, in prosecution of any claim against the United States on any matter with which he had any responsibility as such a member.

Additional Professional Positions

Ten additional positions in grades 16, 17, and 18 would be authorized.

Studies and Technical Assistance

The Commissioner of Education would be authorized to make studies and reports, disseminate information, and render technical assistance to States and public or other nonprofit organizations and institutions in matters related to the purposes of the bill.

Definitions

Definitions of a number of terms used in the bill are included. These terms are Commissioner, State, State educational agency, local educational agency, institution of higher education, the number of individuals enrolled in grades or schools, elementary school, secondary school, nonprofit, and public school.

Miscellaneous

The Commissioner of Education would also be authorized to utilize (and pay for) the services or facilities of other Federal or non-Federal agencies and institutions and to delegate any of his functions under the bill (except making regulations) to any officer or employee of the Office of Education.

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

The bill (S. 3163) to encourage and assist in the expansion and improvement of educational programs to meet critical national needs through the early identification of student aptitudes, strengthening of counseling and guidance services in public high schools, provision of scholarships for able students needing assistance to continue their education beyond high school; strengthening of science and mathematics instruction in the public schools; expansion of graduate programs in colleges and universities, including fellowships; improvement and expansion of modern foreign language teaching; improving State educational records and statistics; and for other purposes, introduced by Mr. SMITH of New Jersey (for himself, Mr. ALLOTT, Mr. BUSH, Mr. CASE of New Jersey, Mr. COOPER, Mr. IVES, Mr. PAYNE, and Mr. PURTELL), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. SALTONSTALL subsequently said: Mr. President, I am sorry I was not present in the Chamber when the Senator from New Jersey [Mr. SMITH] made his remarks upon introducing the bill relating to education. I ask that these very brief remarks be printed after his remarks in the RECORD.

The VICE PRESIDENT. Is there objection to the request of the Senator from Massachusetts? Without objection, it is so ordered.

Mr. SALTONSTALL. I simply wish to commend the Senator for introducing the bill relating to education. I hope the bill will have the very careful consideration of the present Congress. I understand the bill is not necessarily in final form and that amendments or suggestions for improvement can be made at any time.

I make these remarks because I have sat through long hearings on military preparedness, under the chairmanship of our able majority leader, during the months of December and January. Many, many witnesses who testified emphasized the necessity for increased opportunities for our young people in this country to obtain a better scientific education, a better mathematical education, and a better education in physics. They stressed the point that our security in the days to come will depend upon our obtaining a greater number of people educated in the sciences. I understand that is the purpose of the Senator's bill. I am glad he has introduced it. I hope it may be favorably acted upon in some form before Congress adjourns.

Mr. SMITH of New Jersey. Mr. President, I thank the Senator from Massachusetts for his words in support of the proposed legislation which I have introduced, in the light of the President's message on the subject of education yesterday.

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[1] While no specific sum is authorized to be appropriated, the order of magnitude of program costs which the Department believes to be necessary is reflected in the cost table accompanying this submission and goes from an estimate of $1 million in the first year, to $2 million in the fourth year.

ABOLISHMENT OF STATE RESIDENCY REQUIREMENTS AS A CONDITION FOR THE RECEIPT OF FEDERALLY SUPPORTED PUBLIC ASSISTANCE PAYMENTS

Mr. PROXMIRE. Mr. President, I introduce, for appropriate reference, a bill to put a stop to State requirements as to residency as a condition of extending federally supported public assistance payments to persons who have newly taken up residence in any State. Such requirements, Mr. President, have proved to be a literal death sentence in the case of at least one helpless little child in my home State of Wisconsin. They have certainly inflicted senseless and cruel hardship upon many others throughout those States which mistakenly establish such heartless barriers to our mercy and our compassion.

This bill is a companion to H. R. 9832, which was introduced in the House of Representatives on January 8, 1958, by the Honorable HENRY REUSS, the brilliant and conscientious Representative of the Fifth Wisconsin District. I warmly commend Mr. REUSS for his prompt action to correct the hardship imposed by such residency requirements upon some of our most needy and unfortunate citizens. I am most happy to join and support him in this move to correct this situation.

Mr. President, at the present time, the Federal social-security law allows the States to impose residence requirements in administering old-age assistance, aid to the blind, aid to the disabled, and aid to dependent children. These are the programs which receive the major portion of all Federal funds for public assistance.

The present law allows the various States to discriminate against certain citizens and residents of the United States, in the granting of Federal funds. This is as unsound legally as it is improper morally. Very substantially as a result of such discrimination against 1 unfortunate family in Wisconsin, a 1-year-old baby girl died of pneumonia recently in a cold, unheated flat in Milwaukee. The child's death was attributed to malnutrition and neglect. Although her family's condition was known to welfare officials, nothing was done in time to save this child's life, because the family had resided in Wisconsin for less than the year's time required under the residency law enacted by the State government in 1957.

Mr. President, the case against residence laws is stated ably and eloquently by Mr. Wilbert Walter, director of community services of the Wisconsin State Industrial Union Council. I ask unanimous consent to have this brief statement printed at this point in the RECORD.

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

THE CASE AGAINST RESIDENCE LAWS

(By Wilbert Walter, director of community services, Wisconsin State Industrial Union Council)

It has been frequently said that money has no heart. The recent death from pneumonia of a 1-year-old girl in an unheated flat in Milwaukee is a good example of this theory.

The cost of welfare for nonresidents of Wisconsin last year on a per capita basis was less than a penny a person to the citizens of this State; yet the argument of higher taxes caused by outsiders coming to our State was used to ram this harsh, restrictive, un-American law through the last regular session of our legislature.

Ours is a dynamic, expanding economy. New plants are built on land that only yesterday grew corn or potatoes. Other plants move to get closer to their raw materials or their markets. Plant dispersion and decentralization are commonplace today in industry. The resultant movement of workers to new job locations is a natural consequence of the relocation of industry. Unfortunately, every worker who comes seeking a job does not find one. That's when the talk starts about the outsiders who are coming into a community to get on relief.

Let's be clear about one thing—people just don't go where they don't think they will be better off. Nor do they come to get on relief. They come to work. They uproot themselves, leaving behind friends, relatives, and a place in the scheme of things in the hope that in another community they will find employment at decent wages and working conditions. Frequently, the specific cause of their migration is a poster or a handbill or a newspaper ad telling in glowing terms of the job opportunities in a given place and with a given company. Frequently, representatives of industry and employment agencies encourage the migration of workers from rural to industrial communities. Once the worker and his family arrive in the new community they are on their own. If the breadwinner is lucky enough to land a job, everything is fine. If he does not, then he is among the dispossessed of the land. He frequently has no legal settlement and therefore is ineligible for even a meager public-assistance grant. In a word, the worker is frequently made to shoulder the total cost of industry's irresponsibility in recruiting its manpower.

The residence laws are odious to organized labor for another compelling reason. Workers, like all others in America, have always felt free to move on to some new place. This is part of the drama of our not-too-distant past. This is part of our democratic heritage. The restrictions on free movement inherent in residence laws are harmful both to the individual and to society. Moreover, they create a distinction among citizens which is biased against the economically disadvantaged. Our concept of democracy has room for only one class of citizenship—first-class citizenship.

It might be well for us to restate in broad terms some objectives of the American labor movement.

First, labor wants gainful and full employment. There is no substitute for steady work at a living, saving wage under safe and human working conditions.

Second, we believe that underpinning our efforts for full employment must be a broad social-insurance system which will offer protection to the aged, the widow, the dependent child, the disabled, the sick, and the unemployed. This is the Government's responsibility to those who are unable, for whatever reason, to provide for themselves a decent standard of living.

Third, we will support those voluntary and public-welfare services that serve human need, and we will join with other citizens' groups toward making these services fulfill their functions more adequately.

Fourth, we believe that public-welfare services should be available on the basis of need. There should be no arbitrary restrictions based on race, creed, residence, or citizenship.

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

The bill (S. 3164) to amend the public-assistance provisions of the Social Security Act to provide that a bona fide resident of a State may not be denied assistance under the applicable State plan solely because of his failure to complete a minimum period of residence in such State, introduced by Mr. PROXMIRE, was received, read twice by its title, and referred to the Committee on Finance.

AMENDMENT OF ATOMIC ENERGY ACT OF 1954, AS AMENDED

Mr. PASTORE. Mr. President, I introduce, for appropriate reference, a bill to amend the Atomic Energy Act of 1954, as amended, to permit greater exchange of military information and materials with our allies.

This bill has been drafted and is being proposed by the administration, and was forwarded by a letter dated yesterday, January 27, 1958, from Mr. Strauss, Chairman of the Atomic Energy Commission, to the Honorable CARL T. DURHAM, chairman of the Joint Committee on Atomic Energy. Mr. DURHAM has announced that he is referring the matter to the Subcommittee on Agreements for Cooperation, of which I am chairman, for appropriate hearings and recommendations to the full committee.

In his state of the Union address, President Eisenhower asked for prompt action by the Congress in considering these amendments. I think it is clear that the Joint Committee and the Congress are acting promptly.

As chairman of the Subcommittee on Agreements for Cooperation, I have requested representatives of the following agencies to testify before the subcommittee in executive session, as follows:

Wednesday, January 29, 1958, 2 p. m., Atomic Energy Commission; Thursday, January 30, 1958, 10 a. m., Department of State; 2 p. m., Department of Defense and CIA.

If necessary, further meetings of the subcommittee will be held in executive session on Friday to consider the bill further.

I plan to schedule and announce public hearings also on this bill sometime within the next 2 or 3 weeks.

Mr. President, the amendments proposed by this bill are far reaching and are directly related to the security and welfare of our country and the free world. Since the proposed bill was received by the Joint Committee on Atomic Energy late yesterday afternoon, I have not had sufficient time to review it in detail. I introduce it at this time in order that it may receive early consideration. I can assure my colleagues in the Senate that my subcommittee, and all the members of the full Joint Committee on Atomic Energy, will study all the matters raised by this bill very carefully and will make a full report to the Congress prior to floor debate. In order that all Members of Congress and the public may know the purpose of the bill, I ask unanimous consent to have printed in the RECORD at this point a copy of the letter dated January 27, 1958, from Mr. Strauss to Mr. DURHAM together with annex A and annex B to the letter.

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

The bill (S. 3165) to amend the Atomic Energy Act of 1954, as amended, introduced by Mr. PASTORE, by request, was received, read twice by its title, and referred to the Joint Committee on Atomic Energy.

The letter and attachments presented by Mr. PASTORE are as follows:

UNITED STATES
ATOMIC ENERGY COMMISSION,
Washington, D. C., January 27, 1958.

Hon. CARL T. DURHAM,
Chairman, Joint Committee on Atomic Energy.

DEAR MR. DURHAM: In the President's meeting with Congressional leaders on December 3, 1957, the major aspects of the President's proposed legislative program for the forthcoming session of Congress were outlined. During this meeting, it was pointed out that certain changes were necessary in the Atomic Energy Act to achieve desired national objectives. In his message on the state of the Union, the President said that a most significant aspect in our strength lies in the fact that we are not acting alone but in concert with a worldwide community of friendly and peaceful nations. He emphasized as one major action item, the necessity that Congress enact legislation to enable us to exchange appropriate scientific and technical information with friendly countries.

The current Atomic Energy statute, enacted on August 30, 1954, carried authority for certain military cooperation with friendly nations and regional defense organizations. The statute, drafted at a time when atomic development of other nations was not as far advanced as at present, wisely set forth certain restrictions on the degree of cooperation permissible.

Since enactment of the 1954 statute the world situation has changed materially. We have been made increasingly aware of the fact that the Soviet Union and the United Kingdom have achieved a significant nuclear military capability. Therefore, the restrictive provisions of the act, though appropriate at the time of their enactment, are now unduly restrictive in the face of the present world situation.

The Atomic Energy Act of 1954 permits the communication of information relative to atomic energy in the fields of planning, training in the employment of and defense against atomic weapons, and in the evaluation of the atomic weapon capabilities of potential enemies, but with the proviso that such cooperation "will not reveal important information concerning the design or fabrication of the nuclear components of an atomic weapon." Under this authority agreements for cooperation have been negotiated with three nations * * * the United Kingdom, Canada, and Australia, as well as with NATO. The act also permits the communication of information concerning military submarine propulsion reactors and military power reactors and appropriate agreements have been negotiated with the United Kingdom and Canada. However, no special nuclear material may be furnished another nation for military purposes because the statute requires a guaranty that any material furnished under an agreement for cooperation not be used for any military purpose.

The cooperation which could be achieved under the provisions of the present statute, though limited, has benefited the over-all defense posture of the free world. There is now a need for broader exchange of information on the part of the United States and its allies than is possible under the present act. Such broadening of the present authority would permit more beneficial use of, and development of, our military nuclear capabilities. It would permit overall more economical use of scientific and engineering talent and funds. It would serve to increase the collective preparedness of the United States and its allies.

In summary:

A. It is recommended that the Atomic Energy Act be amended to permit the following additional military cooperation when the President determines that the actions concerned will promote and will not constitute an unreasonable risk to the common defense and security:

1. In the field of information:

(a) The communication to friendly nations or defense organizations of additional design information necessary to permit essential training and planning by our allies.

(b) The communication to friendly nations or defense organizations of additional atomic weapons design information necessary to make any delivery systems manufactured by our allies fully compatible with our atomic weapons.

(c) The exchange with friendly nations of information that will improve the receiving nation's atomic weapon design, development, or production capability.

(d) The communication to friendly nations or defense organizations of information necessary to military applications of atomic energy in addition to weapons or military reactors.

2. In the field of materials and equipment:

(a) The transfer to friendly nations of special nuclear material for manufacture into atomic weapons or for other military uses by the receiving nation.

(b) The transfer to friendly nations for military applications of utilization facilities (such as nuclear propulsion and powerplants) and necessary nuclear fuels.

(c) The transfer to friendly nations of nonnuclear parts of atomic weapons to improve the receiving nation's state of training and operational readiness.

B. In addition, modification of the current Atomic Energy Act is recommended to permit the purchase of special nuclear materials, particularly plutonium, under long-term contractual commitments.

C. Further, it is recommended that sections 142c and 142d be amended so that the Department of Defense must participate in the declassification or removal from the restricted data category information which relates primarily to military applications of atomic energy.

The recommended amendments to the Atomic Energy Act are attached as annex A. The principal amendments to each section are mentioned below and all amendments are identical in annex B.

A. Amendments to section 144:

With respect to increased cooperation with our allies in the field of information, it is recommended that section 144b of the act be amended and new sections 144c and 144d be enacted.

1. The amendment to section 144b would expand the areas in which cooperation by the Department of Defense with another nation or regional defense organization may be authorized by the President to include specifically: (a) training of personnel in the employment of and defense against other military applications of atomic energy in addition to atomic weapons; (b) evaluation of the capabilities of potential enemies in the employment of other military applications of atomic energy in addition to atomic weapons; (c) development of compatible delivery systems for atomic weapons; and (d) other military application of atomic energy. Military reactor research, development, or design and atomic weapons research, design, development, or production information are excepted from area (d).

2. The recommended new section 144c would permit the Commission, when authorized by the President, to exchange any atomic weapon information with an ally provided that any information communicated is necessary to improve that nation's design or production capability while that nation is making substantial and material contributions to the national defense and security. It is not the intent of this new section to promote the entry of additional nations into the atomic weapons field. Authority would be provided, however, if any ally had made substantial progress in the development of nuclear weapons and met the other requirements of the act, to make unnecessary a wasting of precious scientific talent and funds by such an ally to duplicate weapons achievements already available to the United States. It is intended by the use of the word "exchange" that there be an exchange of information but that the exchange need not be equivalent in amount or value, or that it take place simultaneously with the receipt of information.

Section 144c also specifically provides for communicating design information concerning military reactors to our allies. In the future, information on military reactors normally would be communicated under this new section rather than under section 144a.

3. It is recommended that the first proviso of section 144b be deleted. This proviso prohibits communication of atomic weapons design and fabrication information except in certain specified areas and then only if "in the joint judgment of the Commission and the Department of Defense such data will not reveal important information concerning the deisgn or fabrication of the nuclear components of an atomic weapon." In lieu of that proviso, the amendments to section 144b and the new section 144c provide that the cooperation and communication could take place whenever the President determines that the proposed cooperation and the communication of the proposed restricted data will promote and will not constitute an unreasonable risk to the common defense and security. In implementation of this provision it is not expected that the President personally will consider each proposed action under an agreement for cooperation. Instead, an Executive order will be recommended to the President establishing procedures whereby the President would authorize proposed communications only after joint review by the Department of Defense, the Commission, and other interested agencies, and would authorize such communications in the absence of the President's personal approval only where the Department of Defense and the Commission agree that the proposed cooperation and the communication of the proposed restricted data will promote and will not constitute an unreasonable risk to the common defense and security.

4. The recommended new section 144d would make it possible for the President to authorize agencies and persons other than the Department of Defense and the Commission to communicate restricted data under any agreement for cooperation provided the restricted data has been determined to be proper for communication under an agreement for cooperation made pursuant to sections 144a, b, or c. This new section would expressly authorize the President to designate another Government agency to communicate restricted data in the performance of its duties. It is the intent that information transmissible under this subsection would be only that specific information determined as transmissible under sections 144a, b, or c.

B. Amendments to section 91 (sections 92 and 123):

With respect to increased cooperation with our allies in the field of materials, it is recommended that a new section 91c be added

to the act and that sections 92 and 123 be amended.

1. Under the recommended new section 91c, the President may authorize the transfer, by sale, lease, loan or donation to a friendly nation of: (1) non-nuclear parts of atomic weapons to improve that nation's state of training or operational readiness; (2) utilization facilities for military applications; and (3) nuclear materials for military utilization facilities or atomic weapons.

Under this section non-nuclear parts of atomic weapons, military reactors and nuclear materials could be furnished to our applies when in accordance with the terms and conditions of a program approved by the President. It is anticipated that under this authority non-nuclear parts of atomic weapons might be furnished to selected allies where such transfer was necessary to improve their state of training and operational readiness. Nuclear components would be retained in the custody of the United States. Military reactors could be made available to our allies for both military propulsion and power purposes. In addition, materials for military reactors and for manufacture into atomic weapons could be made available to our allies. It is not intended that manufactured nuclear components of weapons could be transferred under this amendment, nor that we promote the entry of additional nations into the field of production of nuclear weapons.

2. The amendment to section 123 removes the requirement (with respect to transfers under section 91c) that the receiving nation guarantee that materials furnished not to be used for weapons or other military purposes. However, a safeguard in connection with transfers of materials is provided in that portion of the recommended section 91c which states "whenever the President determines that the proposed cooperation and the transfer of the proposed non-nuclear parts of atomic weapons, utilization facilities, or source, byproduct, or special nuclear material will promote and will not constitute an unreasonable risk to the common defense and security." In implementation of this provision it is not expected that the President personally will consider each proposed action under an agreement for cooperation. Instead, an executive order will be recommended to the President establishing procedures whereby the President would authorize proposed transfers only after joint review by the Department of Defense, the Commission, and other interested agencies, and would authorize such transfers in the absence of the President's personal approval only where the Department of Defense and the Commission agree that the proposed cooperation and the transfer of the proposed non-nuclear parts of atomic weapons, utilization facilities, or source, byproduct, or special nuclear material will promote and will not constitute an unreasonable risk to the common defense and security.

3. The amendment to section 92 is technical and is designed to exclude actions taken by the Department of Defense under section 91, as amended, from the prohibitions in section 92.

C. Amendment to section 55:

The amendment to section 55, which supersedes legislation proposed to Congress last summer, would authorize the Commission to enter into contracts for terms up to 15 years for the procurement of special nuclear material, particularly plutonium, from sources outside the United States, provided that the President had approved a program for such purchases. Plutonium obtained by the United States from foreign sources without limitation on its use would be utilized to the military advantage of the United States and could contribute to the stockpile of nuclear weapons in United States custody in allied countries. This amendment would also provide a means for the United States to encourage the development, construction, and operation of nuclear powerplants abroad and it is necessary to accomplish the Commision's objectives with respect to purchases of foreign reactor products. This amendment would authorize entering into purchase contracts in excess of appropriations or funds currently available only when it is estimated that payments under a contract to be executed would not exceed the amounts received or to be received from existing arrangements for foreign distributions of source and special nuclear material under the act plus $200 million. Receipts would be placed in a separate fund and remain available for purchase commitments. Such appropriations as may be required, within the authorization provided, would be requested from time to time if this becomes necessary to meet disbursements.

D. Amendments to section 142:

The recommended amendments include expanding sections 142c and 142d so that restricted data relating primarily to the military application of atomic energy, rather than primarily to the military utilization of atomic weapons, may be declassified only by joint action of AEC and DOD, or may be removed from the restricted data category and safeguarded as defense information only by joint action of the AEC and DOD. These amendments are consistent with the increased military usage of atomic energy for purposes other than weapons and with the action taken in the 1954 act to give the DOD a voice in control over some weapon information that is primarily of military importance. Any additional information that may be removed from the restricted data category and safeguarded as defense information will continue to be subject to the same restrictions that are applicable to restricted data in connection with foreign transmission.

I believe the amendments to the Atomic Energy Act of 1954 recommended herewith would make possible the increased cooperation with our allies that is now essential to our collective security. In view of the importance of this legislation I recommend its early consideration by the Congress.

We are advised by the Bureau of the Budget that this proposed legislation is in accord with the program of the President.

Sincerely yours,

LEWIS L. STRAUSS,
Chairman.

(Enclosures: 1. A bill; 2. Proposed amendments to Atomic Energy Act of 1954.)

ANNEX A

A bill to amend the Atomic Energy Act of 1954, as amended

Be it enacted, etc., That section 55 of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"SEC. 55. Acquisition: The Commission is authorized to purchase or otherwise acquire any special nuclear material or any interest therein outside the United States.

"(a) Any purchase contract made under the provisions of this section may be made for such period of time as the Commission may deem necessary: *Provided,* That a program for purchases of such special nuclear material or any interest therein is approved by the President: *And provided further,* That no contract for the purchase of such material or any interest therein, other than uranium enriched in the isotope U-235, shall be made for a period in excess of 15 years.

"(b) Any purchase contract under subsection (a) may be made in excess of appropriations or funds currently available where it is estimated by the Commission, at the time any purchase contracts are executed, that amounts paid and to be paid under purchase contracts will not exceed $200 million plus the amounts received and to be received from then existing arrangements for distribution or transfer of source and special nuclear material pursuant to sections 64, 54, or 91c (3); all receipts from the distribution or transfer of source and special nuclear material shall be placed in a separate fund, which is hereby established and which shall remain available without fiscal year limitation, for purchases under this subsection.

"(c) Any contract made under this section may be made without regard to section 3709 of the Revised Statutes as amended, upon certification by the Commission that such action is necessary in the interest of the common defense and security, or upon a showing by the Commission that advertising is not reasonably practicable.

"(d) Partial and advance payments may be made under contracts authorized under this section."

SEC. 2. Section 91 of the Atomic Energy Act of 1954, as amended, is amended by adding at the end thereof the following new subsection:

"(c) The President may authorize the Commission or the Department of Defense, with the assistance of the other, to cooperate with another nation and, notwithstanding the provisions of sections 57, 62, or 81, to transfer by sale, lease, loan, or donation to that nation, in accordance with terms and conditions of a program approved by the President—

"(1) nonnuclear parts of atomic weapons to improve that nation's state of training and operational readiness;

"(2) utilization facilities for military applications; and

"(3) source, byproduct, or special nuclear material for research on, development of, production of, or use in atomic weapons or utilization facilities for military applications,

whenever the President determines that the proposed communication and the transfer of the proposed nonnuclear parts of atomic weapons, utilization facilities or source, byproduct, or special nuclear material will promote and will not constitute an unreasonable risk to the common defense and security, while such other nation is participating with the United States pursuant to an international arrangement by substantial and material contributions to the mutual defense and security: *Provided, however,* That the cooperation is undertaken pursuant to an agreement entered into in accordance with section 123."

SEC. 3. Section 92 of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"SEC. 92. Prohibition: It shall be unlawful, except as provided in section 91, for any person to transfer or receive in interstate commerce, manufacture, produce, transfer, acquire, possess, import, or export any atomic weapon. Nothing in this section shall be deemed to modify the provisions of subsection 31a or section 101."

SEC. 4. Section 123a of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"SEC. 123. Cooperation with other nations.—No cooperation with any nation or regional defense organization pursuant to sections 54, 57, 64, 82, 91, 103, 104, or 144 shall be undertaken until—

"(a) the Commission or, in the case of those agreements for cooperation arranged pursuant to subsection 91c or 144b and to be implemented by the Department of Defense, the Department of Defense has submitted to the President the proposed agreement for cooperation, together with its recommendations thereon, which proposed agreement shall include (1) the terms, conditions, duration, nature, and scope of the cooperation; (2) a guaranty by the cooperating party that security safeguards and standards as set forth in the agreement for cooperation will be maintained; (3) except in the case of those agreements for cooperation arranged pursuant to subsection 91c a guaranty by the

cooperating party that any material to be transferred pursuant to such agreement will not be used for atomic weapons, or for research on or development of atomic weapons or for any other military purpose; and (4) a guaranty by the cooperating party that any material or any restricted data to be transferred pursuant to the agreement for cooperation will not be transferred to unauthorized persons or beyond the jurisdiction of the cooperating party, except as specified in the agreement for cooperation;"

SEC. 5. Section 142c of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"(c) In the case of restricted data which the Commission and the Department of Defense jointly determine to relate primarily to the military application of atomic energy, the determination that such data may be published without constituting an unreasonable risk to the common defense and security shall be made by the Commission and the Department of Defense jointly, and if the Commission and the Department of Defense do not agree, the determination shall be made by the President."

SEC. 6. Section 142d of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"(d) The Commission shall remove from the restricted data category such data as the Commission and the Department of Defense jointly determine relates primarily to the military applications of atomic energy and which the Commission and Department of Defense jointly determine can be adequately safeguarded as defense information: *Provided, however,* That no such data so removed from the restricted data category shall be transmitted or otherwise made available to any nation or regional defense organization, while such data remains defense information, except pursuant to an agreement for cooperation entered into in accordance with section 144."

SEC. 7. Section 144b of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"(b) The President may authorize the Department of Defense, with the assistance of the Commission, to cooperate with another nation or with a regional defense organization to which the United States is a party, and to communicate to that nation or organization such restricted data (including design information) as is necessary to—

"(1) The development of defense plans;

"(2) The training of personnel in the employment of and defense against atomic weapons and other military applications of atomic energy;

"(3) The evaluation of the capabilities of potential enemies in the employment of atomic weapons and other military applications of atomic energy;

"(4) The development of compatible delivery systems for atomic weapons; and

"(5) Other military applications of atomic energy, except that with respect to this subcategory, restricted data concerning research, development, design, or production of atomic weapons or concerning research, development, or design of military reactors shall not be communicated,

whenever the President determines that the proposed cooperation and the communication of the proposed restricted data will promote and will not constitute an unreasonable risk to the common defense and security, while such other nation or organization is participating with the United States pursuant to an international arrangement by substantial and material contributions to the mutual defense and security: *Provided, however,* That the cooperation is undertaken pursuant to an agreement entered into in accordance with section 123."

SEC. 8. Section 144 of the Atomic Energy Act of 1954, as amended, is amended by adding at the end thereof the following new subsection:

"(c) In addition to the cooperation authorized in subsections 144a and 144b, the President may authorize the Commission, with the assistance of the Department of Defense, to cooperate with another nation and—

"(1) to exchange with that nation restricted data concerning atomic weapons: *Provided,* Communication of such restricted data to that nation is necessary to improve its atomic-weapon design, development, or production capability; and

"(2) to communicate to that nation restricted data concerning research, development, or design of military reactors,

whenever the President determines that the proposed cooperation and the communication of the proposed restricted data will promote and will not constitute an unreasonable risk to the common defense and security, while such other nation is participating with the United States pursuant to an international arrangement by substantial and material contributions to the mutual defense and security: *Provided, however,* That the cooperation is undertaken pursuant to an agreement entered into in accordance with section 123."

SEC. 9. Section 144 of the Atomic Energy Act of 1954, as amended, is amended by adding at the end thereof the following new subsection:

"(d) The President may authorize any agency of the United States or person to communicate in accordance with the terms and conditions of an agreement for cooperation arranged pursuant to subsections 144a, b, or c, such restricted data as is determined to be transmissible under the agreement for cooperation involved."

ANNEX B

PROPOSED AMENDMENTS TO ATOMIC ENERGY ACT OF 1954, AS AMENDED

(Deletions are enclosed in black brackets, additions are indicated by italics.)

SEC. 55. Acquisition: The Commission is authorized to purchase or otherwise acquire any special nuclear material or any interest therein outside the United States [without regard to the provisions of section 3709 of the Revised Statutes, as amended, upon certification by the Commission that such action is necessary in the interest of the common defense and security, or upon a showing by the Commission that advertising is not reasonably practicable. Partial and advance payments may be made under contracts for such purposes].

(a) Any purchase contract made under the provisions of this section may be made for such period of time as the Commission may deem necessary: Provided, That a program for purchases of such special nuclear material or any interest therein is approved by the President: And provided further, That no contract for the purchase of such material or any interest therein, other than uranium enriched in the isotope U-235, shall be made for a period in excess of 15 years.

(b) Any purchase contract under subsection (a) may be made in excess of appropriations or funds currently available where it is estimated by the Commission, at the time any purchase contracts are executed, that amounts paid and to be paid under purchase contracts will not exceed $200 million plus the amounts received and to be received from then existing arrangements for distribution or transfer of source and special nuclear material pursuant to sections 64, 54, or 91c (3); all receipts from the distribution or transfer of source and special nuclear material shall be placed in a separate fund, which is hereby established and which shall remain available without fiscal year limitation, for purchases under this subsection.

(c) Any contract made under this section may be made without regard to section 3709 of the Revised Statutes, as amended, upon certification by the Commission that such action is necessary in the interest of the common defense and security, or upon a showing by the Commission that advertising is not reasonably practicable.

(d) Partial and advance payments may be made under contracts authorized under this section.

SEC. 91. Authority:

* * * * *

(c) The President may authorize the Commission or the Department of Defense, with the assistance of the other, to cooperate with another nation and, notwithstanding the provisions of section 57, 62, or 81, to transfer by sale, lease, loan, or donation to that nation, in accordance with terms and conditions of a program approved by the President—

(1) nonnuclear parts of atomic weapons to improve that nation's state of training and operational readiness;

(2) utilization of facilities for military applications; and

(3) source, byproduct, or special nuclear material for research on, development of, production of, or use in atomic weapons or utilization facilities for military applications,

whenever the President determines that the proposed communication and the transfer of the proposed nonnuclear parts of atomic weapons, utilization facilities or source, byproduct, or special nuclear material will promote and will not constitute an unreasonable risk to the common defense and security, while such other nation is participating with the United States pursuant to an international arrangement by substantial and material contributions to the mutual defense and security: Provided, however, That the cooperation is undertaken pursuant to an agreement entered into in accordance with section 123.

SEC. 92. Prohibition: It shall be unlawful, *except as provided in section 91,* for any person to transfer or receive in interstate commerce, manufacture, produce, transfer, acquire, possess, import, or export any atomic weapons [, except as may be authorized by the Commission pursuant to the provisions of section 91]. Nothing in this section shall be deemed to modify the provisions of subsection 31 a. or section 101.

SEC. 123. Cooperation with other nations: No cooperation with any nation or regional defense organization pursuant to sections 54, 57, 64, 82, *91,* 103, 104, or 144 shall be undertaken until—

(a) the Commission or, in the case of those agreements for cooperation arranged pursuant to subsection *91c or* 144b *and to be implemented by the Department of Defense,* the Department of Defense has submitted to the President the proposed agreement for cooperation, together with its recommendations thereon, which proposed agreement shall include (1) the terms, conditions, duration, nature, and scope of the cooperation; (2) a guaranty by the cooperating party that security safeguards and standards as set forth in the agreement for cooperation will be maintained; (3) *except in the case of those agreements for cooperation arranged pursuant to subsection 91c* a guaranty by the cooperating party that any material to be transferred pursuant to such agreement will not be used for atomic weapons, or for research on or development of atomic weapons or for any other military purpose; and (4) a guaranty by the cooperating party that any material or any restricted data to be transferred pursuant to the agreement for cooperation will not be transferred to unauthorized persons or beyond the jurisdiction of the cooperating party, except as specified in the agreement for cooperation;

SEC. 142. Classification and declassification of restricted data:

* * * * *

(c) In the case of restricted data which the Commission and the Department of Defense jointly determine to relate primarily to the military [utilization] *application* of atomic [weapons] *energy*, the determination that such data may be published without constituting an unreasonable risk to the common defense and security shall be made by the Commission and the Department of Defense jointly, and if the Commission and the Department of Defense do not agree, the determination shall be made by the President.

(d) The Commission shall remove from the restricted data category such data as the Commission and the Department of Defense jointly determine relates primarily to the military [utilization] *applications* of atomic [weapons] *energy* and which the Commission and Department of Defense jointly determine can be adequately safeguarded as defense information: *Provided, however,* That no such data so removed from the restricted data category shall be transmitted or otherwise made available to any nation or regional defense organization, while such data remains defense information, except pursuant to an agreement for cooperation entered into in accordance with [sub]section 144[b].

SEC. 144. International cooperation:

* * * * *

(b) The President may authorize the Department of Defense, with the assistance of the Commission, to cooperate with another nation or with a regional defense organization to which the United States is a party, and to communicate to that nation or organization such restricted data (*including design information*) as is necessary to—

(1) The development of defense plans;

(2) The training of personnel in the employment of and defense against atomic weapons *and other military applications of atomic energy*; [and]

(3) The evaluation of the capabilities of potential enemies in the employment of atomic weapons *and other military applications of atomic energy;* [.]

(4) The development of compatible delivery systems for atomic weapons; and

(5) Other military applications of atomic energy, except that with respect to this subcategory, restricted data concerning research, development, design, or production of atomic weapons or concerning research, development, or design of military reactors shall not be communicated,

whenever the President determines that the proposed cooperation and the communication of the proposed restricted data will promote and will not constitute an unreasonable risk to the common defense and security, while such other nation or organization is participating with the United States pursuant to an international arrangement by substantial and material contributions to the mutual defense and security: [Provided, however, That no such cooperation shall involve communication of Restricted Data relating to the design or fabrication of atomic weapons except with regard to external characteristics, including size, weight, and shape, yields and effects, and systems employed in the delivery or use thereof but not including any data in these categories unless in the joint judgment of the Commission and the Department of Defense such data will not reveal important information concerning the design or fabrication of the nuclear components of an atomic weapon. And] *Provided* [further] *however,* That the cooperation is undertaken pursuant to an agreement entered into in accordance with section 123.

(c) In addition to the cooperation authorized in subsections 144a and 144b, the President may authorize the Commission, with the assistance of the Department of Defense, to cooperate with another nation and—

(1) To exchange with that nation restricted data concerning atomic weapons, provided communication of such restricted data to that nation is necessary to improve its atomic weapon design, development, or production capability; and

(2) To communicate to that nation restricted data concerning research, development, or design of military reactors,

whenever the President determines that the proposed cooperation and the communication of the proposed restricted data will promote and will not constitute an unreasonable risk to the common defense and security, while such other nation is participating with the United States pursuant to an international arrangement by substantial and material contributions to the mutual defense and security: Provided, however, That the cooperation is undertaken pursuant to an agreement entered into in accordance with section 123.

(d) The President may authorize any agency of the United States or person to communicate in accordance with the terms and conditions of an agreement for cooperation arranged pursuant to subsections 144 (a), (b), or (c), such restricted data as is determined to be transmissible under the agreement for cooperation involved.

IMPROPER SOLICITATION OF CONTRIBUTIONS FOR CHARITABLE ORGANIZATIONS

Mr. JAVITS. Mr. President, on behalf of myself and my colleague, the senior Senator from New York [Mr. IVES], I introduce, for appropriate reference, a bill to backstop State laws dealing with improper solicitation of contributions for charitable organizations.

Many States, notably New York, have made great strides ahead in protecting their citizens against victimization from unscrupulous charity solicitors. However, the States themselves are impotent to guard against charity "boilerrooms" operating by mail who move from State to State with their operators.

Philanthropy has been ranked the Nation's fourth largest industry, following manufacturing, agriculture, and wholesale and retail trade. Americans contribute between four and five billion dollars annually for charitable purposes. Yet, in the State of New York alone, I found as attorney general that more than $25 million a year is estimated to be siphoned off by out-and-out charity rackets. On this basis, charity rackets may well take as much as $250 million a year from the public. It is very much in our national interest to encourage charitable contributions, and our Federal tax laws rightly favor it as one of the fine expressions of a free society. The way to encourage contributions is to give the utmost protection against fraud and sharp practices in solicitations.

The bill provides that once a person or organization has been convicted within the past 5 years and subsequent to passage of the legislation of fraudulent charitable solicitation under any one of the existing laws in 26 States and the District of Columbia, the Postmaster General may stamp "fraudulent" on mail addressed to the violator from any point within the United States and return it to the sender, and may also stop payment of postal money orders to the convicted charity racketeer.

The Congress late last year enacted charity legislation to apply to the District of Columbia, the District of Columbia Charitable Solicitation Act—Public Law 85-87. This bill is a further step in the protection of the individual citizen and in Federal recognition of the fraud in charity solicitations.

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

The bill (S. 3166) to provide for exclusion from the mails of mail violating certain State laws dealing with improper solicitations of contributions by charitable organizations and to forbid the payment of money orders therefor, introduced by Mr. JAVITS (for himself and Mr. IVES), was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

PROPOSED HOSPITAL ON ELLIS ISLAND, N. Y., FOR TREATMENT OF DRUG ADDICTS

Mr. JAVITS. Mr. President, on behalf of myself and my colleague, the senior Senator from New York [Mr. IVES], I introduce, for appropriate reference, a bill authorizing the Surgeon General of the United States to establish a hospital on Ellis Island, in New York Harbor, especially equipped for the treatment of persons addicted to narcotics.

Then senior Senator from New York [Mr. IVES] and I, joined by our colleague in the other body, Representative ANFUSO, of New York, are urging the mayor of the city of New York and the Governor of the State of New York to make such agreements as are practicable for all parties with the authorities of the United States in order to bring about this highly desirable reform.

We point out in our communication to the mayor and Governor that it is possible to devote to 100-percent public benefit this very valuable facility, provided suitable arrangements are made for its operation.

We also point out other States in the Northeast are similarly interested with us in New York, and that this represents an interesting opportunity for an interstate compact.

We have an estimated 20,000 reported addicts in the New York area—that is, in the whole complex of States which represent that area—in addition to thousands of unknown narcotics victims. We feel the establishment of a narcotics hospital on Ellis Island would be extremely humanitarian and would present a very useful opportunity to utilize this very valuable piece of real estate to the greatest advantage.

I emphasize that nobody knows better than the senior Senator from New York [Mr. IVES] and I the practical problems which are involved, the expense, and other arrangements which need to be made. We only lend our aid to those problems. We wish now to make it very clear that we think everyone is acting in the desire to do the greatest good, in terms of our city and State of New York,

in this whole matter; but we point out that our desires and our willingness to do the right thing in this regard will not be enough, because we have certain deadlines to meet with respect to the sale of the property under the law. Therefore, we must activate ourselves to make the best financial proposals we possibly can make on that subject.

I hope this may prove to be a model of unpartisan cooperation in the way we work out a use for Ellis Island in New York Harbor.

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

The bill (S. 3167) providing for the Surgeon General of the United States to establish a hospital in the State of New York especially equipped for the treatment of persons addicted to the use of habit-forming drugs, introduced by Mr. JAVITS (for himself and Mr. IVES), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

NATURALIZATION OF CERTAIN ADOPTED ALIEN CHILDREN

Mr. THYE. Mr. President, according to the Immigration and Naturalization Act, as amended in the first session of this Congress, certain specified citizens of the United States are declared exempt from the normal rule requiring 2 years' residence for an adopted child in this country in order that the adopted child gain full citizenship. The adoptive parents exempted by the amendment adopted last year are: First, members of the Armed Forces; second, persons in the employ of the United States or of an American institution of research recognized as such by the Attorney General, or of an American firm or corporation engaged in the development of foreign trade or commerce of the United States; third, employees of a public international organization in which the United States participates by treaty or statute.

These categories of individuals were provided an exemption from the normal 2-year residence requirement because it is often not possible for them to provide legal custody of an adopted child while resident in the United States for a full 2-year period. The nature of their employment dictated that they be given special consideration.

I would like to point out at this time that there is another category of individuals who should have been included in this amendment to the Immigration and Naturalization Act. I refer to the missionaries who are sent by our churches to bring American culture to foreign lands. It is quite common practice to provide these missionaries with a 1-year furlough period in the United States from time to time. Because of this reason they are unable to complete citizenship requirements for adopted children in accordance with the general 2-year residence rule.

Mr. President, these people are cultural ambassadors of the United States as well as being spiritual ambassadors of their church organizations. It is fitting that they should be included in the exemption from the 2-year rule. I introduce for appropriate reference, a bill to allow adopted children of our missionaries to be naturalized in accordance with the amendment adopted in the first session of this Congress.

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

The bill (S. 3171) to amend the Immigration and Nationality Act so as to permit certain adopted children to be naturalized without complying with the residence and physical presence requirements of such act, introduced by Mr. THYE, was received, read twice by it title, and referred to the Committee on the Judiciary.

ASSISTANCE FOR SCHOOL CONSTRUCTION

Mr. KENNEDY. Mr. President, I am introducing today a bill to authorize Federal assistance to the States and local communities in the financing of public-school construction. I am hopeful that the Senate Labor and Public Welfare Committee, of which I am a member, will consider this measure and the growing problem it is designed to meet. This committee is under the leadership of the able Senator from Alabama [Mr. HILL].

This bill, which is modeled to a large extent after the bill reported by the House Committee on Education and Labor last session, emphasizes the traditional concept of State and local responsibility, strongly forbids any Federal control, requires maximum effort on the part of the States and local school districts and recognizes that the emergency role of the Federal Government is a temporary one. It provides for a minimum program designed to give assistance to those areas in most critical need of help, through matching grants totaling $300 million a year for 5 years, allocated according to the size of each State's school-age population, and supplemented by Federal purchase of school bonds and loans to State school-financing agencies. The $300 million figure is a rockbottom minimum, which is set that low only on the assumption that other pending measures will make additional funds available to our hard-pressed schools.

Three hundred million dollars is, quite obviously, the minimum figure. I believe it should be more. But I am introducing the bill as reported by the House, in the hope that in our concentration today on scholarships, which I do not really think represent the primary need in education, we will not lose sight of the necessity for developing facilities on the public school and college levels, which I believe in the next 10 years will be the major crisis facing education.

THE NEED

Since the school construction bill failed in the other House last year, we have had additional opportunities to realize the urgent need for this program. In September, when school opened, the classroom shortage was obvious to even the most doubtful. Enrollment in our already overcrowded schools had increased by 1.5 million, to a level of well over 33.5 million boys and girls. Official Office of Education figures, which most experts deem to be on the conservative side, showed our Nation's schools to be short 140,400 classrooms now—that another 44,000 will be needed next year to take care of still higher enrollments—and that another 14,000 to 20,000 are needed each year to replace outmoded and obsolete buildings, firetraps, and health hazards. School enrollment having already increased some 50 percent in the last decade, it is significant to note that the largest increase this year was concentrated in the elementary schools, a warning to the Nation that this need must be met for many years to come. Already, nearly a million boys and girls are being deprived by the classroom shortage of full-time schooling, and hundreds of thousands more held back in classes of unwieldy size.

In October, the advent of the space age awakened all Americans to the critical importance of improving our educational system from the bottom up. And at year's end, the difficult fiscal position of the State and local authorities—who are spending at the rate of nearly $3 billion a year constructing some 70,800 classrooms without eliminating the shortage—made it clear that the Federal Government, with its far greater as well as more effective means of raising public revenues, could not avoid its responsibility to meet this nationwide problem.

I am aware of the fact that Massachusetts does not need this program so much as some other States. But I am also keenly aware that Massachusetts is not an island unto itself, and that its progress, its peace, its prosperity, and ultimately its survival depend upon the wisdom and enlightenment of the public-school graduates in every part of the country. Similarly, those who do not send children to public schools have a direct stake in and a responsibility for improving the educational opportunities and standards of all citizens.

CAN THE PROBLEM BE DEFERRED?

The President, who together with other administration spokesmen thoroughly documented 1 year ago the urgent need for Federal action on the growing classroom shortage, has decided this year to abandon the school construction program. It is, he asserts, merely being deferred in favor of a new postsputnik emphasis on educating scientists.

But how can the solution to a critical problem which increases in magnitude each year be deferred, as though the overflow children could stay at home until their case comes up for consideration again? The school population 1 year from now will be even greater; more old schools will be condemned, obsolete, or rendered unusable; and State and local authorities will be even more hard pressed to finance additional classrooms. Congress cannot ignore or forget the classroom shortage by deferring action on it. We can only worsen it.

MORE SCHOLARSHIPS OR MORE CLASSROOMS?

The administration's program and other new proposals in the field of education are intended to increase the production of American scientists to offset the Russian lead in this area. I welcome these proposals and share their objective. But scientifically inclined students do not spring up overnight to apply for

special college scholarships or even to receive improved high-school instruction. Additional aptitude tests may identify more such students but they will not produce them. The real shaping of the scientific mind, as Dr. Teller and others have emphasized, begins on the grade-school and junior high-school level—before the student is 12 years old, according to Dr. Teller. Yet this is the very kind of careful, thorough instruction that suffers most in an overcrowded classroom too jammed to permit any individual assistance. It is necessarily neglected in schools operating on a part-time shift that permits no extra effort for talented pupils. It is the kind of instruction that is not usually available to students collected in outmoded, unequipped, or dangerous classrooms. It is not enough merely to increase through scholarships and fellowships the number of poorly trained high-school graduates who go on to our already overcrowded colleges. We shall not measurably improve the production of scientists at the college level, in short, unless we begin at the bottom instead of the top.

Moreover, even in the high schools, the improved teaching of science and mathematics expected to result from the new administration proposals will not fulfill its goals without additional classroom construction. Of what avail are new techniques and better materials in a classroom too crowded to enable concentration, too unsafe to permit various experiments, too unsightly to attract good teachers? We shall compete with the Russians in science education at the graduate level only when we solve the classroom shortage at every public-school level.

Finally, are we concerned only with the production of scientists, mathematicians, engineers, and foreign-language specialists? Recognizing our serious handicaps in those areas, are we not in equally urgent need of improving the education of all Americans—the diplomats and politicians who must make the hard decisions of the cold war, the judges and educators and writers who must carry on the American way in its hour of greatest challenge, the citizens of every occupation and status who will decide, in the last analysis, whether we stand or fall as a nation? More and better educated scientists cannot alone save the United States today. All American education is in crisis. This bill is aimed at attacking that crisis at its roots. Let us hope it is not already too late.

I think it is high time, after almost 10 years of consideration of this vital matter by the Senate and the House, that we enact at this session of Congress a bill which will not only direct immediate attention to the production of scientists, engineers, and mathematicians, but also will improve the educational standard of all Americans. This is vitally important for the successful operation of a democratic state.

I introduce the bill for appropriate reference.

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

The bill (S. 3179) to authorize Federal assistance to the States and local communities in financing an expanded program of school construction so as to eliminate the national shortage of classrooms, introduced by Mr. KENNEDY, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

SPECIAL MILK PROGRAM FOR CHILDREN—ADDITIONAL COSPONSORS OF BILL

Mr. AIKEN. Mr. President, on January 23, 1958, I introduced, for myself and other Senators, the bill (S. 3070) to continue the special milk program for children in the interest of improved nutrition by fostering the consumption of fluid milk in the schools. I ask unanimous consent that the names of the Senator from New York [Mr. JAVITS], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Tennessee [Mr. KEFAUVER], and the Senator from Wisconsin [Mr. PROXMIRE] may be added as additional cosponsors of the bill the next time it is printed.

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

COMMITTEE SERVICE

On motion of Mr. KNOWLAND, and by unanimous consent, it was

Ordered, That Mr. MARTIN of Pennsylvania be, and he is hereby, excused from further service as a member of the Committee on Post Office and Civil Service.

That Mr. HOBLITZELL be, and he is hereby, assigned to service on the Committee on the District of Columbia and to service on the Committee on Post Office and Civil Service.

THE STATE OF THE UNION

Mr. SMITH of New Jersey. Mr. President, recently I received from the Advocate, the official publication of the archdiocese of Newark, N. J., and the diocese of Paterson, an editorial entitled "The State of the Union," which appeared in that publication under date of January 18. It is a very fine analysis of the President's state of the Union address, and I ask unanimous consent that the editorial be published in the body of the RECORD, at the conclusion of my remarks.

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

THE STATE OF THE UNION

Thursday, January 9, was a day of great personal triumph for Dwight D. Eisenhower. By his fine appearance, by his forceful, alert delivery of his address to the Congress, by his easy, confident manner, he gave evidence to a questioning Nation and world of his physical fitness, of his recovery from the illnesses that have recently interfered with his normal routine. For that answer to a question that was real, though rarely asked outright, we congratulate him, and join in the deep satisfaction that must be his.

Far more, however, than the state of a man's health was at stake on that Thursday. For the man who spoke was not simply Dwight D. Eisenhower, but the President of the United States, delivering his state of the Union message. It was a message upon which a great deal depended, because it was a message given in a time of doubt, of fear, even of panic on the part of some faint hearts. It was a message which, in the circumstances, had to replace doubt with knowledge, fear with confidence, panic with courage.

This, we believe, the President did, and did well. It was a message which created confidence in the ability of our Nation to meet the dangers of the present time; it was a message which provided the Nation with the inspiring leadership of a Chief Executive who knew well the problems of the day and was prepared to cope with them.

A study of the message reveals its outstanding characteristic to be balance. It recognized, for instance, the threat posed by Soviet military and scientific advances, but did not ignore the equal—perhaps even the greater—danger raised against us by Communist economic penetration into many areas of the globe.

While the President realistically assessed the Soviet threat as "total cold war," he recognized that we must in return "wage total peace," utilizing to the utmost "the spiritual, military, and economic strength" of the free world.

Mr. Eisenhower did not minimize the Soviet military threat; neither did he underestimate our own military situation, with powerful armaments still capable of deterring Soviet aggression, and soon to be augmented with still more advanced weapons; with friendly nations of free men as our allies, as against the captive and sullen nations that make up the Soviet system of alliances.

The President's message, while asserting the present adequacy of our military forces, emphasized the urgent need of increased defense efforts, including the elimination of "harmful rivalries" among the branches of our Military Establishment, and making the fullest use of the versatility and intelligence of our free workers, the imaginativeness and resourcefulness of our businessmen, the adaptability of our economic system.

In urging the necessity of a billion dollar Federal expenditure for improvements in education and scientific research, Mr. Eisenhower gave assurance of concern for the maintenance of local control of education, and for the avoidance of undue stress on the physical sciences at the expense of other branches of learning. He bespoke the importance of the role of private industry, schools, and colleges—and resurrected from the dim past the figure of the student with his bag of books and his homework.

While assuring the Nation that all necessary military, educational, mutual aid, and other expenditures will be made, the President pledged reduction of all nonessential spending. Only thus can our economy survive; only thus can we frustrate the oft-repeated prophecy of the Communists that America will be led to spend itself into ruin.

In his call to all other people, especially those of the Soviet Union, to unite in the performance of great works for peace, the President was looking beyond the purely military or economic; he was opening up the happy vista of a future in which all men of all nations will work together to conquer war, hunger, disease, and thus to improve the earthly lot of all men of all nations.

One sad feature of imbalance marked the President's address, an imbalance quite unexpected in a message of such importance. Far too much space was devoted to what we, our people and our allies, can do; far too little reference was made to our need of the guidance and power of Almighty God. Let this be our role now—to make up for this neglect by our prayers and sacrifices, to assist our President by bringing God into our every enterprise as we buckle down to the defense of our way (may it always be God's way) of life.

ECONOMIC PROBLEMS FACING BIDDEFORD AND SACO, MAINE

Mr. PAYNE. Mr. President, the January 1958 issue of Textile Labor contains an excellent article entitled "A Tale of Two Cities," written by Burt Beck. The article describes the economic problems facing the twin cities of Biddeford and Saco, in the State of Maine, and presents one of the best cases I know for speedy enactment of area-assistance legislation to help economically distressed areas which cannot solve their own chronic unemployment problems. The need for enactment of an area-assistance program is urgent. I should like particularly to call this article to the attention of my colleagues on the Senate Banking and Currency Committee who are members of the Production and Stabilization Subcommittee, which currently has all of the area-assistance bills pending before it.

I ask unanimous consent that the article may be printed at this point in the CONGRESSIONAL RECORD, along with a copy of a letter which I wrote to the chairman of the Production and Stabilization Subcommittee on January 22, 1958, urging early action on area-assistance legislation.

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

A TALE OF TWO CITIES

(By Burt Beck)

This is a story of economic disaster in one American community. It happens to be about the twin towns of Biddeford and Saco, in Maine, but it could be about any one of the hundreds of textile towns, mining villages, or farm-machinery and ordnance centers that have been left stranded when their prime industries gradually or suddenly collapsed.

The twin cities sit astride the Saco River, and the historic falls of that river provide the power that initiated the area's industrial development more than 3 centuries ago. One of the prime industries was cotton textiles.

When Admiral Perry sailed to Japan in 1854 to open the doors of that country to foreign trade, he carried, as samples of America's finest products, textiles made in Biddeford. From this famous textile area have poured uncounted millions of yards of textile fabrics, to all corners of the world.

Textile machinery, shoes, ships, sewing machines, machineguns, bricks, nails, airplane parts, men's collars—all of these have been turned out by the skilled craftsmen of Biddeford and Saco.

Today the area is rapidly becoming a deserted village. A typical headline in the Biddeford Journal proclaims: "Unemployment in Biddeford-Saco Area Takes Jump."

Michael Schoonjans, TWUA's international representative in the Biddeford-Saco area, is understandably concerned about the situation. To Mike, the unemployment figures are not statistics; behind each number is an unemployed worker, in most cases the chief breadwinner of the family.

"A few years ago," said Mike, "we had 7,000 members in the Biddeford-Saco joint board. Today, we have less than 3,500. The decline in textile manufacturing also hits all the other workers in town."

For concrete evidence of this, it took only a visit to the Biddeford office of the Maine employment security commission and a talk with Manager Francis M. Coughlin.

The last week for which he had figures at the time of this interview, was the week ending December 14, 1957. The report showed that there were 1,252 claims for unemployment benefits, and what was even more alarming, 561 people had already exhausted their benefits and were consequently ineligible for further compensation until April.

Unemployment in Biddeford-Saco has not increased gradually. Only a few years ago, practically the entire labor force was employed In 1953, a survey of 10 of the larger employers showed that 9,616 men and women had gainful employment. By 1956 the figure was down to 7,836, but the bottom really dropped out in 1957, when unemployment rose 22.2 percent. For one thing, the Bates Mill closed up and over 1,400 jobs were lost. One of the large shoe companies shut its doors and another 325 jobs went down the drain. These plants did not move away, they shut up shop. Only one new industry has moved in—a cabinet manufacturer employing 30 workers.

Biddeford and Saco, instead of the bustling communities they were until recently, have started to take on the characteristics of a ghost town. You see as many men and women on the business streets—and mostly middle-aged and older men and women. The younger people have left to find jobs elsewhere.

Arthur Maxwell, president of one of the largest banks in the area, is confident about the future. He thinks that the bottom has been reached and, although it may take a few years, things will pick up.

"If some sort of plan can be drafted to redevelop depressed areas we can come through this with flying colors. It will take hard work," he maintained, "and we'll need help in attracting other industry, but we can do it."

Most of the civic authorities share Maxwell's cautious optimism. The mayor of Saco, Peter A. Garland, is of the opinion that something must be done along the line of encouraging new industry.

"We've laid the groundwork by starting an industrial development committee," he declared. "Now we need help. We're contacting certain manufacturers, but until these things bear fruit some of the assistance contained in the area redevelopment bill would give us a terrific boost."

The outgoing mayor of Biddeford, Albert C. Lambert, and Carl Swanson, secretary of the Biddeford Industrial Development Commission, were also confident that the Biddeford-Saco area could make a comeback.

"We've got the skilled manpower," said Mayor Lambert, "and we've got wonderful industrial sites. All we need now is the third ingredient—industry."

"Our citizens have their roots in this community," chimed in Swanson, "and they don't want to move away unless they have to. Even when the kids leave the nest to find jobs elsewhere they come back as often as possible. Why, on a long holiday weekend most of the autos have out-of-State licenses."

While the outlook, according to the officials, has its bright side, the current picture is bleak.

Item: Many midtown stores held their year-end sales prior to Christmas, instead of after the holiday season, as was the usual custom.

Item: For the first time in quite a few years the Community Chest drive will fall short.

Item: Breaking and entering, especially into food stores, has now become a fairly common notation on official police records.

Item: City welfare aid doubled from July to November, and many more cases were expected by the overseer of the poor, Mrs. Annette Gagne.

"Right now, nothing short of area redevelopment assistance, as proposed by Senator DOUGLAS, will help us and other depressed sections," is the way Mike Schoonjans summed up the situation. "There are a lot of people here who are too young to die and not old enough for social security. They want to work, and this sort of program could provide the work for them."

JANUARY 22, 1958.

Hon. PAUL H. DOUGLAS,
Chairman, Production and Stabilization Subcommittee, Senate Banking and Currency Committee, Senate Office Building, Washington, D. C.

DEAR PAUL: Recent sharp increases in unemployment in my own State of Maine and across the Nation have focused attention once again on the grave and pressing situation existing in those areas of our country plagued by continuing high levels of unemployment. In periods of slackening economic activity these areas suffer even greater economic hardships.

In Maine the unemployment situation is approaching a critical stage with a 7.7 percent insured unemployment rate for the first week in December. In the comparable period of 1956 this rate was 4.7 percent. The Saco-Biddeford-Sanford region of Maine has been classified as an area of substantial labor surplus by the Labor Department for more than 2 years and in the past year the closing of a major textile mill in Saco intensified this already serious problem. In December the national unemployment rate reached 5 percent of the labor force with major layoffs reported in practically all basic industries. Under such conditions the chronically distressed areas are hit even harder than before.

No one can seriously question the value of a program of assistance for these distressed areas aimed at helping them attract new industries and thereby boosting employment. Since this problem is national in scope it is well within the realm of the Federal Government to take the necessary action. Recognizing this fact, the Eisenhower administration has proposed a program of assistance for these labor surplus areas and requested the Congress to enact it into law. Last week the President in his budget message repeated his request for Congressional approval of the program. You have developed comprehensive legislative proposals in this problem yourself.

As you know, I was an early supporter of aid for distressed areas and have continued to urge approval by the Congress of a domestic point 4. The bills containing all of the various proposals for assistance to distressed areas are now before your subcommittee for consideration. It is my hope that at an early date a comprehensive program for assisting these areas will be recommended to the full Banking and Currency Committee for action so that this legislation can be approved by both Houses of Congress early in the present session.

Sincerely yours,

FREDERICK G. PAYNE,
United States Senator.

FRED C. REYBOLD

Mr. FREAR. Mr. President, last Saturday, it was again my pleasure, as it has been on numerous occasions in the past, to attend the annual winter meeting of the Del-Mar-Va Press Association. This is an organization made up of editors and publishers of the various newspapers, both weeklies and dailies, published throughout the peninsula which comprises the State of Delaware and parts of Maryland and Virginia.

The Del-Mar-Va Press Association has been meeting regularly for about 45 years, and the gatherings always produce provocative and helpful discussions on the broad subject of news coverage and the service of newspapers to their respective communities.

At the meeting this past Saturday, the principal speaker was a young man of 84 years of age and himself a newspaperman of much merit. His name is Fred C. Reybold, and for the information of the Senate, I might say that his brother, Lt. Gen. Eugene Reybold, was for many years the distinguished Chief of the Corps of Engineers.

I was particularly impressed with the humor and sagacity of Mr. Reybold's remarks, and felt that they would be of interest to the Members of the Senate and to the many other individuals who read the CONGRESSIONAL RECORD.

Mr. President, I therefore ask that at this point in my remarks the text of Mr. Reybold's brief address be printed in the RECORD, together with an editorial which appeared yesterday in the Delaware State News entitled "Newspapermen's Newspaperman," which is in the nature of a tribute to Mr. Reybold.

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

ADDRESS BY FRED C. REYBOLD

There is a reason for the publication of every newspaper, conducted by proper persons, each meeting the requirements by varying public tastes.

I find it impossible to lay down any single rule for all newspapers. They are the most thoroughly individual propositions in the world. It cannot be said that they all lean one way or another, but it can be said that, taken altogether, they fairly approximate the prevailing styles of thought. And if a majority of them incline to support established institutions, it is because a majority of the people of America do.

A paper should be a persistent and courageous champion of every good and righteous cause and the relentless foe of every evil thing. No newspaper can ever be sufficiently clever to fool the people. There is no neutral ground betwen right and wrong. The best that money can buy is never any too good for your readers. Try to see how much you can give them and how little you can take from them. Class will tell, and as has been said a thousand times, "There is no substitute for brains."

A newspaper cannot please all readers, but it must be honest and fearless.

First of all a newspaper must have the respect of its employees and newspaper men and women are, as a whole, honest, fair, and sincere.

A tricky, dishonest newspaperman is soon found out—and it ends his career.

The day of romance in the newspaper world is far from dead, with the passing of the Benjamin Franklins, Horace Greeleys, Charles Danas, James Gordon Bennetts, and other famous editors whose rise from the ranks has always been an inspiration to those in journalistic pursuits, every now and then, one is inclined to think that those days—to use a trite phrase, "Are gone forever." But as years pass on, it is proven that the pen is mightier than the sword today.

Few have ever stopped to estimate what it would cost to publish a newspaper if each publisher were obliged to maintain correspondents in all parts of the world and pay the cable and telegraph tolls on the news sent to the newspapers. The total would be so large that no individual newspaper would be able to meet the expenses.

But the news that you get in your newspaper comes from all over the world. And that news should be accurate so far as possible. We are indebted in a great part, to the Associated Press and the United Press in giving us that news.

There are more than 3,200 members and subscribers to the services of the Associated Press, and the United Press Association is serving 2,229 newspapers and 2,061 radio stations.

I challenge any man in the world to show that any item of news sent out by the Associated Press has been doctored or distorted for personal interests. There may be errors, news may be dishonestly reported to the Associated Press representatives, but so far as the Associated Press organization is concerned, every news story is carefully scrutinized with the sole view of giving unbiased information to the public.

The Associated Press reports are, of course, supplemented by the great newspapers, by cablegrams, and special reports of their own. The news should tell the exact truth so far as possible. I know all newspapers are very careful to be sure of the accuracy of news. But despite all the care taken by those who conduct the newspapers to keep them reliable and honest, there are many persons who question that reliability and that honesty.

One time Horace Greeley stopped the press of the New York Tribune after it had printed one copy of the paper, and then the printers pulled out an item from the forms and set in another. That one copy of the Tribune was wrapped and mailed to the mother of the man who had gone wrong. The paper had to print the story of his wrongdoing, but Greeley knew his mother, and that mother cared. That one copy did not contain the story of the man's disgrace. The world cannot always be so considerate. The man whose mother cares must learn to care for his mother enough to let her read the papers as they come out.

It is said that on the battlefield no bullet ever strikes a man but it goes farther and strikes the heart of a woman somewhere.

Of course, it takes money to run a modern newspaper, for anyone who knows anything about the newspaper business knows that a newspaper would not run very far without money. What is not widely known is that putting a paper across is a science requiring real genius. The man to do it may be one who has never been to college nor written a line of editorial copy himself. He must have a backbone and say farewell to "friends." The road is uphill all the way. Much of the burden bearing has to be done by proxy and a rallying center created for a bunch of loyal subordinates who will stick to the ship and go through storm and stress to the bitter end, which, when reached, is sometimes suddenly revealed as a snug harbor inside the bar.

If the larger newspapers, however, neglect any field of public interest, competition will be resumed, new papers will spring up, for the public must and will be served.

I will tell you how I feel about personal journalism. There is no man big enough to arbitrarily dictate the policy of any metropolitan newspaper. It is a work for many minds and the best minds that can be brought together.

The way to run a newspaper is the way to run anything in business; try to serve your clientele with the best talents and be honest in all things.

Every phase of endeavor is now moving toward amalgamation. The mounting costs of getting out a newspaper today, together with the rising wages in the mechanical department, make it impossible to publish newspapers in big towns in small units.

New York has continued longer in its multiplicity of newspapers than any other big city in the country. Chicago, that once had 5 or 6 morning papers, has now returned to 2. St. Louis with 4 or 5 at one time finally came down to 2. After struggling along with 2 for 10 years, one had to go by the board, and merged with the other. Now in the great city of St. Louis there is only one. The same is true of Denver, New Orleans, Indianapolis, Cleveland, Detroit, and so it goes.

There are more inaccuracies in newspapers of today than in the old days. The telephone has done more to spoil good reporting than anything else. I always tried to get my men to go out and talk to the principals face to face. Real stories are brought in by personal observation.

Men aren't really trained today. They don't have to beat their way up.

I wouldn't trade my experience for any readymade job in the world.

No, the way to improvement is forward, not backward. I am utterly unable to be downhearted over the prospects of journalism in America. The genius of a free people will not let it wither. If we read aright the destiny of our country we shall continue to be its chroniclers; if not, better men will succeed us. But in any event the profession goes marching on.

Now if any of my friends here today ever expect to get into the newspaper field, keep the corners of your mouth turned up always, and think and work, work and think, and read this verse from Kipling every morning:

"And they asked me how I did it,
And I gave 'em the Scripture test,
You keep your light so shining
A little in front o' the next.

"They copied all they could follow
But they couldn't copy my mind,
And I left 'em sweating and stealing
A year and a half behind."

Once a newspaperman—always that. Such is the alluring fascination of this work.

I thank you.

[From the Delaware State News of January 27, 1958]

NEWSPAPERMEN'S NEWSPAPERMAN

Fred C. Reybold is 84 years of age.

But you would never think it if you had been one of the distinguished guests or a member of the Del-Mar-Va Press Association meeting at the Dover Hotel on Saturday.

Reybold was the main speaker at the annual convention. And the talk he gave made us realize that we are indeed fortunate to be journalists. Rich with humor, filled with well related reminiscences, his speech was an inspiration to all those present.

Starting back in 1893 on the Philadelphia Record, this native Delawarean soon made a name for himself in the business of reporting news. Later he came back to Wilmington where he became a part owner and editor of the Every Evening which later merged with the Journal.

What was most interesting about the talk given by Reybold, in addition to the anecdotes which he told so well, was the challenge he hurled at the newspapers of today. He has real faith in their ability to do a job. But he emphasized that the job cannot be done by lazy people who are not aware of the importance of what they are doing.

By custom his talk was held to 29 minutes. But President Dan Tabler was able to get Reybold on his feet again to tell a fascinating story of how he covered the story of a ship filled with refugees from an earthquake in Jamaica coming up the Delaware Bay shortly after the turn of the century.

One part of the talk, which Reybold had prepared for delivery, was on how to run a newspaper. His obvious dedication to the importance of press freedom to America was truly impressive. In fact, United States Senator J. ALLEN FREAR, who was present at the meeting, asked for a copy to be inserted in the CONGRESSIONAL RECORD.

Newspapers are important only to the extent they do their job—of keeping the citizens of a democracy informed. Reybold, with his four score and four years, gave his fellow journalists great inspiration and much to think about.

This gentleman is a newspaperman's newspaperman. May he live many more useful and fruitful years.

WHY THE FEDERAL LOTTERY PROPOSAL OF THE DIRECTOR OF THE BUDGET IS FUNDAMENTALLY UNWISE AND UNSOUND

Mr. NEUBERGER. Mr. President, I desire to state for the RECORD my emphatic opposition to the recent proposal of Budget Director Brundage that we rely upon a Federal lottery to collect funds for the United States Treasury.

This suggestion is inherently wrong for three basic reasons, in my opinion:

First. It would tap the pocketbooks of our citizens, not on the fair basis of ability to pay but merely based upon who was the victim of a gambling neurosis.

Second. It inevitably would encourage State and local governments to depend upon a similarly unsound method of filling their coffers.

Third. It would have an unfortunate impact upon the Nation's standard of living, because many of those pouring their incomes into the Federal lottery might be the heads of large families with only limited financial means.

As I see it, Mr. President, a form of Federal lottery would put the imprint of the United States Government on legalized gambling. The prestige of Congress and the White House then would back such a proposal. Once the Federal Government had endorsed this kind of operation for raising Federal revenues, how could we censure any States or localities which followed suit by legalizing slot machines, roulette wheels, pinball machines, or dice games? Gambling is gambling. How are we going to draw the line?

Every study ever made of legalized gambling has demonstrated an adverse impact on the general economy of the area. Family savings are drained by men who cannot resist the lure of a lottery or a slot-machine handle. In his book, Gambling: Should It Be Legalized? Mr. Virgil W. Peterson, director of the famous Chicago Crime Commission, has shown that "gambling is injurious to the morals and welfare of the people." This makes all the more inexplicable that a man so highly placed in our National Government as the Director of the Budget would suggest the collecting of Federal revenues with a national lottery. How can a minor hoodlum or corrupt magistrate now be assailed for voicing a similar proposal, when it has come from an office as influential as that of the President's Budget Director?

I am disappointed that Percival F. Brundage, Director of the Bureau of the Budget, recommended Federal lottery bonds to help collect revenues for the Treasury rather than proposing fairer and more equitable means. I would have preferred to hear the head of our Budget speak out in favor of abolishing depletion allowances for a few favored industries or in favor of reimposing the excess-profits tax on the manufacturers of armaments and munitions—a tax which the Republican national administration unwisely permitted to expire.

So that Members of the Senate may be familiar with the unhappy proposal made by the Director of the Budget, I ask that a New York Herald Tribune article of January 27, 1958, describing his unfortunate recommendation, be printed in the CONGRESSIONAL RECORD.

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

BUDGET HEAD SUGGESTS FEDERAL LOTTERY BONDS—WOULD LIKE TO TAP GAMBLING MONEY WITH BONUS ISSUE; DOUBTS APPROVAL

WASHINGTON, January 26.—Percival F. Brundage, Director of the Budget, said today he would like to find some way of tapping the money Americans spend on gambling. He suggested experimenting with a bond issue that would bear a redemption bonus for the lucky.

Mr. Brundage made the comments on the NBC television show "Youth Wants To Know" when asked if he thought a national lottery would solve all the problems of keeping the Federal budget in balance. His initial answer was "No; it would not, and that besides he did not think a national lottery a practical proposal."

BRUNDAGE EXPLAINS

After making this remark Mr. Brundage paused for a moment of reflection. Then he added: "But I hate to see all the benefits of the gambling that's done going to the underworld."

Pressed to elaborate, Mr. Brundage said:

"I wouldn't mind experimenting with a bond issue with a redemption bonus or something like that."

Then he laughed and added:

"But I don't think the Secretary of the Treasury would approve."

His apparent reference was to the British bond lottery. By this system bonds are sold to the public at $2.80, each of a short redemption period. When the numbers are called some holders receive as much as $2,800 interest—others, the majority, receive only their money back.

APPROPRIATION FEARS

Speaking on the present budget, Mr. Brundage said he feared Congress will appropriate more money this year than has been requested by the administration. He said the budget is sound, well balanced, and big enough to meet the Nation's defense needs as it stands, but that "Congress may throw some money into specific, earmarked areas where we might find later that we could better have spent the money elsewhere."

Explaining that he never knew a scientist who was satisfied with the amount of money provided for projects, he said that the $73,900,000,000 budget gives ample flexibility to take care of emergency defense needs. Of this sum, Mr. Brundage said, $500 million is to be used, if necessary, to explore breakthroughs in weapons development. Another $2 billion was flexibly arranged, he said, to be shifted as needed to any defense project. Some Senate Democrats have said they intend to have $2 billion earmarked specifically for missile development.

Mr. Brundage reiterated the administration's stand that the 1959 budget can be balanced without any tax increase and that the current business slump is not so serious as to cut the Government's anticipated receipts below budget estimates.

UNITED STATES-SOVIET AGREEMENT PROVIDING FOR CERTAIN EXCHANGES

Mr. JAVITS. Mr. President, announcement was made yesterday of the signing of a United States-Soviet agreement providing for cultural, technical, educational, and sports exchanges between the Soviet Union and the United States and for exchanges in radio, TV, and film, subject to reciprocal veto. This agreement is tangible recognition of the basic fact that peace between nations must be firmly based upon understanding between peoples.

If I may have the attention of the distinguished majority leader, who is present on the floor, I should like to compliment him and applaud his initiative in having originally suggested the mutuality of broadcast exchange between the United States and the Soviet Union and upon the occasion of the famous CBS telecast last year. I feel that kind of action, and the actions of others of us who have been working in this field, are a proper basis for what is needed.

I have mentioned this before, and my reason for calling the attention of the majority leader to it now is that I think he is entitled to hear our thanks for what he did, and I express the hope that we in the Congress may also make our contributions in this matter.

I have a resolution relative to the subject pending before the Committee on Foreign Relations. I imagine there are other resolutions to the same effect, all with the purpose of having affirmative action taken in regard to what has been done in the executive department.

In addition to the statement of the distinguished majority leader on policy, it seems to me that if we think through how we in the Congress can have our weight and our authority and prestige in this field of world peace, directly leveled at the issues which involve us and the Russian people, it will be most helpful.

I respectfully lay this matter before the majority leader, knowing his views on the subject only too well, and calling it to his attention.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. JOHNSON of Texas. First, let me say the Senator's interest and encouragement has been a source of stimulation to me. I thank him for his most thoughtful references to me. I recall with a great deal of pleasure my visit to the great city from which he comes on the occasion when I made certain observations. Naturally I am very pleased the Senator has concurred in some of the views I have expressed, and I trust that the action of the executive department may be in keeping with some of those views.

Mr. JAVITS. I thank the Senator. I hope very much we may have the earliest possible action by the Committee on Foreign Relations on my own resolution, Senate Concurrent Resolution 44, as well as other resolutions, which will place the weight of the Congress behind this whole effort toward mutual exchanges. My resolution applies particularly to students and professors. This is an area to which the President referred yesterday. I hope very much we may have Congressional action and Senate committee action equivalent to the very distinguished proposal of the majority leader.

The people of the United States have already demonstrated their receptiveness to giving fair considerations to what the Russians have to say. This is indicated by the millions who viewed the Khrushchev telecast last year, by the demonstrated appreciation of Russian cultural offerings in the arts, such as pianist Gillels, violinist Oistrakh, and by the Bolshoi Ballet; the free and wide circulation of pronouncements of Soviet leaders, such as that given the December letter from Premier Bulganin to President Eisenhower; by the acceptance by American newspapers of in-tourist advertisements urging visits to the Soviet Union, by the hundreds of Americans who went as tourists to the U. S. S. R. last year; and by the open and friendly reception given the limited number of Soviet delegations visiting the United States during recent years. I would hope that the Russians will permit "Visit U. S. A." ads in Pravda and Izvestia as we have in recent months welcomed such Soviet advertisements in American papers.

The Congress last year, by enactment of section 8 of Public Law 85-316, paved the way for removal of the nettling fingerprinting requirement which had proven such a hindrance to visits to the United States from abroad, especially from areas behind the Iron Curtain.

The path of progress for peaceful understanding lies before us. A look at a world map will remind us that the Soviet Union is a close neighbor, separated only by a few miles of the Bering Strait from United States territory; Washington is closer to Moscow by jet airliner than it is to San Francisco by train or highway. Our ties of peace with the people of Canada and Mexico have been forged by understanding; Americans working and visiting in Germany and Japan have won the confidence of these nations and assured their intentions of peace and friendship toward us more firmly than did years of war.

But the Congress has a role, too, in this endeavor. In the satellite nations behind the Iron Curtain in Europe lies a great reservoir of regard and respect for the United States. American customs, fashions, and music are avidly copied by the peoples of the satellite nations; American political freedom and economic progress continue to serve as an inspiration and a goal. Bonds of blood and relationship exist strong between Americans and Poles and Czechs; Americans, Hungarians, and Rumanians; and between Americans and others in the Communist bloc.

On August 4, last, I introduced Senate Concurrent Resolution 44, designed to implement the reciprocal cultural exchange program between the United States and the Communist bloc nations of Europe under the provisions of the United States Information and Educational Exchange Act, particularly with respect to student's exchange at the suggestion of President Eisenhower. This measure is presently pending before the Committee on Foreign Relations and I hope for early action on it by that committee.

The Senate will have an opportunity to ratify the recently concluded United States-Soviet agreement. The Congress, speaking as it does in our Republican Government for the entire people of the United States, should also not only endorse the stated objectives of the agreement but also its basic objections, strengthen them and open the way for their expansion, when desired, and of their effective implementation. The physicists speak of the conservation of matter—the indestructibility of chemical elements. We must not overlook the conservation of ideas—the indestructibility of man's aspirations for freedom and the "pursuit of happiness." It is we, not communism, who must serve as the inspiration to the peoples of the world. To gain appreciation for our showcase of democracy it must be viewed; to gain circulation for our ideals, they must be exported. The interexchange agreement concluded yesterday after 2 years of extended negotiations marks an opportunity for assuring the peace, an opportunity which it is incumbent upon us to exploit to the fullest. I hope that we shall have early action on Senate Concurrent Resolution 44.

PRICE SUPPORTS ON DAIRY PRODUCTS

Mr. NEUBERGER. Mr. President, I am sure that the mail, in recent days, has been bringing to every Senate office a steady shower of letters vehemently protesting the administration's action in cutting the dairy support price. The farmers who produce the milk and cream are generally too busy to engage in letter-writing campaigns. But the Secretary of Agriculture certainly stirred up a campaign when he announced, in December, that beginning April 1, 1958, support levels for both manufacturing milk and butterfat would be dropped to 75 percent of parity. With one exception, my mail contains only letters of agreement with S. 2924, the bill relating to price support on dairy products, in which I joined as 1 of 17 cosponsors with the Senator from Minnesota [Mr. HUMPHREY], who introduced the measure. The individual voices of dairy farmers are swelling now with the chorus of farm groups whose resolutions are beginning to arrive. I am sure copies of the resolutions are also being delivered to the office of Mr. Benson. I urge him to study these protests carefully. I hope he will thoughtfully consider the unanimity of the opposition and rescind the cut in supports scheduled to become effective April 1, 1958.

Mr. President, I also ask unanimous consent to have printed in the body of the RECORD a resolution passed by the Farmers' Union and local dairymen of Milton-Freewater, Oreg., at a joint meeting held January 9, 1958, and a December 19 resolution from the Oregon Trail Grange, of Nyssa, Oreg.

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

MILTON-FREEWATER, OREG.,
January 10, 1958.

Hon. RICHARD L. NEUBERGER,
United States Congress,
Washington, D. C.

DEAR SIR: At a joint meeting of Farmers Union, and local dairymen on January 9, it was unanimously voted to adopt the following resolution:

We, as members of Twin City local Farmers Union, and dairy grade A milk producers, have voted to go on record as opposing the parity support price cut, that Secretary Ezra Benson has proposed to put into effect on April 1, 1958.

CHESTER A. FERGUSON,
President, Twin City Local No. 292.
MABEL KNOSP,
Secretary.

OREGON TRAIL GRANGE, NO. 687,
Nyssa, Oreg., December 21, 1957.

Hon. RICHARD L. NEUBERGER,
Washington, D. C.

DEAR SENATOR NEUBERGER: The Oregon Trail Grange at a meeting December 19 went on record as being opposed to a reduction in the subsidy to the dairy industry.

Sincerely yours,
F. R. RUNCORN,
Secretary.

LET US BUILD SCHOOLS

Mr. McNAMARA. Mr. President, of all the messages sent to the Congress by the President, the education message delivered yesterday is by far the most disappointing.

It is, in fact, the poorest excuse of a Presidential education message that has yet slithered out of the White House.

From the very first sentence, the President virtually apologizes to the American people for interfering in their God-given right to send their first-class children to second- and third-class schools.

He gives national security as his excuse for the Federal Government's taking an emergency role.

The program that follows is a hodgepodge of penny-pinching acknowledgments that certain problems do exist in education.

I think it is significant that the President refuses to claim this little gesture as his own. He tells us that it was recommended by the Secretary of Health, Education, and Welfare and the Director of the National Science Foundation, and that he approved it. Perhaps the President is ashamed to claim the program for his own—and he should be.

The foremost problem the President completely and deliberately overlooked was the vital need for assistance to States in school construction. I say it was a deliberate oversight, because the President's memory is not that short.

Last year, in his 1957 education message, the President said:

> Of all the problems, 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. * * * I again urge the Congress to act quickly upon this pressing problem.

A year ago the President said classrooms were scarce, and he remembered he had said the same thing in 1955 and 1956.

What has happened in the past 12 months to cause the President to ignore his own warnings of the past 3 years? I do not know what caused the President to change his mind, but I know nothing has happened to change the critical shortage of classrooms.

I think this year we must reverse the procedure. Let Congress send an education message to the President. Let us send him an education bill and demand his signature. Let it include the matters he suggests to meet the national security interest, but let it also include a frontal attack on the classroom shortage with a Federal-aid program.

THE SCHOOL LUNCH PROGRAM

Mr. HUMPHREY. Mr. President, on January 23 I addressed a letter to the chairman of the Agriculture Subcommittee of the Committee on Appropriations, calling his attention to the fact that the President has again failed to request sufficient funds to permit the school lunch program to keep pace with our growing student population.

I ask unanimous consent to have printed as a part of the RECORD at this point my letter of January 23 to Senator RUSSELL.

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

JANUARY 23, 1958.

Hon. RICHARD B. RUSSELL,
Chairman, Agriculture Subcommittee, Committee on Appropriations, United States Senate, Washington, D. C.

MY DEAR SENATOR: In the President's budget I note that the request for the whole school lunch program has remained at $100 million for fiscal year 1959, despite a steadily increasing number of children of school age, and an increasing participation of school children in the program.

According to figures furnished me by the United States Office of Education, there will be an estimated increase of American school children enrolled in the fall of 1958 of 3,142,000 more than were enrolled in the fall term of 1956. That is an increase of approximately 7.7 percent.

According to the Department of Agriculture, the participation of school children in the school lunch program will rise by an estimated 2,145,000—or 20 percent more than the number participating in the fiscal 1957 program.

Yet we see the President requesting an increase of only one-fifth of 1 percent over the appropriation for fiscal 1957, and no increase whatsoever over last year's appropriation.

It is simply incredible that the President would not see fit to request an amount which would permit this great humanitarian program to function at least on the same per capita level as 2 years ago. The results of appropriating only $100 million, as the budget requests, will of course, be to cut the 1957 program by 20 percent. More specifically, I am attaching for the information of the agriculture subcommittee a discouraging report prepared by Mr. A. R. Taylor, the director of the Minnesota community lunch program detailing the severe cutbacks in Federal assistance to Minnesota's school lunch program already taking place. Numerous Minnesota school district superintendents have also brought this acute situation to my attention.

In the interest of at least holding the line on this magnificent program, I strongly urge the appropriation for this program of $120 million for the fiscal 1959 program—an increase over the budget request of $20 million.

I consider this program of great importance to our farm economy and of critical importance to the health and well-being of our young people. Knowing of your deep interest in the welfare of our farming population, and of our Nation's school children, I sincerely hope that you will do everything possible to secure the subcommittee's recommendation for an increase in the budget request.

Kindest personal regards.

Sincerely yours,

HUBERT H. HUMPHREY.

Mr. HUMPHREY. Mr. President, I call to my colleagues' attention the fact that it is not necessary to introduce special legislation for this purpose, but I did wish to alert them to the fact that I have requested an additional amount of at least $20 million for the fiscal year ending in June 1959. Surely every Member of the Senate will wish to join me in this effort to boost the program back at least to the level of 2 years ago.

Mr. President, I also ask unanimous consent to have printed at this point in the RECORD a letter I have just received from Donald H. Dunham, of the National Rural Electric Cooperative Association, supporting my effort to increase the amount requested for the school lunch program.

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

RETIREMENT, SAFETY, AND INSURANCE DEPARTMENT,
NATIONAL RURAL ELECTRIC COOPERATIVE ASSOCIATION,
Washington, D. C., January 27, 1958.

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

DEAR SENATOR HUMPHREY: I certainly wish to indicate our stand on behalf of your drive to restore the Nation's school lunch program at least to the level it was operating on last year. Our association is truly a farm organization representing over 3 million rural farm families. We are contacting Senator RUSSELL to do everything possible to secure the subcommittee's recommendation for an increase in the budget request for the school lunch program.

I consider this program of great importance to our farmer members and the continued health and well-being of the young people of our membership.

Very sincerely yours,

DONALD H. DUNHAM,
Department Director.

URGENT NEED FOR FEDERAL PROGRAMS IN FIELD OF HEALTH

Mr. NEUBERGER. Mr. President, few tasks before us are more urgent than that of providing adequate appropriations and levels of pay for the men and women who are engaged in medical research. Upon their success depends whether or not we shall find answers to the grim riddles of cancer, heart disease, blindness, and other plagues harassing the human race.

I have been disappointed to note that the administration's budget does not recommend increases in the funds for the National Institutes of Health, although the research demands upon this great institution are larger and more numerous than ever before.

In my own State of Oregon, great advances in medical research have been attained at the University of Oregon Medical School, at the University of Oregon itself, at Oregon State College, at the University of Oregon Dental School, and at other institutions—both public and private—which receive grants from the National Institutes of Health.

In the Sunday Journal of Portland for January 5, 1958, my views on this vital subject were developed at substantial length. I wish to thank the editors of the Journal for the opportunity thus afforded me, because of the critical importance of this topic. I likewise would like to call to the attention of my colleagues the fact that, in this article in the Journal of Portland, I have emphasized the great contribution made to medical research generally, and to the National Cancer Institute in particular, by two Members of the Senate with far wider influence and prestige than I possess. These Members are the distinguished senior Senator from Alabama [Mr. HILL] and the distinguished senior Senator from Maine [Mrs. SMITH]. All of us in the Senate—and indeed all members of mankind everywhere—are indebted to them for the effective and persistent effort they have waged to place at the disposal of medical researchers the funds essential to their life-and-death task. Mr. President, I ask unanimous consent that my article from the Journal of January 5, 1958, entitled "$40 Billion for Arms—Why Not $500 Million for Cancer?—Let's Halt Cancer—Now," be printed in the body of the RECORD.

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

FORTY BILLION DOLLARS FOR ARMS—WHY NOT $500 MILLION FOR CANCER?—LET'S HALT CANCER NOW

(By Senator RICHARD L. NEUBERGER)

If the United States Government can invest over $40 billion in weapons of war, why not appropriate a stake of at least $500 million in the war against the most merciless killer of all—cancer? I ask myself this question a hundred times when I pour through the vast volume known as the President's budget.

My dominant interest as a United States Senator is not in public power, as many people undoubtedly believe. It is in a sweeping crash program of Federal support for medical research in general and into the causes and possible cure of cancer in particular. I am most proud of the fact that, in the 3 years that I have served in the Senate, I have had some slight role in increasing funds for the National Cancer Institute from $21 million to $56 million.

Yet even this sum is but a token. It takes $1 million repeated 1,000 times to make just $1 billion. While we will spend $10 billion on naval vessels which soon may be obsolete, we invest merely a fraction of this in the National Cancer Institute.

Americans spend annually $15 billion on liquor and tobacco. They pay $27 billion for automobiles. They spend $3.2 billion for TV and radio sets. But for cancer research their Government puts up only $56 million. Consider that 2½ times as many people died of cancer during World War II as were slain in action on all our worldwide battlefronts.

In 1 year, cancer claimed nearly 10 times the number of Americans who perished during 3 years of Korean fighting. At the present frightening rate, 40 million Americans are destined to have cancer and approximately 26 million of these will die from it.

My wife, Maurine, and I shall never forget the grim but stirring day we spent visiting the Jimmy Fund Building of Children's Hospital in Boston, where more children are be-

ing treated for cancer than any other place on earth.

There we were shocked to learn from Dr. Sidney Farber, the great pathologist of Harvard Medical School, that more children under 14 die of cancer than of any other disease. Indeed, during the last year prior to development of the Salk vaccine, polio killed 579 children but cancer took 3,761.

Our interest centers now in the verdant countryside of Maryland near Washington, D. C. There, at Bethesda, a stately and imposing hospital towers above a cluster of pillared buildings. This is the National Institutes of Health, founded a decade ago by our Government to sponsor research into the deadliest diseases which plague mankind.

Seven separate branches comprise the national institutes. These conduct research into extraordinary cases from all over the land, who are treated investigatively at the huge hospital. Treatment is free. It is the most elaborate and painstaking which money can buy—money paid in taxes by you and me. It is undertaken in the hope that some discovery or breakthrough will be attained which then can help to treat millions of other cases elsewhere in our country.

The national institutes also sponsor generous grants to clinics, medical schools, research laboratories and doctors in all 48 States. The grants are approved by boards consisting of famous medical authorities like Dr. Farber, Dr. Isador Ravdin of the team who operated on President Eisenhower; Dr. Shields Warren, Dr. Stanley Sarnoff and many others.

Although I have been criticized as an advocate of socialized medicine because of my active support of the national institutes, the basic fact remains that 65 percent of the funds available to the national cancer institute are earmarked for grants to non-Federal investigators or private institutions.

For example, during the fiscal year 1957, a total of 6,452 such research grants were made by all the institutes throughout the Nation, disbursing a total of $82,000,000. Oregon's research allotments were divided as follows by the seven major categories of the national institutes:

National Institute of Arthritis and Metabolic diseases	$149,623
National Institute of Neurological Diseases and Blindness	96,704
National Institute of Dental Research	32,392
National Institute of Allergy	37,728
National Cancer Institute	210,833
National Heart Institute	105,777
National Institute of Mental Health	41,220

This compilation will serve to indicate the impact of the program on a State the size of Oregon, which contains almost precisely 1 percent of the national population. By far the bulk of the funds granted to this State have gone to the University of Oregon school at Portland—a total of 31 grants amounting to $475,108 in value.

Next has been Oregon State College with 18 grants totaling $138,514. University of Oregon at Eugene has received 8 grants aggregating $66,636, while all the Oregon funds from the National Institute of Dental Research have been assigned to the University of Oregon Dental School.

One of the most substantial grants made to a single project in Oregon has been that for $74,511 to the university's medical school for a study of tissue culture and metabolism in leukemia, which is the deadly cancer of the bloodstream. This undertaking has been supervised by Dr. Edwin E. Osgood, head of the school's division of experimental medicine.

It is typical of the allotments made by the National Cancer Institute. When Maurine and I were at lunch with the famous researchers on the staff of Children's Hospital, we learned their high opinion of the research qualifications of Dean David W. E. Baird, Dr. Frank B. Queen, Dr. Osgood, and others on the faculty of Oregon's Medical School.

But is enough being done? The total budget of all the National Institutes of Health for the present fiscal year amounts to $241,183,000. This seems like an immense total to the average taxpayer. Yet contrast it with nearly $8 billion for carrying the national debt, $5 billion for the Department of Agriculture, that $15 billion for liquor and tobacco, and $3 billion for movies and sports admissions.

As these words are written, a letter comes to my desk from H. J. Rand, president of the Rand Development Corp., a private research organization. In support of my bill for $500 million for the National Cancer Institute, Mr. Rand writes that he believes a major breakthrough has been made.

"It only requires money and time to exploit this breakthrough. I would estimate that four times the amount of funds could be used in this project without straining our facilities. A major amount of the invaluable time of key research personnel is spent in fund raising. Even work at the National Cancer Institute is being retarded by lack of funds. I suggest that a Senate investigation might bring these facts into the open."

Dr. Isador Ravdin, himself a celebrated surgeon, has said that surgery and X-rays may have reached their zenith in the treatment of cancer—that the dominant hope for a genuine discovery now rests in what is known as chemotherapy This means some compound that may retard the wild growth of malignant cells. It also means the expenditure of enormous amounts of money.

We were told at Children's Hospital that, a decade ago, the youngster suffering from leukemia survived an average time of 4 to 6 weeks after diagnosis. Now survivals at the hospital average from 16 to 20 months. The difference is caused by compounds which retard but, alas, do not halt the sinister disease.

Dr. Farber told us that some 30,000 mouse tests annually are used to determine the value of such compounds. He showed Maurine and me samples of mice in which cancers have been planted and then made to disappear completely, all by result of chemotherapy.

Unfortunately, the compounds retain many toxic properties and cannot be risked on human patients. "But we ought to be making not 30,000 tests a year," said Dr. Farber, "but 300,000 tests or even 3 million."

This sense of urgency lies behind the thinking of Dr. Farber, Dr. Shields Warren, and others that Federal cancer research funds should be on a continuing basis. By this they mean the money should hold over from year to year. Budgets for cancer investigation, they claim, cannot be handled on a fiscal-year basis. It must be known far in advance that funds will be available for lengthy programs. Skilled researchers must have some permanence of tenure.

My bill provides that the sum of $500 million for cancer study shall "remain available until expended." The purpose of this provision is to let the medical boards of the National Cancer Institute know that they do not have to spend the money at an unwisely fast rate, if sound proposals for research seem lacking. I am confident that the bulk of the grants would continue to go to medical schools and other non-Federal outlets.

Happily, this need for more extensive governmental financing of cancer research is not a partisan issue. And why should it be? Cancer is no respecter of political parties or of pocketbooks.

In my efforts to expand funds for the National Cancer Institute, I have found complete support and agreement from two Members of the Senate with far wider influence and prestige than I possess.

One is Mrs. MARGARET CHASE SMITH of Maine, the only woman Member of the upper Chamber of Congress. She has long argued for greater encouragement for medical research. The other is LISTER HILL of Alabama, descendent of a long line of illustrious physicians and himself named for the noted British surgeon, Sir Joseph Lister. Mrs. SMITH is a Republican and Senator HILL a Democrat, and that is as it should be.

I am certain the sum of $500 million, to be disbursed by medical researchers in pursuit of a single disease, undoubtedly sounds like a lot of money to a citizen struggling with his income-tax return.

Yet Dr. Queen at the University of Oregon Medical School pointed out recently that the cost of cancer in Oregon alone each year totals $143 million and in the State of Washington some $217 million. In two States of comparatively small population, cancer thus costs over a third of a billion dollars annually.

Today we look back with compassion on the era of the frontier, when scarlet fever or diphtheria were most of the time fatal maladies. These diseases now respond to vaccines and protective serums. Will a future generation regard with equal pity our own staggering mortality from cancer? Some of America's greatest medical researchers have told me that such sympathy may possibly be avoided if a genuine "crash" program of basic research is financed and supported.

I am certain many readers of this article wonder why such splendid nongovernmental groups as the American Cancer Society and the Damon Runyon Memorial Fund are not adequate to finance all the research that is needed. These organizations do splendid work. They command the allegiance of outstanding and unselfish people. It was a great honor recently for me to be asked by the Runyon Fund to present a $15,000 donation for cancer-research projects to Drs. T. B. Fitpatrick and H. S. Mason of the University of Oregon Medical School.

But the sheer magnitude of the cancer problem calls for governmental funds on a vast scale. To date the Damon Runyon Fund, dedicated to the gifted author who died of cancer of the throat, has disbursed $11,345,378 in all 48 States and 18 foreign countries for cancer investigations. This must be compared with the $56 million spent in a single year by the National Cancer Institute and with $500 million which leading researchers look upon as a goal.

One further thought occurs to me, in advocating an accelerated program of study in this life-or-death field. Millions of Americans are troubled over Russia's startling new ascendancy in the realm of space conquest. They worry about our prestige and standing internationally. They wanted the United States to thrust a bigger and heavier satellite even farther into the unknown reaches of the universe.

But what if America, instead of doing this, could announce some day that at last a genuine breakthrough had been made in the study of human cells running rampant and that the terrible riddle of cancer had been solved?

Another moon to match the travels of sputnik or a compound to halt the ravages of cancer—which of the two announcements would make the name of America blessed among all the peoples of the earth?

THE ST. LAWRENCE SEAWAY AND THE GREAT LAKES CONNECTING CHANNELS

Mr. WILEY. Mr. President, in the spring of next year, one of the great maritime milestones of this country will

occur when the Great Lakes-St. Lawrence Seaway is officially opened.

Our pleasure in dedicating this great engineering artery into the heart of the North American Continent will be dampened, so to speak, by but one thought: The seaway—for the immediate present—will really be only half a seaway. The reason will of course be that 27-foot deep-draft shipping can be accommodated only as far as Lake Erie, until connecting channels to the upper Lake States are deepened and improved.

Under the circumstances, it becomes imperative that funds be allocated to complete these channels by the earliest possible date.

In all of our advance planning to date, 1962 has been the target deadline for the completion of the channel work. This is not an early target by any means.

But now, we learn that because of the pressure for overall economy in civilian-type expenditures in the next fiscal year's budget, there is going to be a slowdown or, some might call it, a stretchout in the present channel improvement plans.

My purpose in speaking today is to point out, however, that the channel work is a capital improvement of interest to 30 million people. It is no ordinary river and harbor project. Channel funds cannot be considered in the same class as an appropriation to improve some harbor, say, in the gulf, or on the east or west coasts, or even a Great Lakes port itself.

On the contrary, the channels are the indispensable second half of the entire vast project, a second half which makes the first half expenditure completely sound.

Remember, we of the upper Lake States will still be cut off, so to speak, from deep-draft shipping until the channels are improved.

Up until now, we have been limited in our commerce basically because of the inability of deep-draft navigation to get through the International Rapids section of the St. Lawrence Seaway. Now, that is being taken care of by seaway construction. But we have also been limited from deep-draft shipping because of the impassability of the present upper channels to deep-draft shipping.

Speed, therefore, is of the essence in completing the seaway.

The case for it can be summarized:

First. America is facing a dip in her economy. Channel construction funds will help generate economic activity, directly and indirectly. Channel funds will help open up the great market of the upper Lake States to increased employment, increased commerce.

Second. Completion of the channel work is an act of elementary justice for the upper Lake States. It is these States which the record will show—fought longest, hardest and most consistently for the seaway, in the 30-year battle for it.

The very least that they can expect is that they shall receive the benefit of the seaway at the earliest possible date.

Third. Uncle Sam cannot fully realize his own overall investment in the International Rapids section until the full 2,300-mile seaway is opened to deep-draft shipping.

I send to the desk now two items: The first is an editorial from the Milwaukee Journal, issue of January 24, which emphasizes the importance of completing the Great Lakes connecting channels. The second is an excellent summary of the progress on the main seaway construction job itself. This summary was presented by the information officer of the St. Lawrence Seaway Development Corporation, Mr. Edward R. Place, at Nashua, N. H., earlier this month. Mr. Place's speech documented the tremendous interest throughout the Nation and abroad in this great overall project. I ask unanimous consent that both these items be printed in the RECORD.

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

[From the Milwaukee Journal of January 24, 1958]

DEEPEN LAKES CHANNELS SOON

A good example of false economy is the proposed slowdown on deepening connecting channels between the western Great Lakes as part of the St. Lawrence Seaway project.

There are 130 miles of connecting channels, including the St. Clair River, Lake St. Clair, Detroit River, St. Marys River, and the Straits of Mackinac—joining Lakes Erie, Huron, Michigan, and Superior. They are to be deepened to 27 feet. Now ships calling at Milwaukee are limited to 21-foot channels incoming and 25-foot channels outbound on their way from Lake Erie to Lake Michigan.

The seaway is due to be completed in 1959. It will provide a minimum 27-foot (instead of the present 14-foot) route into Lake Erie. The channel deepening project was scheduled to be completed in 1962. But under the budget plans of President Eisenhower annual expenditures for the channel work would be cut almost in half, forcing a stretchout of the work to 1965.

As it is, Milwaukee will not get the full benefits of larger shipping that the seaway will make possible at the time the seaway is finished. If the President's proposal is adopted, Milwaukee will not get full benefits for as long as 6 years after the seaway completion.

It wouldn't make sense to go to the expense of running water pipes into a home and then decide to save money by not providing faucets for 3 years. The channel expenditures are going to be made as part of the capital improvements program. The way to get the most benefit out of the seaway is to start using it as soon as possible. If larger shipping is blocked from Lake Michigan it is bound to restrict not only the benefits lake ports hope for but the amount of tolls which are to go toward paying seaway costs.

The seaway is being built. The channel work is an integral part of the seaway development. The wisest economy would be to push the work as rapidly as possible and to get the project into business. It's false economy to postpone the day when the seaway can realize its full potential.

WORLD SPOTLIGHT ON ST. LAWRENCE SEAWAY

(Address by Edward R. Place, information officer, St. Lawrence Seaway Development Corporation, at Unitarian-Universalist Church, Nashua, N. H.)

Forty-one years after the initial St. Lawrence Seaway power bill set off a long series of vigorously fought debates in the United States Congress, extending between 1917 and 1954, partial navigation of the fabulous international waterway is only 6 months away. Today the project is about three-fourths completed.

From where we sit at the United States seaway headquarters offices in Washington, it can be said that the world spotlight is on the seaway. It may astonish many of you, occupied as you are with family, occupational, and community responsibilities, that the realization of a bold century-old dream is so near at hand.

Those of you who have not had leisure time to visit the seaway work sites during the past 3 years of earth-moving and construction miracle may with good reason wonder why all roads in the universe lead to Montreal, and Beauharnois, Cornwall, and Massena, Iroquois, and Welland.

During the course of my remarks this evening, I will report on various aspects here and abroad of interest and enthusiasm which appear to be portents for the seaway's success to a degree surpassing even the wildest hopes of generations of dedicated advocates from both sides of the Canadian-United States border.

My presence here as a representative of the Seaway Corporation, in response to your kind invitation of many weeks ago, proves to me that Nashuans, along with many other New Hampshire and New England citizens, have adopted a sensible and practical Yankee attitude toward the seaway. You accept the seaway power project as a nearly accomplished fact, and you want to know how you can best take advantage of the new power for manufacturing goods and the improved navigation facilities for moving goods.

In a recent address before the World Affairs Council in Milwaukee, Seaway Administrator Castle declared that all who are engaged in transportation services will share the benefits from the increasing import-export trade, of Canadian ore discoveries, along with laboratory research for new products, population growth, and industrialization in the Great Lakes Basin and St. Lawrence Valley.

"With all these favorable factors and trends so plainly evident today," he said, "no crystal balls are required to recognize that the St. Lawrence Seaway facilities will prove to be a great stimulus to our national economy. Instead of being a threat to other areas and other types of transport services, we believe the seaway should prove to be a boon to all services and to the country as a whole."

The seaway is an outstanding example of international cooperation in which two countries are together developing a project of great magnitude which will promote trade for their mutual benefit and that of other countries. These facilities will, therefore, contribute to the furtherance of the security and economic stability of the Free World.

The northern tip of New Hampshire is, roughly, 100 miles from the St. Lawrence River in Canada. Nashua, being in southern New Hampshire, is, of course, much farther removed. Even though New Hampshire is not 1 of the 8 States bordering on the seaway and the Great Lakes, or even 1 of the 9 States that are said to be directly tributary—that is, States from which trade can be expected to flow across the Great Lakes States to make use of the seaway—it cannot be assumed that the seaway will benefit only 17 States and less than half of our population.

The economy of the United States is so interdependent, with the welfare of citizens of one State depending upon the welfare of citizens of another State, that it is impossible for so large a segment of our economy to receive benefits without the good effects spreading to all of our citizens and to every State.

I would not venture to tell you that Nashua's manufactures of textiles, shoes, wood products, tools, hardware, and machinery will boom the moment the first ship passes through the Long Sault Canal and the new 80-foot seaway locks next July. On the other hand, you should not be discouraged

from exploring the benefits to business and trade through cheaper transportation costs the seaway will provide.

As a native New Englander, I have previously been given the opportunity to tell the seaway story in nearby Keene, in Portland and Presque Isle, Maine, and in Bennington, over in Vermont. It may interest you that Maine's potato farmers are intrigued with the idea of getting a highway for truck transports cut from Aroostook County through the Wilderness to serve as a link to the port of Quebec and Great Lakes markets for their spuds, via the seaway. As previously said, all roads—and, I might add, rails—lead to the seaway, now or eventually.

Winter has halted, or slowed down, the work on the billion-dollar seaway-power project, and the St. Lawrence River is closed to navigation until the ice breaks up in the spring. The combined working forces are far below summertime peak employment of around 15,000. Most of the contracts are on schedule.

In the International Rapids section the United States seaway project is in good shape. The Long Sault Canal, a big ditch 10 miles long, with a bottom width of 442 feet and a minimum depth of 27 feet, was virtually completed during December. The canal excavation contracts called for moving of 17 million cubic yards of earth and rock, while the two lock excavation contracts required moving more than 5 million cubic yards of material, a total of over 22 million cubic yards. Eisenhower lock was over 92 percent complete and Grasse River lock over 85 percent complete on December 1, 1957. More than 1 million cubic yards of concrete were placed in these massive structures, each of which will raise and lower ships 45 feet.

United States seaway facilities will open next July for 14-foot draft ships. This is necessitated by the raising of the power pool for generation of hydroelectric power. Some 38,000 acres will be inundated, forming a huge seaway lake and flooding out the existing Canadian 14-foot canals westward from Cornwall, Ontario. All river traffic in the International Rapids section would be blocked by the St. Lawrence power dam and Long Sault spillway dam unless the Long Sault Canal were completed, thus providing a bypass for ships around the power structures. St. Lawrence cargo volume now amounts to some 12 million tons annually.

During 1958, the Seaway Authority of Canada will concentrate upon completion of its four new seaway locks, St. Lambert and Cote Ste. Catherine above Montreal and the upper and lower locks located in the Beauharnois Power Canal. Canada's fifth lock at Iroquois was completed last fall, and a successful test run took place on November 22. Both the United States and Canada will continue dredging between Montreal and Lake Ontario, and Canada will complete the deepening of its Welland Ship Canal, connecting Lakes Ontario and Erie. Together the United States and Canada are building a high-level suspension bridge with 120-foot clearance for vessels, preliminary to tearing down the present span between Rooseveltown, N. Y., and Cornwall Island. During 1958 the Seaway Authority will occupy its new headquarters building at Cornwall and the Seaway Corporation will move into its new operations building at Massena.

In the spring of 1959, the stage will be set for oceangoing ships up to 27-foot draft to utilize the vastly modernized St. Lawrence Waterway, and engage in greatly expanded commerce and trade with St. Lawrence River and Great Lakes ports. Thus, one of the world's greatest engineering feats will have been accomplished and a mighty dream will have come true.

It is anticipated that the bigger ships from foreign lands as well as United States and Canadian fleets, representing over 80 percent of the world's cargo vessels, will commence using the completed Montreal-to-Great Lakes Seaway in early April 1959. It is likely that the gala international ceremonies marking this historic event will be held over until balmier weather in May or June for the convenience of Britain's charming Queen Elizabeth, who has already announced her intention of participating in the seaway opening along with President Eisenhower, in whose first administration the Seaway Act was passed. Millions of Americans and Canadians will celebrate the realization of the fourth seacoast which will transform the Great Lakes into the world's eighth sea, sometimes referred to as America's Mediterranean.

By 1962, the connecting channels of the Great Lakes will be deepened to 27 feet from present depths of 21 feet upbound and 25 feet downbound, and the way will be cleared for a channel with a minimum depth of 27 feet all the way from the Atlantic to Duluth, Minn., and Port Arthur, Ontario, on Lake Superior. An incomparable inland waterway, 2,342 miles long, will bring ships flying the flags of a hundred nations into the heartland of our continent, making great seaports of inland ports and enriching the economy of the United States and Canada beyond measure.

There are heartening reports that ships especially designed for the seaway trade are being constructed in foreign shipyards. For example, two new passenger-cargo vessels being built by the Fjell-Oranje Line for Great Lakes service will be streamlined ships of about 9,000 deadweight tons with first-class accommodations for 100 passengers. The vessels are scheduled for delivery in the spring of 1959. The ships will operate from Rotterdam, the Netherlands, and probably English Channel ports to Montreal and Chicago.

Interest of European shipping officials in the seaway is indicated by the fact that Mr. Charles Sartori of the Hamburg Chicago Line and Mr. H. Steuch, general manager of the Baltic and International Maritime Conference, came over to attend and make constructive statements at the users' conferences conducted by the Seaway Corporation last September in Washington and Chicago. They also attended a similar conference in Ottawa, Canada.

The Seaway Corporation has been pleased to escort foreign shipping officials on inspection tours of the seaway construction area, among them a distinguished group from Norway.

Travel writers tell me that cruise promoters in France are considering the idea of transatlantic seaway excursions, providing tourists with a floating hotel while enjoying the sights and attractions to be found in such cities along the seaway route as Quebec, Montreal, Toronto, Buffalo, Cleveland, Toledo, Milwaukee, Chicago, and Duluth.

Potentialities for use of the scenic seaway for passenger ships are so challenging that Senator ALEXANDER WILEY, of Wisconsin, a coauthor of the Seaway Act, once proposed that they pay a toll of a dollar a head to help pay for seaway construction costs. However, the law as written now provides that the seaway be self-liquidating and self-sustaining through tolls to be paid by shippers during the next 50 years.

Among hundreds of seaway film showings which our information office has arranged during the past year in response to requests, there have been a number in European countries sponsored by miscellaneous organizations, including the Manchester Ship Canal Co. in England. Other requests have come from Switzerland, the Netherlands, and Cuba. I may say that the Seaway Corporation has produced two films in the Fourth Seacoast series and will produce three more.

One of the best of the non-Government films on the seaway construction is Caterpillar Tractor Co.'s the Eighth Sea, which has been viewed by many hundreds of thousands throughout the United States and Canada and abroad.

It has been estimated that construction equipment being used by contractors on the seaway-power project is valued at around $75 million, and the opportunity to watch these monster machines at work from public overlooks provided by the seaway and power entities has attracted a million or more tourists to the vantage points erected for seaway superintendents. Administrator Lewis G. Castle of the Seaway Corporation has often predicted that the seaway will equal or surpass Niagara Falls as America's No. 1 tourist attraction.

Le Vie Del Mondo, an Italian magazine published by Touring Club Italiano—a magazine very similar to our National Geographic—last September published an 18-page article on the seaway. Our press releases go to many countries, embassies, overseas shipping lines, and foreign publications, helping to focus the world spotlight on the seaway.

Last season the State Department sponsored a seaway tour, in cooperation with the Seaway Corporation, for 4 professors and 19 students from Guatemala University of San Carlos. Students were all members of the school of engineering graduating class.

From Japan came an inland-waterways group of 16, a party of 12 industrialists, and a smaller group of civil engineers and steel-company executives. Twelve engineers from Formosa made up another group touring the seaway project. Members of the Edinburgh Chamber of Commerce and manufacturers came from Scotland. Four engineers came from India. Officials of Germany's Kiel Canal, 20 students from England's Imperial Defense College, and other foreign delegations too numerous to mention inspected the seaway last year. We are preparing to welcome a group of Turkish public-utilities executives from Istanbul.

Distinguished Americans who recently toured the seaway include former President Herbert Hoover; Senator Theodore Francis Green, of Rhode Island, chairman of the Senate Foreign Relations Committee; Senator George D. Aiken, of Vermont; Gov. Vernon W. Thompson, of Wisconsin; Admirals Hopwood, Libby, and Burrowes, of the United States Navy; and a host of others. Chicago businessmen and industrialists filled a boat to capacity and inspected the seaway from afloat and ashore. Milwaukee industrialists chartered a plane for a 3-day seaway inspection trip arranged by Milwaukee Association of Commerce. Hundreds of buses stream to Massena and Cornwall with their loads of engineers, businessmen, school teachers, students, etc., for a look at the seaway. A large-scale tour for college engineering students is being organized for early April by a Milwaukee school official.

All roads lead to the seaway as the world spotlight plays on the greatest construction show on earth.

Is it any wonder that traffic and parking have become major problems for Massena, whose housing problem was already made critical by the influx of seaway workers? A new hotel and 53 trailer courts, at last count, have helped to ease the housing situation in the seaway's gateway city on our side of the border, while its industrial growth is assured by the new plants now under construction by the Reynolds Metals Co. and General Motors, and by the expansion of the existing plants of the Aluminum Company of America.

For generations the St. Lawrence Seaway was a favorite question for college debating teams, as well as a subject for themes, term papers, and the like. Very likely some of you folks here tonight will recall writing compositions on the seaway during your school days.

Today America's educational institutions are playing an important part in spotlighting the seaway power project.

In our colleges and universities, interest in the seaway is not confined to professors of economics, international law, political science, history, engineering, geology, agriculture, geography, transportation, and marketing. Students by the hundreds on campuses all over this country and Canada, as well as famous universities abroad, are researching and writing about the seaway. A student in Belgium actually visited our offices for a series of exhaustive interviews after corresponding with us for about a year.

In recent months, selected groups of Goucher College and American University students, accompanied by their professors, visited our Washington offices for a give-and-take discussion of the seaway project, following film showings and educational talks by several of our officers.

Indiana University's School of Business has published a valuable study on the effects of the seaway on grain movements and other agricultural products. Fenn College of Cleveland has prepared a study of the impact of the seaway on the port of Cleveland. Harold M. Mayer, associate professor of geography at the University of Chicago, has written a 283-page book-length study entitled "The Port of Chicago and the St. Lawrence Seaway." Marquette University has sponsored a comprehensive seaway forum. Many university law and engineering journals are featuring seaway articles. Recently Syracuse University professors published a book entitled "The New St. Lawrence Frontier."

Prof. Sargent Russell, of the University of Massachusetts, made research studies for a report by the New England Governors' Committee on Public Transportation. The report, entitled "The St. Lawrence Seaway and New England" was published in two parts. Professor Russell also has prepared a recent seaway study for the United States Department of Agriculture, entitled "Potentials of the St. Lawrence Seaway for Marketing United States Agricultural Commodities."

United States Military Academy cadets hold the unofficial collegiate championship for seaway literary efforts, on the basis of largest number of requests received from any single educational institution for our information materials to be used in writing theses. Students of Kent State University in Kent, Ohio, have been next most prolific in writing on various aspects of the seaway. Currently, several Harvard College students are doing research preparatory to writing papers on the seaway, possibly as a consequence of recent publication by the Boston Globe of a series of eight articles by Otto Zausmer, describing a Great Lakes-St. Lawrence voyage aboard a Dutch freighter.

College students are not alone in burning the midnight oil on seaway studies. Hundreds of grade and high-school students have written us for assistance on seaway projects of one kind or another. Several classes have collaborated on designing seaway exhibits, and one schoolboy has built a truly remarkable scale model of the seaway power project in the International Rapids section, complete even to running water.

One of the earliest and most profusely illustrated books on the seaway is "Billion Dollar Story," on which the editors of the Massena Observer have collaborated. We know of a dozen books on seaway history now being written, several to be used as school textbooks.

Recently off the press is Lowell Thomas' Story of the St. Lawrence Seaway, published by Henry Stewart, Inc., of Buffalo, N. Y. One sentence from Mr. Thomas' book provides a happy thought on which to close: "The seaway and power scheme is now one more powerful link in the chain of Canadian-American friendship."

CIVIL RIGHTS—ADDRESS IN LITTLE ROCK, ARK., BY PALMER HOYT OF DENVER, COLO.

Mr. NEUBERGER. Mr. President, one of the courageous figures in American journalism today is my devoted friend, Palmer Hoyt, editor and publisher of the Denver Post, of Denver, Colo. He is a great editor because he is not afraid to champion unpopular causes. Typical of this able person in our fourth estate was his recent pilgrimage to Little Rock, Ark., where he spoke in favor of an enlightened attitude on civil rights and in opposition to the use of armed force to oppose civil-rights verdicts of a unanimous United States Supreme Court. It was characteristic of Palmer Hoyt that he took this stand in the presence of Governor Orval Faubus of Arkansas who had employed the National Guard to defy the Supreme Court and the President of the United States. To the credit of Governor Faubus, he listened courteously to Mr. Hoyt's address.

Mr. Hoyt likewise was true to his own beliefs when he praised two other valiant editors, J. N. Heiskell and Harry Ashmore, of the Little Arkansas Gazette, who have dared to print the news and to oppose the use of armed force during the Little Rock school-integration crisis.

It is easy and simple to speak in favor of school integration and orderly processes in a northern city. It requires far sterner stuff to do this in the South, whether you are a politician or an editor. We of the North too often fail to recognize this. We frequently are too hard on southerners in this regard. Palmer Hoyt's speech at Little Rock, Ark., to the Arkansas Press Association on January 10, 1958, was in the best tradition of such valiant figures in American journalism as William Lloyd Garrison, Elijah Lovejoy, and William Allen White. The following brief tribute to Mr. Hoyt appeared in the Pendleton East-Oregonian of January 18, 1958:

Ep Hoyt, editor and publisher of the Denver Post (his first newspaper job was on the East Oregonian), has been praised and condemned for statements he made at an Arkansas State press association banquet on the problems that grew out of integration at Little Rock high school. Our only comment is that it took courage to discuss the subject in Arkansas and when you're looking around the newspaper world for a man with courage you need look no farther than Ep Hoyt.

Inasmuch as I have referred extensively to the address in Little Rock by Palmer Hoyt on January 10, 1958, it is my belief that Members of the Senate will be interested in this outstanding speech, in which Mr. Hoyt has emphasized the unfortunate impression created overseas when "the armed power of an American State was involved to prevent nine Negro children from obtaining an education."

I ask unanimous consent that Mr. Hoyt's address be printed in the CONGRESSIONAL RECORD.

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

AMERICAN TRAGEDY IN THREE PARTS

(Speech by Palmer Hoyt, Arkansas Press Association, Little Rock, Ark., January 10, 1958)

Mr. President, Governor Faubus, members of the Arkansas Press Association, ladies and gentlemen, I am glad to be here tonight to talk to such a distinguished group of fellow newspapermen. And I am happy to have, at long last, the opportunity to meet one of America's most controversial figures—your own Governor, the Honorable Orval Faubus.

My father was a Baptist preacher, and I was brought up on the Bible.

One of my favorite Bible stories was that of a gentleman, name of Daniel, who, with a little urging, sauntered into a lions' den one day.

As a child, I used to wonder how old Dan felt when the gate clanged shut and he found himself alone with those lions.

Now I know. Because here I am. I'll have to agree that you are a nice-looking bunch of lions. Furthermore, I doubt if Daniel had the pleasure of being introduced by the head lion.

But even so, it occurs to me that, lest I be devoured, I had best make my position clear.

You know, first, that I am a newspaperman. As such, over a period of almost four decades, I have worked for better human relations but I have learned that good human relations cannot be legislated. They are the product of time, education, and effort.

Some of you may look upon me as a "damnyankee." May I say, parenthetically, that I was 25 years old before I knew "damnyankee" was only one word.

A few of you, and I hope it is only a few, may regard me as a carpetbagger.

I would be less than realistic if I didn't concede that newspapermen, damnyankees and carpetbaggers, all three, seem at the moment to be fairly unpopular in this great commonwealth.

Before embarking on my main thesis tonight, may I say—this I do believe: No man can reflect upon the incident known as "Little Rock" without feelings of compassion for the people intimately and personally involved. A community within the Nation that is troubled by internal dissension, harassed by external critics and humiliated by civil disorder is no less a sorry spectacle than a nation itself in the grip of civil war.

Let the millions of Americans outside of Arkansas ask themselves if they, under similar provocation from within or without, could comport themselves with greater poise or restraint.

I shall not presume to levy judgment upon your gracious Governor, Orval Faubus. What transpired here, after your school board set in motion a gradual program of integrating your public schools, has been exhaustively discussed by Arkansas' own press.

The facts have been widely and painfully appraised.

And, it seems to me that Little Rock's Arkansas Gazette, under the guidance of my friends, J. N. Heiskell and Harry Ashmore, reported accurately on the news of conditions within this city when the Arkansas National Guard was called into action. It is my personal view that the Gazette's editorial position has reflected great journalistic statesmanship. I have noted that the same is true of some other Arkansas papers.

It is not for me, as a newspaperman, damnyankee, carpetbagger, or whatnot, to evaluate the motives of any party to this case. I am, as you will see, less interested in motivation than in effect.

I have accepted your president's invitation to speak to you as a fellow American, and as

such to point out what seems to me to be certain inescapable facts and conclusions.

The first is, that you and I and all of us in the Free World are in a mess. If we don't do something about it soon, there will be no laws to squabble about and no way of life to preserve.

The second point is that we have all—our leaders and ourselves—had a hand in making this mess. We have been complacent about our ability to defend ourselves; selfishly materialistic and appallingly unconcerned with the consequence of our behavior upon the rest of the world—particularly the effect on the minds of men.

Suddenly we are awakened by the beeping of satellites, the flash of rockets not our own, and the unpleasant sound of angry words of men who do not love us.

And this is the background against which we may be on stage and performing an American tragedy in three acts.

As I have said, all 3 acts concern all of us, but 1 of them concerns you especially.

What are the acts of this unfolding, this implied tragedy?

The first is the effect and the impact of such episodes as the Little Rock case on our own respect for law and on our leadership of the free world.

The second act involves the economic challenges raised against the American people by the evil, if dedicated, geniuses in the Soviet Union.

The third act, and perhaps the climax of our tragedy, is built around the fundamental question of survival. Survival against internal economic collapse; survival against the threat of thermonuclear war or international blackmail in the age of the rocket, the missile and the platform in outer space.

The order of the acts is not accidental. Let me illustrate. Not long ago, I had dinner with Robert MacNeal, president of the Curtis Publishing Co., who had recently returned from India and Pakistan.

He had been in those countries after sputnik had been launched by the Soviet Union.

I asked Bob MacNeal what the newspapers of India and Pakistan said about this Russion scientific achievement—how were they taking it?

"Oh, they were impressed," he replied, "but the headlines were still devoted to Little Rock, not to sputnik."

Mr. MacNeal's observations have been substantiated repeatedly by American and foreign—friendly foreign—newspapermen.

Why Little Rock?

Why Little Rock of all places?

Arkansas has been associated in the minds of most Americans with moderation—with hard earned and solid progress in human understanding and economic recovery, with statesmanship on the national scene.

Yet the world believes that the armed power of an American state was involved to prevent nine Negro children from obtaining an education.

And bear in mind what an education means to the world's backward millions struggling for human identity, and bear in mind that of the world's 2½ billion people, two-thirds have colored skins.

The world believes that this action was so acceptable to the people of an American State that it took not alone the persuasive power of the courts, but the repressive power of superior armed force as well to reverse it.

I'm not here tonight to argue with you whether those nine Negro children should be in that school or when. In the light of the present world crisis, that question is incidental.

The rest of the world is not going to wait around for us to make up our minds where we stand on integration.

The people of the rest of the world are making up their minds right now, whether to stand with us Americans or against us.

And it makes a lot of difference to the uncommitted people of the world where we—the American Nation—as the strongest remaining free nation—where we stand on integration.

These uncommitted people say to us, "How can you Americans, who claim to man the very citadel of democracy and equality, how can you insist on maintaining second-class citizenship? Do you Americans believe what you preach—or don't you?"

Unfortunately, we cannot answer them with "yes, but * * *."

We cannot say to them, "Yes, but not now."

The other side is talking about right now and serving notice that there isn't time to pause and ponder. That there is time only to pick the winning side.

We cannot say to them "Yes, but there are some difficult legal questions involved."

Admittedly there are, and in those years when we had time to debate them, they were interesting.

Take the question of States rights for example.

To what extent are we, a single nation, bound to a single destiny; and to what extent are we a collection of 48 commonwealths, free to go our own separate ways and determine our own destinies?

Despite the millions of words that have been written on the subject, and the tragic lengths that men at times have gone to in disputing the issue, the concept of a nation made up of self-determining units set upon separate and divergent courses could not and cannot be made to work for very long.

Recently I read of experiences of the officers of the Confederacy even as they fought for the concept of State supremacy in the Civil War. They, who had written into the preamble of their constitution the words "We the people of the Confederate States, each State acting in its sovereign and independent character." They themselves were to experience the frustrations described by A. M. Houser, in his new book, Lincoln's Education, from which the following quote is taken. I quote:

"The officers of the new Confederacy had scarcely taken their seats before their chickens, led by State sovereignty and strict interpretation, began coming home to roost. It seemed impossible for them to make an order or pass a law but some court, commonwealth, or individual would declare it unconstitutional; therefore null, void, and of no effect.

"States claimed a right to withhold or withdraw their troops. Some organized a State militia, the members under their exclusive control and exempt from conscription by the general government.. One Christmas present received by the Confederate Government, in 1863, was a letter from Governor Vance, of North Carolina, threatening to collect his militia and levy war against the Confederate troops.

"A citizen of North Carolina, arrested by order of the Secretary of War, was rescued and set free by this militia. Some Confederate States passed exemption laws which rendered great bodies of men free from conscription by the general government.

"In 1863, it was estimated that one-half of all those available for military service either could not be found or had been exempted from service. The Confederate Congress repeatedly—twice in one week—refused the President permission to declare martial law. No Supreme Court was established, so each local judge decided the Constitution and laws in accordance with his own beliefs or prejudices."

That, my friends, is a matter of history.

When the concept of one Nation, under one flag, and cemented together by a single constitution, was affirmed in the blood of the Gray and the Blue, we as a people then started on the rocky road of making that Constitution work. The Constitution was amended and interpreted many times in the light of changing conditions, new challenges, and the added enlightenment of education.

We have had many contests, bitter, grueling and costly, over the implications and impact of the basic law. And foremost among the points of conflict has been the 14th amendment provision that: "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States."

Some of my friends in the South argue that the 14th amendment was never properly ratified. But they do not argue it too seriously. Even such an able exponent of the southern cause as James Jackson Kilpatrick, editor of the Richmond News Leader, admits that by tacit acquiescence over a period of 90 years the 14th amendment has been recognized as a valid part of the Constitution. That acknowledgement, one might say, is a forward step.

If the 14th amendment is a valid part of the Constitution, there remains the argument over what it means. Sixty-two years ago when the United States Supreme Court first considered the amendment in connection with segregation, it held in effect that if Negroes were provided with facilities equal to the facilities provided for whites there would be no violation of privileges of citizens of the United States.

After that decision, the South breathed a sigh of relief. Its way of life had been saved. The Supreme Court was praised as the protector of States rights. Negroes could be kept in their place which was not described specifically but turned out to be a place somewhat inferior to that reserved for citizens of lighter skin.

After half a century of operation under the doctrine that separate facilities were equal facilities, the Supreme Court took another look at the entire problem and decided, unanimously, that it had been wrong.

The Court found in effect that separate facilities cannot be equal facilities. It decided that the mere fact of separation does things to people.

The court order against segregation brought it as many brickbats as the 1896 decision upholding segregation, had brought it flowers. Some, who were unaoquainted with the fact that judicial history is marked by frequent reversals of earlier opinions, wanted to make it illegal for the Supreme Court to change an opinion once made.

They would require the Supreme Court to be all-wise and infallible the first time around.

Some have wanted Congress to take away certain appellate powers of the Supreme Court—appellate powers in school segregation cases, for example. I wonder if they have considered the consequences of that proposal? The Constitution says the judicial power of the United States shall extend to cases arising under the Constitution.

If the Supreme Court were denied the authority to decide constitutional questions, those questions would still have to be decided. In that event, the lower courts—either the United States district courts or the circuit courts of appeal—would become the final arbiters of what the Constitution means.

If there were no Supreme Court of final appeal, the Constitution would mean one thing in Iowa, something else in Florida, and something else again in California. United States citizenship would not carry the same privileges and immunities in the East, the West, the North, and the South.

A better pattern for anarchy and the breakdown of law could not be imagined.

Some complain that the Supreme Court based its school desegregation order on modern theories of sociology rather than on law.

If that is true, could it not also be true that the 1896 decision, approving separate but equal facilities, was based on out-moded theories of sociology in that day?

Court decisions must be based on the facts as well as the law. In 1896, the Court took it for a fact that separate facilities for Negroes and whites would turn out to be equal facilities. A half century of experience showed the fact was otherwise—the earlier decision, based on a false premise, was held to have been wrong.

So I suggest that law may be rooted in workable human relations as well as human relations may grow in the soil of the law. And we should remember that our existence as a free people rests on respect for law.

Some southern newspapers have referred to the Little Rock incident as a local problem.

If I can bring any message to you, the newspapermen of Arkansas, it would be that you must not, you dare not adjudge Little Rock to be a local issue.

Little Rock, Ark., whether you or I like it, has become an outpost in America's cold war struggle. A struggle against alien forces who would enfold behind the iron curtain the billions of off-white people who populate the earth. Little Rock is an outpost just as surely as are our Strategic Air Command bases on the periphery of the Soviet empire—standing out there between us and possible death by blast and by radiation.

Four years ago, American prestige abroad was shaken by our internal crisis over McCarthyism. People throughout the world were shocked by evidence that in the America of the Bill of Rights—symbolizing to all that men dream of human dignity, fair play and due process of law—those great principles were being trampled by the same people who conceived them and brought them such glory.

We learned then, as we never appreciated before, that we cannot talk and write one way in the United States and act another—if we are to hold the leadership of the free world.

We cannot fight in the cold war of ideas with alibis and rationalization of our own progress.

We must fight the war of ideas with the truth of our own slowly improving behavior. And behavior that suggests contempt for law and stubborn opposition to equal rights among persons of all colors, hands over weapons of murderous potential to our enemies. Such weapons could help bring about our downfall in act I of Little Rock and Human Relations.

How are we to overcome the potentials of failure in the second act of the American tragedy—possible defeat in economic competition—the bread-and-butter aspects of our way of life?

Lenin once predicted that the United States would drown itself in a sea of red ink.

We have done much to give the lie to that prediction. While we are not depression proof, we have demonstrated that we can successfully survive crises to which other nations have succumbed. But today no intelligent person can discuss American economics save in terms of reference to the flanking cold-war movement of Soviet competition.

Barbara Ward, British author, and one of the great authorities on world affairs, recently put together some significant words on this subject. Writing in the New York Times magazine, Barbara Ward said:

"Khrushchev has issued his challenge in the very field in which the West—above all, America—is best fitted to respond. In some measure, he admits it. The concrete aim he sets the Communist world is to surpass American standards within the next decade. In a very real sense, the material aim of the Communist world revolution is to achieve the American way of life.

"Who, then, are better placed than the Americans and their allies to meet and reverse that challenge? Who are better placed to set their incomparable economic and technical organization to work to raise world standards and to expand their own wealth so that the challenger limps behind, his goal of parity always eluding him, his figures for steel and power, his statistics of living space and family budgets, his offers of aid and capital always and easily out trumped by the expanding resources and matching generosity of the free peoples?

"This surely is a competition into which our competitive society can enter with zest and confidence. We are being challenged to do exactly what we are best fitted to do by training and temperament and tradition. It is as though the Russians, instead of issuing a challenge at their national game of chess, had offered to take the Americans on at baseball. Production, expansion, productivity, technology, inventiveness, rising standards for all—could the free nations, with America at their head, be asked to achieve anything more congenial to their national genius, anything more profoundly in tune with their ways of thought and life?"

How will we answer Miss Ward's question? This economic competition is our game all right. But when we look around at the way some of our leaders are calling the signals we must wonder sometimes whether our side really wants to win. If we don't accept the challenge of our competitors for worldwide economic leadership, we will lose by default. We will lose the game and much more. And this would be the second act of the tragedy.

Finally, to the third act, foreign relations or man and the missile. This act could be the climax to our tragedy: our exposure to blackmail, if not extinction, by failing to meet and to overtake Soviet military and scientific competition in the manufacture and use of rockets, missiles, and the conquest of the wild, black yonder of space.

Through the long years of American mastery of machines, we of the United States have believed in our superiority in all things technological as we have believed in God himself.

Reports and rumors of Russia's great advances in machines and missiles were ignored, or laughed at. From the highest places came assurances of our mastery and our might.

Then came the day. The day not soon to be forgotten. It was sputnik day, October 4, 1957. Many of our leaders made fun of it. One said: "An interesting bauble." Another said: "What's a piece of iron in the sky?" And another said: "Sputnik has no military significance."

Our people were troubled. Their worry was not substantially eased by pronouncements from the men in the Government.

For 3 months now, we have been witness to incredible disclosures of our interservice rivalries, our muddled defense structure, the revealed frustrations of top military men and scientists who have become sickened by the red tape, the waste of energy and money, the absence of any sense of national urgency at the top of our Government.

Our people were not relieved of worry by the first postsputnik meeting of the National Security Council. After 2 hours of discussion, the Council announced that nothing much could be done until the rivalry was settled between the Army's Jupiter and the Air Force's Thor. This, the National Security Council suggested, might take 6 months.

Many people shuddered. With a world smoldering—we, the supposed leaders of the free world and civilization's last, best hope—must await the decision in a foot race between two of our service hosecarts before we could hope to put the fire out.

Our people were not relieved when the President later took to the air to allay the public's fears and referred to alleged rivalry between the services, and told of our current manufacture of 37 different General Motors missiles by three services and their satellite contractors.

After sputnik came muttnik, and we learned that this space traveler, the size and weight of a Volkswagen, was propelled upward by a rocket thrust of 1,200,000 pounds. There is no American scientist who has or will testify that our own rocket thrust as yet developed is more than half of that.

More recently the country has been warned by the Rockefeller and Gaither reports. These are chastening manifestos of humiliation to a people who prided themselves, in blind complacency, of being first with the best.

Are we reacting now with the directness, speed, imagination, and foresight for the future as the people so obviously desire? Let's hope the answer will be positive, demonstrated action by the President and the present session of Congress. If it isn't, then this will be the third and final act in our American tragedy.

The settings for the three acts I have outlined are in Arkansas, in the concrete canyons of our financial centers, and in the feverish atmosphere of our National Capital.

We in America will leave our own records for others to measure in literature, in remnants of culture and, perhaps, if all does not go well, in radioactive dust.

Let's go back some 60 million years to the dinosaur, the huge reptile that ruled the then world. The dinosaur ranged far and wide. One of his favorite areas was Colorado and his bones are to be found in our plains and mountains.

The dinosaur was mighty, and his will prevailed. But one day he disappeared.

Why?

He could not adjust to his changing environment.

And so may it be with modern man.

And so with us. Ask yourself:

Can we adjust to our changing environment?

From the beginning of time, the ages of life on this earth have been revealed and identified by fossilized evidence. The bones, for example, of the Java man, the Neanderthal man, or China man have told us much about the evolution of humankind.

Assuredly we are not unaware of the weaknesses of those prehistoric men, weaknesses which left them prey to the environment of their own times.

If in the last half of the 20th century we contribute to the disintegration of our own civilization, our failure may, from the perspective of history, be ascribed to at least three monumental defects in our character:

First, failure to accommodate ourselves to the challenges of human relations;

Second, failure to make our economic way of life work;

Third, failure to protect ourselves against the barbarism of modern aggressors.

In such an event, may not future students of our age find in the fossilized remains of our civilization remnants they may choose to call the Little Rock man, the Wall Street man, or the Washington man?

It is for us to decide.

If this tragic scenario I have outlined is not enacted, it will be because you—the newspapermen of Arkansas, and others like you the country over—see clearly and act courageously in this time of local, national, and international trial.

PROCEDURES FOR REPORTS BY EXECUTIVE AGENCIES RELATIVE TO DEVELOPMENT OF LAND AND WATER RESOURCES

The Senate resumed the consideration of the resolution (S. Res. 148) to pre-

scribe procedures and contents for reports to the Senate by executive agencies with respect to proposed projects for conservation and development of land and water resources.

CALL OF THE ROLL

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

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

The Chief Clerk called the roll, and the following Senators answered to their names:

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

Mr. MANSFIELD. I announce that the Senator from Florida [Mr. HOLLAND], the Senator from Washington [Mr. JACKSON], the Senator from Washington [Mr. MAGNUSON], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Virginia [Mr. ROBERTSON], the Senator from Florida [Mr. SMATHERS], and the Senator from Georgia [Mr. TALMADGE], are absent on official business.

Mr. DIRKSEN. I announce that the Senator from Indiana [Mr. CAPEHART], the Senator from Kansas [Mr. CARLSON], and the Senator from Kansas [Mr. SCHOEPPEL], are absent on official business.

The Senator from New Jersey [Mr. CASE], the Senator from Kentucky [Mr. COOPER], and the Senator from Iowa [Mr. HICKENLOOPER], are necessarily absent.

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

Pursuant to the order entered on Thursday, January 23, 1958, the Chair recognizes the senior Senator from Louisiana [Mr. ELLENDER].

REPORT BY SENATOR ELLENDER TO COMMITTEE ON APPROPRIATIONS: A REVIEW OF UNITED STATES FOREIGN POLICY AND OPERATIONS

Mr. ELLENDER. Mr. President, I was delighted to note in the press this morning that the present administration is finally putting into effect some of the programs which I have been advocating to the Secretary of State and the President for the past 3 years. If one will examine my reports during 1955, 1956, and also the report I am presenting today to the Committee on Appropriations, it will be noted that I recommended and emphasized the great importance and value of an exchange program between our country and the Soviet Union.

Before I report to the Senate in detail on my most recent trip to Russia, I should like to review briefly some of the places which I visited.

On an easel in the rear of the chamber is a map showing the vast U. S. S. R., which, by the way, covers about one-sixth of the earth's surface. During the last 3 years I was able to visit what I regard as the most important industrial and agricultural areas in Russia.

I did not go to Russia as a tourist; I went there as an American citizen, in order to learn all I could about that country, our foremost adversary in the cold war. I had no difficulty whatever in visiting the various points I desired to see.

I was not followed around by any kind of Gestapo or secret police. I was permitted to take pictures of whatever I desired, with few exceptions. They were railroad bridges, airfields, and, of course, military installations.

I have in my office today more than 22,000 feet of 16-millimeter motion picture film which I took during 1956 and 1957. These movies were taken by me, at my own expense, and were processed at my own expense. The film I have is, of course, available for the use of the Members of the Senate—in fact, I should like to have it used all over the country, in order to better acquaint people of the United States with conditions behind the Iron Curtain, particularly in Russia.

It is my firm belief that if the people of the United States knew more about the Russian people, and if the people of Russia knew more about us, the great race in armaments could be ended.

Today there is fear on the part of the East and fear on the part of the West. Unless and until this fear is dispelled—unless and until confidence is restored between the peoples of East and West—disarmament and peace—for which all of us aspire—will never become realities.

Mr. President, my report contains, as I have stated, certain recommendations for improving our foreign policy position. These recommendations are simple. There is nothing complex about them. But, I sincerely believe that if they were put into effect, we could create a climate in which confidence could be restored between the people of the United States and the people of Russia.

On my first trip to Russia, I entered by way of East Germany. I went first to Poland, and then to Moscow. I visited in and around Moscow over an area approximately 100 kilometers in radius. I visited factories and farms—state farms as well as collective farms. Then I traveled to Kiev, thence to Odessa, and from Odessa, to Bucharest, Rumania.

In 1955, while in Moscow, I spoke with Anastas Mikoyan, Russia's No. 3 man, and the Politburo expert on trade and economics. He urged me to visit Russia again; he said I would be permitted to go wherever I desired—to make my own itinerary. That is exactly what I did in 1956. The map displayed in the rear of the Chamber shows the areas of Russia which I visited that year.

I entered Russia by way of Leningrad, visited in and around that city, and took photographs of factories, people on the streets, public markets, and so forth. Then I went to Moscow. While I was in Moscow, I again visited factories, farms, stores, and businesses in that entire area.

I traveled by automobile from Moscow to Yalta, on the Black Sea—a distance of almost 1,000 miles. I stopped at Kharkov, after motoring there by way of Tula, Orel, and Kursk. I visited many villages along my route and talked to the people working in the factories and on the farms.

I spent a few days in the Crimea, and saw the people of Russia at play.

From Yalta I went to Rostov by car. In order to go there, I had to retrace my steps since there is no direct road from Yalta to Rostov on the Don. I also traveled by automobile to Stalingrad, from Stalingrad, I flew to Moscow.

From Moscow, I flew over the Ural Mountains to Kazan, thence to Chelyabinsk, the Pittsburgh of Russia.

I flew over the so-called dry lands by way of Atbasar, Karaganda and Balkhash. Then I proceeded to Alma Ata, which is near the Chinese border. I spent considerable time inspecting the surrounding area.

From Alma Ata, I traveled to Tashkent. In that area, cotton is produced in large quantities and I was told that production is between 7 million and 8 million bales.

From Tashkent, I flew to Termeg and then crossed into Afghanistan.

During my trip that year I was able to talk to Mr. Khrushchev for over 2½ hours; the subject matter of my conversation was submitted to the committee as a part of my report last year. It was also made available to the State Department. Without going into detail concerning that conversation, it generally covered Soviet-United States relations. Mr. Khrushchev was very much interested in the visit I was going to make in his country, and he asked whether I had included Siberia in my itinerary.

I told him that I had not; I said Russia is a very large country, and that I did not think I would have time to visit Siberia. As it was, I spent over 1 month in Russia in 1956. But I said to him that if he would give me a raincheck, so to speak, I would like to see Siberia the following year, that is, 1957.

So, Mr. President, last year I returned to Russia by way of Polend, from Copenhagen, Denmark. I saw much of Poland.

From Warsaw, I flew to Vilna, Lithuania, and then to Moscow. From Moscow, I flew to Gorky, on the Volga River, from Gorky to Kazan, also on the Volga River, from Kazan I flew to Irkutsk, with two stops en route. Irkutsk is located about 41 kilometers from Lake Baikal, one of the largest inland freshwater lakes in the world. I traveled all

over that area by automobile; I also traveled on Lake Baikal by boat.

From Irkutsk, I proceeded to Novosibirsk, which is a great industrial center in Siberia. From that city I went to Barnaul, a great agricultural center, and then to Omsk, to Sverdlovsk, and to Kuibyshev.

From Kuibyshev, I flew to Kranodar, then Tbilisi, and finally Baku. I got out of Russia by way of Iran.

Mr. President, as I believe my colleagues will agree after the outline I have presented of the places I visited in Russia, I have seen the most important industrial and agricultural centers of the Soviet Union. I could describe in detail what I saw in these various places, but I will not undertake to do so at this time. Senators will find on their desks copies of my report, in which I have incorporated a diary kept by me on a day-to-day basis while in Russia. Many of the things I saw are described by me in that diary.

Mr. President, before describing some of the things I saw in Siberia, in particular, during my most recent visit, I should like to give a short background sketch of Russia, covering the period prior to the 1917 revolution through 1957.

An understanding of this background is necessary if we are to properly evaluate the present situation in the Soviet Union. I believe that with this background, Senators will conclude, as I have, that the Russian people are not well informed about our way of life. I believe they will also agree that the way of life which now has developed in Russia is a better one than the Russian people have ever had before, at any time in their history, although it is far inferior to our own.

In 1957, as in 1956, my conversations with the people of Russia were facilitated by my having at my side an official of the United States Embassy at Moscow who spoke and understood the Russian language. Besides making it easier for me to discuss America with the Russians I spoke to, the fact that the translations were made in the presence of a fellow American and with his help, assured me of maximum objectivity.

Almost uniformly, I found improvements in Russian conditions as contrasted with my findings of 1956, and the year before, 1955. As a matter of fact, some of my previous estimates—particularly with respect to Russia's agricultural potential—had to be modified in the light of my trip through Siberia.

This enormous area, which most of us consider the world's icebox—a huge prison camp, a vast waste of barren land—is actually becoming Russia's breadbasket. While the climate is somewhat more severe than that of our own upper Middle West, the area has proven itself capable of producing some fruits, much livestock and dairy products, and a large variety of root crops and grains. Yields of grains are high, although methods of planting, cultivating, and harvesting are obsolete by our own standards.

Perhaps the most significant aspect of my findings on this visit was change, and, with respect to the various goods and services available to the Russian consumer, the change was invariably for the better. Also, people are more talkative—they were more prone to assert themselves. Generally speaking, I found a much higher degree of contentment among the peoples of Russia than on my previous visits. In addition, I found considerable national pride, a pride which was visibly increased when the people learned of the successful firing of the first space satellite. I was in Russia when the event occurred and the news was made public, and there was much jubilation among the Russian masses.

Thus, in prefacing any account of my journeys through the Soviet Union, I feel it important to impress upon the Senate my three major impressions of post-satellite Russia.

First. There is an atmosphere of confidence.

Second. There is apparent domestic contentment, but a rising curiosity about America and an urge to forge ahead of us.

Third. There is a growing belief among the Russian people that their system is superior in all respects to ours in the West.

These three factors must certainly receive primary consideration in any policy our Government undertakes vis-a-vis the Soviet Union. But in considering these factors, they must be read against a background of Russia as it stands today compared with the pre-Bolshevik Russia of the czars.

Only by measuring present-day conditions in Russia by the comparative yardstick of conditions as they existed a quarter century ago can any proper perspective concerning this vast nation be attained. In addition, the conditions existing in the Soviet Union under communism and the Government's abolition of private property are important circumstances to be weighed before reaching any conclusion concerning future policies toward that country.

In Russia, the Government is supreme. Nothing else matters—only the Government. Every square inch of land belongs to the Government. All commerce and industry are Government controlled. Under no circumstances is an individual able to go into business for himself, not even as a barbershop owner or a taxi operator.

Instead, all crafts, in fact, all businesses, are incorporated into state managed entities where everyone works together for what Soviet leaders declare to be the common good of the state. Revenue-producing investments by the individual of any of his surplus funds are limited primarily to state institutions that lend money.

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

Mr. ELLENDER. I yield.

Mr. LONG. Someone has asked if the Russians ever pay taxes. My impression is that there are no taxes in Russia, because everybody works for the Government; the Government takes just what it wants.

Mr. ELLENDER. The Senator is correct to a large extent. However, there is a small charge, in the nature of a tax, imposed by the unions to pay the recreational expenses of some of their members. The funds so derived finance rest trips for special workers. I saw many of these workers at play in Yalta while I was there in 1956.

There is also a small charge levied, sometimes as much as 5 percent of a family's salary, in order to permit the family's children to attend kindergarten, so that the mother and father can work.

There are taxes of that kind, but there are very few, if any, taxes imposed on the people of Russia for the purpose of running the Government. After all, the Government owns everything in Russia.

I continue with my observations concerning the background of and conditions in Russia.

The money deposited by an individual bears a small rate of interest, depending on the length of time it is left on deposit. This type of social and economic organization exists through all strata of Russia.

Under such a controlled system, in which the welfare of the individual is evidently sacrificed to the good of the state, Russia has been able, within a short span of years, to pull itself up from a weary, downtrodden nation, wracked by internal strife and bearing the heavy burden of a hungry, desperate class of peasant serfs under the old czarist system, to its present leadership of obviously high technological development.

Many Russian people today may have only black bread, cabbages, beets, potatoes, and a pot of tea—but today it is enough to fill their stomachs. To a hungry population, the mere advance of a crust of bread is an accomplishment—and one which, whether or not we agree with the manner in which it is done, must be recognized as a form of progress.

From the days of 1916, when almost all of Russia hovered together in abject poverty, in hunger, in a state of serfdom, while serving a fantastically rich nobility, the older people of Russia today can see visible signs of their march forward—toward national pride, better living standards, and industrial development—a march which today places them among the vanguard of the world's nations.

The younger people, who have known nothing but communism in their lifetimes, and who have had no opportunity to observe any other form of government, glory in their country's progress—and in the corresponding rise in the welfare of their fellow countrymen.

This, above all, we must recognize. And in that recognition we must, I believe, abandon the approach of some who, because they dislike or perhaps fear communism—indeed, I am sure they abhor this system of government as I do—will not hear or even listen to the spoken words of its accomplishments.

The mark of an intelligent soldier is to recognize the capabilities of his opponent. To mock a foe is to mock yourself.

Communism will not vanish because we ignore it. Neither will it disappear because we vilify it. It exists. It is functioning.

It has brought a new way of life to a people once left far beyond progress in the wallow of inner conflict. It has pro-

vided a better standard of living—no matter if we care to dismiss it as still far below our own—for an entire nation of people.

Of course, in the U. S. S. R. there is nothing remotely resembling the freedom of individual choice, action, and enterprise which we in the United States enjoy today. However, it must be recognized that in the Soviet Union, such freedom has never existed. Russian history bears ample witness to the lack of what we regard as basic principles of freedom. Under the czars, which is the period with which the typical elder or middle-aged Russian compares his life today, there was no freedom of the press, no freedom of expression, no freedom of economic choice for the average Russian. Opposition to the then existing government was ruthlessly ferreted out by a secret police whose methods were not basically different from those used by the Communists.

Perhaps the most astonishing accomplishment of the Russia of today is its rapid transformation into an industrial empire. That the tremendous growth of Russia's industrial economy has been reached in the short span of one generation testifies to the hard work done by the Russian people. To those who would dismiss, or soften the impact of this achievement by merely pointing out that it was accomplished by a ruthless leadership holding the combined noses of an entire people to the Marxist grindstone, it again must be remembered that compulsion is nothing new to the average Russian. Under the Communists, he exchanged the compulsion of the czarist aristocracy for the compulsion of a totalitarian state. The only change in the picture, insofar as Ivan is concerned, is that at least part of the nation's increased wealth has trickled down to him instead of all of it remaining in the pockets of a very few persons of supreme social status.

In other words, in assessing the present temper of the Russian people—not their present leadership, but their people—we must always bear in mind that there are no shades of gray in the picture of Russian development since 1917. Instead, there is only absolute contrast between the days prior to the October revolution and those now upon the colossus of Europe and Asia. The term "capitalism," as applied by the Communist leadership in describing the United States, does not reflect the system which our country actually enjoys today, but instead is used as a synonym for the system prevalent in Russia during czarist times. By insisting that all economic systems are either capitalistic—that is, czarist—or Socialist—that is, that now in effect in the Soviet Union—the Soviet leaders have been able to keep their people convinced that the Russian system today is the ultimate of perfection.

The Western World is now at a great disadvantage in waging a positive campaign to change this unbalanced and untrue picture laid before the Russian people, because there are not words available to convince them of the progress we have made, of the abundance we enjoy. To the average Russian, a system which would prove more beneficial than the one under which he now lives is inconceivable, simply because he has no knowledge of anything other than absolute exploitation under the czars compared with a much better way of life under communism.

As it stands, then, we must realize that the Russian people—as of this day, at least—are apparently well content with their way of life. The individual may not have progressed much, by our standards, but he has progressed—he is much better off than he has ever been.

Mr. President, I have read an extract from my report covering the background of conditions as I found them in the Soviet Union. I believe that background shows clearly the fact that as of today there has been no adequate way for us to inform the Russian people concerning our way of life—the way of the life of the people of the Western World.

The simple program which I have been advocating for the past 3 years stresses filling that great gap in our foreign policy. Since 1955, I have urged our Government to undertake an exchange program between the United States and the U. S. S. R. of people from all walks of life—teachers, students, legislators, in fact, as I repeat, people from every walk of life. That is one way by which I sincerely believe we can make it possible for the Russian people to learn more about us, thereby creating a climate of confidence in which the seeds of lasting peace may be nourished. Confidence is necessary on both sides of the Iron Curtain if we are ever to achieve any permanent peace.

Mr. President, I would now like to describe generally conditions as I found them in Siberia.

I have asked many people in our country what their ideas of Siberia were—what it looks like—and invariably I received answers such as "an icebox," "a prison camp," "a barren area where nothing grows."

I have also asked people here what they think the people of Siberia look like. Most of them answered: "Aren't they Mongolians?" "Aren't they Eskimos?" "Aren't they people of the yellow race?"

I have not found one single, solitary person—one who has not been to Siberia—who was able to give me a near description of what Siberia or its people really looks like.

Of course, I, too, was very much surprised when I visited Siberia. I did not think I would find great industry, tremendous water resources developments, or flourishing agriculture.

Today Siberia is the granary of Russia. There is as much food produced today in Siberia as in almost any other area of Russia. It even exceeds the production of the Ukraine.

In Siberia I saw wheatfields containing not hundreds of acres but thousands of acres—acres which produce as much as 30 bushels of wheat. Some of the land, of course, was less productive.

As an example of the tremendous growth of Siberia, Novosibirsk, almost in the center of this productive area of Russia, was just a little trading town of about 5,000 people in 1905. When the Trans-Siberian Railroad was routed through Novosibirsk, the population increased to 60,000. Today over 800,000 people live there.

The same is true with respect to Irkutsk, on Lake Baikal, of Omsk, and of Sverdlovsk, on the eastern slopes of the Ural Mountains. The population of those cities has quadrupled during the past generation.

What caused all of those people to move to those cities? The answer is very simple. The Russians have developed their Siberian industry more rapidly than I have ever seen industry develop anywhere else. They have also been rapidly exploiting the hydroelectric potential, in which Siberia is wealthy.

I visited one of the big foundries in Novosibirsk, and saw a plant manufacturing hydroelectric turbines which will produce 200,000 kilowatts. The largest turbine in the United States will produce 105,000 kilowatts. I saw foundations being laid in Novosibirsk for a plant to produce turbines of 300,000 kilowatts capacity.

The Lake Baikal region is the source of much of Siberia's wealth. Before I visited that region I thought Lake Baikal was surrounded by desolation, where little or nothing grew. I was mistaken. I found that Lake Baikal is surrounded by forests.

In addition, 368 rivers or creeks flow into Lake Baikal, yet it has only one outlet, the Angara River. That situation is a natural for hydropower development and the Russians are putting it to full use. I visited one hydroelectric plant on the Angara River which, by the end of this year, will produce more than 800,000 kilowatts.

About 300 miles north of that site, near Krasnoyarsk, another hydropower plant is being erected, which will produce 3.2 million kilowatts, almost double the capacity of the largest we have in our own country. It is there that the 200,000 kilowatt turbines to which I alluded earlier are to be placed.

The Angara River flows into the Yenisei River, which in turn flows into the Arctic Ocean.

On the Yenisei River, not very far from Krasnoyarsk, a survey is now being made into the possibility of erecting a facility which will produce 3.6 million kilowatts, again almost twice as large as the largest in our own country, Grand Coulee.

This water resources development is being greatly expanded. With the increased availability of electricity to power industry, more and more people are moving to the area. In addition, great coalfields and many gold mines are found around Irkutsk. All natural resources in that area are being developed. Hence, as a result of this development—along with the increasing availability of coal and water power—Siberian industry is rapidly growing.

I might say that the people who are moving into that part of Russia are the same kind of people as those who made America great—they are pioneers. They are willing to work. One does not find any Mongolians or halfbreeds

there. The people are all of European stock, who have migrated to Siberia before and since the revolution.

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

Mr. ELLENDER. I yield.

Mr. MORSE. I commend the Senator for the statement he is making to the Senate, and, through the Senate, to the American people. In particular I wish to express my deep thanks to him for his reference to the hydroelectric power development in Russia, because it stresses what so many of us have stressed, that the energy of civilization is the energy of power which man can develop from the natural resources which God has given us.

The emphasis which the Senator from Louisiana has just placed upon power development in Russia illustrates very well why some of us have fought so long and so hard in the Congress over the years for the maximum development of the great energy resources of America. We have a dramatic illustration, from the lips of the Senator from Louisiana, that the future of our civilization is dependent upon our not wasting our electric-power resources. However, it is important that we have full development of such resources, and not underdevelopment of the river basins of America, if we are to keep abreast of Russia in the great contest of 100 years before us, between freedom on the one hand and Russian totalitarianism on the other.

I thank the Senator from Louisiana. I am greatly indebted to him. He is performing a great service here today.

Mr. ELLENDER. I thank the Senator, I am in complete accord with what my good friend from Oregon has said.

What I have said about power development is only the beginning. I have not touched upon the facilities on the Ob River, just north of Novosibirsk, where a great facility is being erected which will produce 800,000 kilowatts. Two more facilities are scheduled to be built on the same river.

Inasmuch as we are discussing hydroelectric power, I would like to touch briefly upon dams being built on the Volga River. I visited six of those huge dam sites. In order to increase the volume of water in the Volga River, the Russians are now in the process of diverting into the Volga two rivers which now flow into the Arctic Ocean. When the hydropower facilities on the Volga and its tributaries are completed, the Volga River alone will produce 65 billion kilowatts a year. Think of that—65 billion kilowatts a year.

Few of us knew about those projects. The trouble was, as my good friend from Arkansas [Mr. FULBRIGHT] pointed out last week, that the people of this country were kept somewhat in ignorance of what was going on. They were told, "Let Russia alone, and sooner or later she will collapse." From what I saw, the Russians are not about to collapse. I would say they seem to be on the march.

The people of Russia are becoming more and more educated. As I shall point out, the expanding educational system will probably sound the death knell of communism as it now operates in the U. S. S. R. For one thing, the Russian people are thinking for themselves more and more.

There is a great surge toward decentralization today in Russia. Senators have read about it. I discussed the subject last year with Mr. Mikoyan. During my conversation with him, as my diary will show, I expressed surprise that Russia's sixth 5-year plan had not been announced, and I told him that I was curious to learn why that was. He said, "Senator, we presented the sixth 5-year plan to the people of Russia, the local oblasts, republics, and so forth, but they refused to accept it."

Why do Senators think they refused to accept it? We can read between the lines. The previous 5-year plans had promised the Russian people more consumer goods—a promise which did not come true. Instead, Russia's resources were devoted to preparing for a war which I hope will never come.

The people of Russia want more consumer goods. They desire a greater voice in the operation of their own Government. Believe it or not, that is a fact.

Recent issues of the Washington Post have contained an Alsop column, along with a news story to the effect that collective farms in Russia were now to be permitted to own farm implements. Similar articles appeared in other newspapers.

In Russia there are two kinds of farms, collective and state. There are no privately owned farms. A state farm is owned and operated by the government. The people who work on it are paid a salary, and, I might add, they are pretty well paid.

Collective farms are operated by a certain number of families. Some collectives may have as many as 500 families operating them; others may have as many as a thousand. These people agree to work together and divide the profits. As I pointed out in my reports of 1955 and 1956, and as I repeat in my current report, the people who operate these collectives do not like the idea of having to go to the Government, to what they call the machinery tool stations—which are operated by the government—to get implements with which to cultivate and harvest their crop.

This is only a natural development. An MTS may serve as many as five or six collectives. But it has turned out that some collectives have been able to get the necessary implements from the station, whereas others could not. That caused a great deal of dissatisfaction among the farmers, to the point where Mr. Khrushchev announced, only 2 days ago, that collectives would be permitted to own their own tools, tractors, plows and so on. That announcement was the end result of a gradual process, and it certainly did not come voluntarily from the Moscow level. It came about because the people demanded it.

It is the Russian educational system—the rising level of Russian education—the tendency of the Russian people to think for themselves, to assert themselves—that is bringing a growing change. The announcement of the new farm equipment ownership policy is just one small example of this change.

My good friend the Senator from Arkansas [Mr. FULBRIGHT] has spoken of the Russian educational system. He has referred to the efforts made by me, by the late Senator Taft, and others, in trying to have a decent aid-to-education program placed on the statute books.

Because of that failure, we now find that there are serious defects in our own educational system.

I wish to say, without fear of contradiction, that if we disregard the teachings of atheism and communism in the Russian schools, we can learn a great deal from the Russian school system.

There is no such thing as an elective course in a Russian high school. In our schools, of course, a student can elect many such as cooking, interior decorating, driver training, and others. Many of these so-called electives are of little value; most are chosen by students because they provide an easy way to obtain credits.

In Russia, on the other hand, courses are prescribed. There no—or, at least, only a few—electives are available in the secondary schools. Today compulsory education through the high-school level prevails in Russia in cities of 5,000 and over; in the country and in cities below that population education is compulsory up to the seventh grade. Plans are under way now, I was told, to get more teachers and more schools so that there will be universal secondary education throughout Russia.

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

Mr. ELLENDER. I will be happy to yield in a moment. Students in Russia enter school at the age of six. They begin studying fundamental mathematics in the sixth grade, chemistry in the sixth grade, and physics in the seventh grade. They study those subjects until they graduate.

They must take a foreign language, either French, English, or German. However, the study of one foreign language is compulsory.

In general, school pupils in Russia must follow a prescribed course of studies. There is no wide selection of easy courses, such as we have in our own country.

Before a student graduates he is given every opportunity to make up his mind as to what profession he would like to follow.

Mr. NEUBERGER. Mr. President, will the Senator yield at that point?

Mr. ELLENDER. I yield.

Mr. NEUBERGER. I would hope to ask the Senator a question, if I might, with particular reference to what he is saying about the Russian educational system.

Before stating my question, I should like to say that the Senate is very fortunate that one of its Members has had access to Siberia. I recently read a book about American history, which explained that one of the reasons our country had such fortunate relationships with France, which was the dominant power

in Western Europe during the 19th century, was that leading Americans, like Benjamin Franklin and Thomas Jefferson, had the opportunity of becoming personally familiar with the French people.

During the Second World War, I was stationed at Whitehorse, in Yukon Territory, and at Fairbanks, in Alaska, and I remember how surprised I was to note how proficient in mechanics and piloting airplanes and servicing vehicles the Russians were. These Russians had come from Siberia to take delivery of our lend-lease bombers in that distant realm in the Far North. Their skill confirms what the Senator has told us today.

This is the question I should like to ask of the distinguished Senator from Louisiana, who is making such an informative talk to the Senate. Mrs. Neuberger told me that she had breakfast this morning with two outstanding educators from our State, who related to her how difficult it often was to attract able, intelligent, idealistic, and educated people into the teaching profession, because of the comparatively small financial rewards, and, frequently, the very low prestige which the teaching profession enjoys in certain parts of our country. What is the status of the teachers in the communities of Russia which the able Senator visited?

I ask this question not only from the standpoint of comparative salaries and standards of living, but as to the favorable recognition which teachers receive and the prestige which they are accorded. In other words, I refer to the general atmosphere which might induce an outstanding person in the Soviet Union to enter the teaching profession.

Mr. ELLENDER. Teachers, as a rule, are well paid. Many receive the equivalent of as much as 700 or 800 dollars per month. The teaching profession is considered one of the noble professions. Teachers are given good facilities in which to work. Of course, the buildings do not compare with ours by any means. However, when one goes through the school laboratories, one is very much impressed. They have all kinds of modern equipment.

Mr. NEUBERGER. Would the Senator from Louisiana say that relatively, from the standpoint of contrast and comparison, a teacher in Russia is paid more and receives more recognition, with relation to the other people in a particular community in Russia, than is the case of a teacher in our own country?

Mr. ELLENDER. I would say so.

Mr. NEUBERGER. In other words, there is a greater inducement to a young person in Russia to go into the teaching profession than there is in our country?

Mr. ELLENDER. Yes, because they have certain incentives, one might say. Teachers study at higher institutions at government expense. They are then assigned to positions according to what they have studied, and according to the level of knowledge obtained. In other words, they are given full opportunity to practice their profession, in the same way that a doctor or member of any other profession is treated.

Mr. NEUBERGER. Is that not a salient lesson to us in our country?

Mr. ELLENDER. As I said a little while ago, if we leave out the teaching of communism and atheism in Russian schools, we could learn a great deal from the school system in Russia. That applies not only to the schools themselves, but to what the schools teach, and also to the teachers themselves.

Mr. NEUBERGER. I thank the distinguished Senator. Recognition of teaching is a vital matter.

Mr. ELLENDER. Of course there are some schools in Russia which are still on a par with our little red schoolhouse of old and which one still sees even in some parts of our own country. The development I have referred to does not take place to the same degree all over Russia, but it is there, and the products—the graduates—of the school system are in evidence. They are now becoming the leaders in Russia.

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

Mr. ELLENDER. I yield.

Mr. FULBRIGHT. Before the Senator gets off the subject of education, and before I ask him the question I have in mind, I wish to join in complimenting him upon the very fine report he is making and on making available to the Senate and to the country the benefit of his experiences. I think this is something of which we need a great deal more. The Senator from Louisiana is to be commended for having taken so much trouble and for having devoted so much of his time, when the Senate is in adjournment, to accumulating this knowledge. I think what he has done is highly commendable.

Mr. ELLENDER. I thank the Senator from Arkansas. As my good friend the Senator from Idaho [Mr. DWORSHAK] said to me, "That is plenty of work beyond the call of duty." But I am glad to do it, because I do not know of an area of the world with which the people of America are less familiar. The more we know of it the better off we will be.

Mr. FULBRIGHT. I agree with the Senator. I think this is a subject of which we all need greater knowledge, if we are to follow a wise course.

On the subject of education, I wish the Senator would develop, from his knowledge of the situation, this thought: I have seen it reported that the Russians are quite selective in the way they apply education. In the earlier stages of primary education they will give everyone an opportunity. But about the 6th or 7th year they begin to test the youngsters. Those who show an ability to go ahead and acquire advanced knowledge in the sciences or the languages are given the opportunity to go further. But the Russian educational system is quite ruthless in eliminating from higher education those who are not able to acquire it, and those persons are then sent off to the technical or vocational schools. Would the Senator develop that thought?

Mr. ELLENDER. I shall be glad to do so. The Senator has anticipated me.

After a child reaches, let us say, the 5th grade, or when he is about 10 or 11 years old, he is given an opportunity to join the Pioneers. This organization maintains camps and clubhouses. When I first asked our officials about Pioneer camps, I was told that they are institutions where children are taught communism and atheism. That may be so; I will not deny it. But the Pioneer camps are also educational institutions. They are made up of many clubs and subclubs in which the children learn botany, zoology, physiology, music, and art, among other things. Lectures are given to Pioneer clubs by doctors, chemists, physicists, and representatives of other professions. Through these clubs, interest in special fields is developed.

If a child shows interest and proficiency in a certain subject, he is given an opportunity for further study in that field. If a child appears to be proficient in medicine and wishes to become a doctor, he is shown how a hospital operates. If he shows an aptitude for mechanical engineering, he is taken to a factory where large engines are made, and so on.

A child is given every opportunity to determine for himself what his field of future study may be. He is given an opportunity to make up his own mind not only in the Pioneer camps, but even at school. He also gets advice from his parents and his teachers.

After a Russian high school student selects a profession, he is given certain tests. If these tests indicate proficiency in the chosen field, the student is sent to college. Some continue in medicine, some in chemistry, some in physics, some in the other professions or sciences. In other words they are given the opportunity but must pass tests in order to qualify for further education.

In response to a question I asked in practically every secondary school I visited last year, I was told that only from 35 percent to 40 percent of the students who graduate from them go on to higher educational institutions. Those who do have all their expenses paid. The students do not have to worry about tuition. They do not have to worry about money to pay for their lodging and board. The government furnishes that to them.

What happens to the others—the 60 percent or 65 percent—who do not go on to the higher institutions? They work in the factories and the fields. However, their education has not ended. Connected with Russian factories are institutions—schools—which teach employees more about the work they are doing.

It often turns out that a youth rejected for college training at the secondary school level, later shows proficiency in engineering or medicine, let us say, after he goes to work in industry or agriculture. If this is the case, he is given an opportunity to continue his studies in an institution of higher education.

It has been said that the Russian children are arbitrarily forced into a profession. Certainly, much persuasion is used, but I saw no evidence of force being used.

Mr. FULBRIGHT. If the Senator is about to leave this subject, I wish to comment on another matter. A moment ago the Senator mentioned that the schools expose the students to the arts. Did the

Senator visit the Bolshoi Theater in Moscow, and will he comment upon the quality of the arts which have been developed, such as the ballet, or the music, or any of the other activities in Russian art? Would he mind commenting upon whether there is anything in Washington as good as the Bolshoi Theater?

Mr. ELLENDER. It was my privilege in Moscow to see a performance of the Swan Lake ballet. I was enthralled with the fine performance I saw and the beautiful music I heard.

Even in Siberia, the arts are stressed. I attended three or four operas, in Omsk, and in Novosibirsk. There I heard the finest kind of music and listened to the finest of singers. I remember attending one performance of the light opera, Odessa. It was simply magnificent. The musicians, actors, and singers were all trained in Moscow and were given the opportunity to further their studies at the great conservatories which are located throughout Russia.

The Russians are very proud of their highest scientific institute——

Mr. FULBRIGHT. The Academy of Science?

Mr. ELLENDER. The Academy of Science. I visited the building which houses the academy's central office in Moscow, 2 years ago. I also visited a branch of it in Novosibirsk during my recent trip.

We must watch Novosibirsk. In my opinion, Novosibirsk is going to become one of the greatest industrial centers of the Soviet Union.

Mr. FULBRIGHT. Mr. President, will the Senator from Louisiana yield briefly, once more?

The PRESIDING OFFICER (Mr. CLARK in the chair). Does the Senator from Louisiana yield to the Senator from Arkansas?

Mr. ELLENDER. I am glad to yield.

Mr. FULBRIGHT. I should like to recall that the Senator from Louisiana was a cosponsor of Senate bill 472, in 1948, and was a member of the committee which reported it, as I recall. That bill was passed by the Senate by a vote of 58 to 22, but it failed of passage in the House. We have lost 10 years on that program. It was a program for general assistance. It was not confined either to science or to buildings, but it was for general assistance to education. The Senator from Louisiana was eminently correct then, as the evidence has proved.

This other thought occurred to me: In the last year there was on foot a movement, which I thought would succeed, to erect an opera house in the Nation's Capital, so that in that field the United States would make progress, similar to that made by Russia. But what happened to that attempt? By a narrow margin, the site for it became controversial; and now nothing is being done; and apparently there is no hope for our country even to enter into that field with any assistance from the Federal Government.

I submit that is a rather discouraging record in those two fields. Does not the Senator from Louisiana agree?

Mr. ELLENDER. I do not wish to take the position that the United States should emulate Russia in all the things that Russia does. But I return to the proposition I first enunciated when I initially suggested an exchange program in 1955.

When I said a few nice things about what I saw in Russia at that time, I was vilified; called pro-Russian and pro-Communist—just because I told the truth about what I found in Russia, and so informed the people of the United States.

Today, I am proud to say that the administration is at long last following some of the suggestions I first made in 1955, which I repeated in 1956, and which I emphasize again today. I am beginning to believe that the work I have done is starting to pay dividends. However, I do not want any credit; I just want to help my country. I do not want to see us continue the policy which has brought little, if any, success, so far as our relations with Russia.

I wish to discuss one other method the Russians employ in encouraging their people to work hard, propaganda.

The people of Russia are kept constantly informed of developments in their country, and thus they become interested in them. The people of Russia are given credit for what they do. They are also rewarded in many ways. For one thing they are paid fairly well, depending on their capabilities. I found when I visited some of their collectives, for example, that a tractor driver could be paid the equivalent, in American money, of $700 or $800 a month.

But, most important, propaganda within Russia is constant and very effective. Wherever one goes the radio constantly blares out the accomplishments of various regions. The Russian Government stimulates competition between the people of various areas. The people are told: "Look at what the people of Moscow did. Consider what the people of Novosibirsk have done. Just see what the people of Sverdlovsk have been doing. Cannot you exceed those goals?"

In that connection, let me refer specifically to one such example of propaganda which I saw myself, dealing with the huge dam at Kuibyshev. When that project got under way, the people of the locality were called together and were told what was to happen. They were told what they could expect, and were informed that the project was their own. The Russian propagandists took motion pictures of the people who visited the site. Other motion pictures were taken when the river was closed, when the turbines were installed, and when the first power was produced.

These pictures were made into a complete motion-picture film, distributed throughout the Soviet Union, and used by the Russian leaders as an example of what people working together under socialism could accomplish.

In addition to this form of propaganda, the Russian Government also lavishes praise upon the country's workers. Medals, certificates and other awards are made to outstanding workers. I saw many of them proudly displaying their decorations. In all the factories, one sees photographs of the most proficient workers on the walls—a veritable honor roll. All the workers work hard because they desire to have their photographs included in the display—to have their names on the honor roll.

The recognition given individuals for accomplishments is not confined to industry. Agriculture workers, too, receive awards. For example, while in Siberia, I saw some of the finest wheat that I have seen anywhere in the world—just as good as any wheat we have in the United States. It was developed in Siberia, for use in Siberia. It cannot be grown successfully south of Siberia, but it is well adapted to the weather and conditions existing in Siberia.

Motion pictures were taken of the efforts to develop this new type of wheat, and, like the pictures of progress on the dam at Kuibyshev, were shown all over Russia. While I was in Moscow, I also saw some motion pictures of the progress being made with apple growing in Siberia. Imagine how difficult it must be to grow apples in Siberia, where the temperature drops to as low as 30° or 40° below zero. In Siberia, apple trees grow horizontally, instead of vertically. At any rate, whenever a development of the kind I have discussed is achieved, it is recorded on motion picture film, and this film is shown to all the people of Russia, to inform them of the progress which has been made, to make the Russian people feel that they are part and parcel of all these developments and this progress, to stimulate them to more and more hard work.

Mr. President, I could speak for many hours on the things I saw in the Soviet Union, but I shall not do so. My report, a copy of which is on each Senator's desk, contains detailed information on my journey through Russia, as well as my findings of conditions in the Near East, certain Iron Curtain countries, and France

At this time I wish to call the attention of the Senate to the fact that appendix B of my report contains a complete history of our foreign-aid programs, including the amounts of money spent, and how these funds were spent. Appendix C is a history of our information program.

I believe this information will be of value and help to the Senate.

At this time, Mr. President, I turn to certain conclusions I have reached as a result of my most recent trip through the Soviet Union, with special reference to what I believe should be a "new look" at our foreign policy.

Since 1948, the year the Marshall plan began, our Nation has spent over $50 billion ostensibly to roll back the Red tide of communism. Initially, these expenditures were designed to restore the war-ravaged nations of Western Europe, in order to place them in a position to be of aid to the Free World should the Soviet Union attempt an armed aggression. Later, when proposed goals were reached, and even surpassed, the program was transformed from one of rehabilitation into one of development and mutual defense. Huge amounts were supplied to a host of coun-

tries to help build armies, for capital development, for technical aid.

I specifically refer to appendix B.

Viewed in the light of these vast expenditures, the record of achievement thus far is a dismal one.

Europe, fully restored to economic health, and enjoying unprecedented prosperity, still leans on the United States for participation in her home defenses—still refuses to bear her fair share of the Free World's burdens, particularly in the Middle East, Southeast Asia, Formosa, and South Korea.

Many other nations which we have assisted lavishly in the past are either actively practicing or moving in the direction of neutralism, if not outright alinement with the Soviet Union.

A few make no bones of the fact that they pursue a policy of pitting the United States against the Soviet Union in order to obtain the maximum aid from both countries.

Russia and her satellites—who are our avowed opponents in the global cold war—are not weakening, nor do their policies seem to suffer defeat or even frustration as a result of the heavy-spending approach we have used in the past. On the contrary, some of our advisers contend that the Russians are making gains in the Middle East, in Southeast Asia, in Africa, and even Latin America.

They are increasing their domestic agricultural and industrial bases, as my report amply demonstrates.

Their technology is constantly improving. Sputniks I and II offer abundant proof of this.

In almost every imaginable way, by almost any comparison that might be made, the United States today is in a much less favorable position in its international relationships—and particularly in its competitive position with the Soviet Union—than it was in 1948, despite the expenditure of over $50 billion of our dwindling national wealth.

As I have often stated, our country cannot continue on its present course without inviting not only ultimate international defeat, but national disaster.

Our present policy involves the continued expenditure of gigantic sums for foreign-aid purposes—over and above funds appropriated for the maintenance and modernization of our own Armed Forces—large appropriations for an Information Service; continuation of an almost unbearable and destructive tax rate that threatens to destroy initiative; the constant threat of near stagnation in the proper protection and preservation of our precious natural resources; and the promise of continued neglect of other vital areas of our national economic progress, particularly public power, housing, commerce, and others.

The recommendation I have advanced for the past 3 years is reemphasized at this time, that is: The time has come for us to take stock and to take a new look at our foreign policy.

Given a continued or heightened cold war of indefinite duration, the pursuance of our present policies must eventually result in the strangulation of our free-enterprise system, either by a continued decline of individual initiative and increasing reliance upon Government control and regulation of the economy, or eventual collapse of our total economy under the pressures of constantly growing Government spending and a swelling debt load.

Either of these alternatives would be disastrous.

The first would represent an easy default victory by state socialism over the forces of free enterprise, the second would carry with it the full realization of a basic tenet of Marxist communism, namely, that given a long-term crisis to face, the free enterprise—capitalistic—nations must fall of their weight.

The three visits I have made to the Soviet Union, the impressions I have gained during them, and the information I have gathered, have resulted in the following suggestions, which I offer for the consideration of the Senate—indeed, for the consideration of all our people.

RECOMMENDATIONS

I recommend that the United States reexamine its approach to the waging of cold war. Recognizing that our actual adversary in this conflict is the Soviet Union, I recommend that this reexamination be undertaken in the light of the following, the implementation of which will help to dispel the fear of each other prevailing among the peoples of the East and the West, and restore mutual confidence, which is necessary if we are to achieve a lasting world peace.

First. Our information program directed to the Iron Curtain, and particularly to the Soviet peoples, should be expanded. In this expansion, all propaganda in its traditional forms should be abandoned. Instead, a positive approach should be applied uniformly. No reference to communism per se should be permitted. Accurate, factual reporting of the news and conditions in the Free World must be stressed. Every effort should be made to objectively depict the enormous advantages of our way of life, without disparaging the system presently in effect in the Soviet Union or behind the Iron Curtain.

Second. An expanded and realistic exchange-of-persons program between the Soviet Union and the United States should be inaugurated at once. This expansion can be achieved with no additional cost, by simply discontinuing many so-called information programs operated elsewhere that are unnecessary. As detailed in the body of my report, I am convinced that most of the peoples of the Soviet Union are sincere in their belief that the form of government and the economic system under which they live are second to none. This conviction flows from their inability to compare their present-day living standards, industrial and agricultural techniques, cultural progress, and technological development with anything other than those existing within the Soviet Union's borders in prior times. By exchanging delegations, from every walk of life—scientists, technicians, workers, farmers, students, legislators—the people of Russia would have the opportunity to see at first hand the boundless advantages which a free-enterprise system, founded on the bedrock of representative government, has to offer. In this program, however, extreme care must be exercised. Under no circumstances should a bona fide exchange program be permitted to become a means for infiltration of our borders by Soviet agents.

As I said previously, Mr. President, I am glad to note that the administration has at last seen the light, but the program announced yesterday is too small. The State Department desires to exchange 5 United States students, let us say, or 5 professors, or 5 technicians, if Russia does the same thing. I would go much further. I want a large group of Russian people to come here, to see what we have, to grow envious, so that the dissatisfaction about which I have been talking can grow so large that their leaders will either change their ways or the Russian people will change their leaders.

Third. With the change of emphasis in our cold-war policy toward the Soviet Union outlined in recommendations 1 and 2, designed to dispel the fear which exists between the peoples of the United States and the U. S. S. R. and to create a climate of confidence, should also come increased willingness upon our part to meet as often as possible with leaders of Iron Curtain countries, or the Soviet Union. Despite the record of broken promises which prior Soviet leaders have left in the wake of prior talks, our failure to join and participate in top-level conferences—even summit conferences—provide powerful ammunition for the Soviet propaganda machine.

It eases the task of Red information agencies to picture the United States to the people of the Soviet Union—along with other lands throughout the world—as unwilling to discuss peaceful solutions of world problems.

The committee is well acquainted with the desire of all Americans to attain and maintain a lasting world peace, a peace security in dignity and made lasting through mutual trust. However, our Government's failure to show a willingness to confer with Soviet leaders on the peaceful solution of world tensions is being broadcast throughout the length and breadth of the world as indicative of our aggressive intentions. With a weapon such as this at the command of expert Communist propagandists, we are constantly losing ground in our effort to maintain sympathy for and understanding of our international objectives.

Fourth. I recommend that our policy of attempting to create full-fledged modern armies in small underdeveloped countries be terminated, and that our assistance be confined to a realistic technical aid effort. This move would be designed to create a broad base of trained native peoples, a base which would attract private investment capital, or which—at the very least—could properly utilize any government-to-government capital which might later be made available for development purposes. An approach of this type would strengthen the economic stability of the country,

while at the same time allowing the country to maintain its prestige and self-respect by standing on its own feet.

By encouraging underdeveloped countries to maintain military forces far beyond their capabilities to support, we are actually creating conditions tailor made for the advance of communism.

As the Comptroller General noted in his report to Congress on an examination of the military-assistance program on March 31, 1957, the extension of arms aid to a number of nations has not always been motivated by purely military considerations, nor has the impact of this aid been properly evaluated in advance, or in conjunction with, its availability:

> The military-force objectives presently approved for United States support in certain allied countries are not always realistic in terms of recipient country manpower and financial capabilities are not always mutually acceptable to the countries concerned, and are not always motivated by military considerations. (Report, supra, p. 2.)
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> In a number of countries the United States has programed and is delivering military equipment in excess of that which can be effectively absorbed and utilized by the recipients at their existing stage of development. The recipients either have not been able to use the aid furnished because of their financial and economic incapacity and their manpower limitations or they have not desired to use the assistance for the purposes intended by the United States. (Report, supra, p. 3.)

Mr. President, in every report I have made for the past 4 or 5 years I have pointed out the fact that we cannot continue to affix large armies upon the economies of small countries, armies that are dependent upon us for their existence. I think it is high time we stopped that procedure. Whenever we impose upon small countries, countries which are just starting, the burden of providing funds in order to maintain large armies, they are unable to do anything else. There is no money left to develop their economies—to give their people a better way of life. If we do not grant them aid, they become angry with us. Yet, if they try to maintain large armies, they cannot supply the needs of the people of the country. That, as I said, brings on communism, or perhaps some other kind of ism.

As it now stands, the hasty application of great amounts of economic and military aid to newly independent, underdeveloped nations is often working to our extreme disadvantage.

First, in those nations whose economies are not sufficiently developed to maintain a military force of the capabilities desired by United States advisers, the gap in national income created by heavy military expenditures is sought to be filled by America extending so-called defense support assistance.

As administered in the past, this type of economic aid has frequently failed to trickle down to the masses. In a number of countries, particularly in the Middle East, and Southeast Asia, living standards remain visibly unchanged for the great majority of people despite large United States expenditures there by way of defense funds. There are, in these countries, two economic strata—the very rich, and the miserably poor.

The latter are, without exception, the object of constant Soviet propagandizing. United States policies, requiring the maintenance of large standing military forces, are blamed for low living standards. Capitalistic America is also blamed for lining the pockets of the rich while caring little for the poor.

In these same countries, as the body of my report demonstrates, the wealthy pay little or nothing in the way of income taxes, or, for that matter, all taxes as compared to us.

Mr. President, most Americans do not mind paying their just share of the taxes imposed by our Government provided they believe the money thus paid is put to good use.

But such is not always the case. For example, when I visit a country such as Iran, Lebanon, France, or Italy, where I know some people make as much as 4 times the income I make, but pay only 5 to 12 percent of their income in taxes, my blood boils. But what makes me really angry is the fact that the money which I pay in taxes—and I am frank to admit that I am in the 69-percent bracket—and that which is paid by other citizens, is used to give aid to those countries. They would not need help if only their governments imposed realistic taxes, and forced those who are able to pay to do so—just as is done here in the United States.

Thus, as the whole burden of defense and economic growth in a given nation may be ours, so is the blame for that nation's poverty heaped upon our shoulders.

Fifth. I again recommend, as I have for the past 3 successive years, that immediate steps be taken to solve the Arab-Israeli dispute. Unless and until this is done, the Middle East will remain an open, festering wound—one which poses a constant threat of infection to the entire world.

Our attempts in the past, through military and economic assistance, to appease both sides in the hope that the problems will solve themselves have not worked and will never work. That part of the world offers the U. S. S. R. a great opportunity to keep its propaganda machine almost constantly at work in its efforts to keep the world in turmoil.

In this connection, Mr. President, I should like to relate an experience of my own that bears on this subject. I had not been out of Russia more than 10 hours when I happened to meet one of the leaders of a Middle East country I visited. He said, "Senator, have you heard the latest?"

I said, "No; what is it?"

He said, "Do you know that today in Syria there are more than 2,000 Russian technicians, busily engaged in assisting the Syrians, and that war is imminent? Do you know that the Syrian Government has given to the Russians not only naval bases, but airbases?"

I was very concerned, and I asked, "Where did you get your information?"

He said, "From our representatives in various countries of the Middle East."

I said, "Are you certain of it?"

He said, "I am positive."

I got the same story from some leaders of other countries I visited. I told them, "If the condition is as serious as you say, I want to visit Syria and see for myself," especially since I had been there during every year for 4 years previously.

I asked our Embassy in Damascus to make appointments for me with all the leaders of any consequence in Syria. President Sayed Shukri el Kuwatly got out of a sickbed to talk with me. The President of the Syrian Parliament, H. E. Akram Hawrani, the most influential man in Syria, saw me. I saw the head of the army. I saw the head of the Ministry of Agriculture. The prime minister was away somewhere, but I saw his assistant.

Every one of them vehemently denied that Russia had anything like 2,000 technicians there, or that Syria had given bases of any kind to Russia.

After seeing these people I talked with our own Chargé d'Affaires, and our own attachés in Syria. They all said, "Senator, there is no basis for the statement that there are 2,000 Russians here, and that bases were given to Russia. We do not know anything about that." Yet that rumor was being spread all over the Middle East. Even the press of this country was filled with statements to the effect that war was imminent between Russia and the United States over what might happen in Syria. It would not take many such rumors to spark serious trouble. Mr. President, I repeat, that unless and until the Arab-Israeli question is settled, there will be the festering sore to which I refer—a sore which will bring much trouble in the future. It will require a great deal of courage to bring about a settlement, but it must be done.

I believe such a settlement could be based upon limiting Israel's borders to the 1947 United Nations Resolution, a limitation upon immigration into Israel, and policies designed to create and foster cooperation between Israel and the Arab countries. In this connection, let me read from my observations last year concerning the Middle East. I read from page 455 of Senate Document No. 31, 85th Congress, 1st session:

> I left this troubled area convinced of one thing, and that is that it will be impossible to establish a self-sustaining State of Israel. Particularly is that true if the minimum goal of not less than 2,500,000 inhabitants is to be reached. Should the population remain at 1,500,000 to 1,600,000, as is now the case, then this tiny little land might eventually become self-supporting. Even with that alternative, however, it would require an investment of many, many millions of dollars to build a sound economic base. As for sustaining a population of two and one-half to four million without foreign subsidies, this is seeking the impossible. If Israel's population ever reaches that point, world Jewry must be made to understand that it must continue to subsidize Israel heavily and indefinitely.
>
> It is heartwarming to note the progress being made in Israel, although at high costs. Because of an inadequate background in technology, the populations in the neighboring Arab countries are not as well developed for survival in today's atomic age as are the Israeli. What the Middle East needs is the promotion of a political climate under which the Arab and Jewish popula-

tion could cooperate to raise living standards and develop the economy of the area. If, as I contend, Israel cannot become a self-sustaining state to take care of displaced Jews, it might be well to explore the possibility of reducing the area of the present state to the size proposed in the 1947 United Nations resolution. To this end, fixed boundaries should be promulgated, and any additional Jewish immigration should be channeled into Arab lands, conditioned, of course, upon their being permitted to live in peace there. I feel that if only this could be achieved the Arab and Jewish populations, by working together, could achieve an unprecedented economic development. In other words, the technological training of the Jewish immigrants should be used as a nucleus around which to build a highly developed Jewish-Arab economic sphere of influence.

I cannot overemphasize the necessity for some early solution to the present difficulties in the Middle East. As I warned the committee in 1954, the Middle East is the most volatile place on earth—it, and it alone, offers the greatest likelihood as the source of world war III.

There is no possibility of lessening the dissension by extending assistance to both the Arabs and Israelis. We are beginning to be hated by the Arabs, and will undoubtedly be despised by the Jews if we refuse to further help them economically and militarily. It is time for the Jewish people of America and of the world to realize the complexities of the problems involved and the difficulties inherent in achieving a solution. It must be borne in mind, too, that comparatively few people of Jewish faith are involved, in contrast to the vast numbers of Arab people. A solution built around the continued existence of the State of Israel—but a state required to remain in fixed boundaries—and designed to promote cooperation between the Jews and people of the neighboring Arab countries must be achieved. What the Arab leaders fear most of all is that Israel will expand and eventually take them over.

I am convinced that these views are especially pertinent today.

While I am convinced that the implementation of these recommendations would result in a much higher degree of success than a continuation of our present policies, it is not my view that they will work miracles overnight. On the contrary, the New Look I have advocated should take place concurrently with the maintenance of a strong defense by the United States. We must not lower our guard. A modern, efficient Defense Establishment is the best guaranty we have against any attempt on the part of would-be world conquerors to follow the path of aggression instead of peaceful international competition.

In essence, the burden of my recommendations involves the maximum use of the single greatest resource our Nation possesses—not dollars, but the tremendous abundance of both material and spiritual advantages which freedom has to offer.

America is the world's greatest showplace for the accomplishments of a free economy dedicated to providing a free people with the highest standard of living in the world.

With such an exhibit of the fruits of our labors, it should be readily apparent that, in comparison with our growth over the relatively same period of time, Russia's advance has been accomplished despite, rather than because of, the dictates of Socialist theories, and perhaps owes its success more to the hard work of her people than to any tenet or theory set forth by Lenin, Marx, or Stalin.

Let us open wide the doors to our showplace; let us welcome all who would come to see—to compare—to imitate.

Let us lay the foundation for trade and a restoration of commercial contacts between the east and the west.

Let us not apologize for our abundance, but, rather, let us display it to the peoples of the world as an example of what hard work can achieve for all who are willing to work.

Let us be honest enough to caution those who are to choose between socialism and freedom that such miracles are not wrought overnight, but must come gradually and through self-help.

Above all other things, let us not fear an honest competition with Soviet communism.

The approach I have outlined involves only the realization that it is time for our country to choose a more advantageous ground upon which to wage this most crucial battle of the cold war.

We have been confronted in recent years by what amounts to nothing more than an all-out effort on the part of the Soviets to defeat the democratic nations by peaceful means. Rather than see victory go to them by default, I urge our Government to pour its full effort into a massive fight for the minds of men—all men, everywhere.

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

Mr. ELLENDER. I yield.

Mr. AIKEN. The Senator from Louisiana has just delivered a very powerful and important speech on Russian-American affairs. The significant thing to me is that he was permitted to make that speech today without interruption from either side of the aisle. Had he undertaken 2 years, 4 years, 6 years, 8 years, or 10 years ago, to make such recommendations as he has submitted, and to make the statements he has made concerning European and Russian affairs in particular, he would have been challenged before he reached his first recommendation.

The fact that his speech has been attentively received today indicates that we are really making progress.

I was particularly interested in what the Senator said about our constant attacks on communism as such getting us nowhere, and the recommendation that, instead of continuing such attacks and concentrating almost 100 percent on such attacks, we should endeavor to "sell" America.

A month ago I had occasion to visit some of the small American countries. I visited the USIS libraries in those countries. Their materials were worn out. They did not have enough material to work on. Those people were eager to obtain the material from our American libraries. In one of them 40 percent of all the material was in circulation at all times.

The thing which impressed me was that the material which seemed to be in greatest demand did not appear to be what might be considered propaganda material. It consisted of books and periodicals which dealt with everyday life in the United States. That was the material which was in demand. I believe that the same situation is true in other parts of the world.

The Senator from Louisiana has performed a valiant service, and I hope that other Members of the Senate, whether they agree with his recommendations in every detail or not, will give them the consideration they deserve.

Mr. ELLENDER. I thank the Senator. I would say, however, that the recommendations I have just submitted were first enunciated by me 2 years ago, in 1956, based on my inspection during 1955.

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

Mr. ELLENDER. I yield.

Mr. DWORSHAK. The Senator from Louisiana is contributing another vital chapter to the reports which he has been making for several years on his inspection trips to foreign countries. Having traveled with him in the fall of 1956 for about 3 weeks in the Pacific area, I am fully aware of the diligence and fairness with which he discharges his duties in trying to get factual information concerning the extremely expensive program of foreign aid.

I should like to ask the Senator whether in these many contacts and observations in the recipient countries it has been possible for him to reach any conclusions as to whether the spending of billions of dollars for military and economic aid has resulted in engendering friendliness and understanding among the peoples who have received those benefits from us, or whether there is actually discernible hostility, if not actual resentment, on the part of many of those nationals, because they fail to understand properly the motives of our foreign aid program. Will the Senator from Louisiana give us some conclusions on that particular point?

Mr. ELLENDER. I covered that issue at great length in my 1956 report. As it has often been said, it is impossible to buy friendship. I found instances of that in many places, but let me be specific. This past year, when I left Russia, I went to Tabriz, the second largest city in Iran. In Tabriz I found poverty the like of which I have never seen anywhere else, yet in that country we have spent hundreds of millions of dollars to assist people.

I came to a school which we had built in Tabriz. Tax money from the Senator of Idaho and money from myself was used to build a high school there. It was quite large, and could take care of four or five hundred students.

I was shown the school by our ICA representative in that area, and I learned that we had erected the building 3 or 4 years ago. The condition under which we built it was that we would help to furnish money for the teachers for 2 years—then Iran would take over. At the time of my visit, the 2 years had passed.

I never saw such a disorganized school. Most of the teachers had gone away. The principal was mad as a hornet at us, and he said to me, "Senator, why don't you get your Government to keep

on sending money for our teachers?" There, in the principal, we have one angry person, and he is spreading his anger around. We find that situation all over the world. I found an even more distressing situation while in Tabriz, however.

I was taken to a rug factory, where 800 people were employed. Of the 800, 600 were children ranging in age from 8 to 14. The owner of that factory was violating the laws of Iran by employing those children, but he was not in the factory. He had left when he heard that I was coming there.

I could not get permission to visit the factory, but I did see some of it—including one area where little children, little hands, were tieing knots in rugs, to the chant of a big fat Persian.

Imagine that, Mr. President.

The owner is a rich man. He has a large factory, and his home is beautiful. I would wager that, although his income is probably 3 or 4 times mine, he does not pay more than about 8 or 10 percent of his income in taxes, while, as I have already said, I am in the 69 percent bracket. It makes me mad, and I think it makes our people mad, to think that we are paying high taxes to help countries which could well afford to help themselves if only the rich paid a fair tax rate. If Iran collected a proper tax from people like the wealthy rug merchant in Tabriz, it could pay teachers to use the school we built for the people of that country.

Democracy cannot be made to work in a country like that, where the government either refuses or is incapable of making the wealthy pay their just proportion of taxes, so that the poor can obtain a better way of life.

What would happen today if people in our country who were able to pay, paid only about token amounts of the income tax imposed by law?

The conditions I have referred to are not peculiar to Iran. One can find them in any country whose government is either incapable of making its people bear a just proportion of taxes, or refuses to do so.

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

Mr. ELLENDER. I yield.

Mr. THURMOND. I should like to congratulate the distinguished Senator from Louisiana for the informative and enlightening address he is delivering today. It is one of the most interesting addresses I have heard in the Senate since I have been a Member of it. I should like to ask the distinguished Senator if he believes, because we have given foreign aid by billions of dollars to countries overseas, that when the showdown comes those countries will necessarily be with us because of that aid, or whether he believes they will go along with whoever they think will win, or will be neutral.

Mr. ELLENDER. The Senator has posed quite a question. Let me answer it with a specific instance. The Senator knows that soon after NATO was established and we became a member of it, the force necessary to defend Europe was fixed at 66 military divisions, 30 of which were to be active divisions. Of this 30, we were to furnish 5½.

With all the money that we have given to Western Europe, after putting those countries back on their feet, after helping their recovery to a point where they are better off today than they have ever been, on the western front today we have, as I recall, only 12 active divisions. Five and a half of those active divisions are made up of American soldiers.

We also find that the NATO countries are still withdrawing their forces. France withdrew a great many troops and sent them to North Africa. We read last week that the British are going to reduce their armed forces by two-thirds. In addition, she is reducing taxes. Yet we in the United States are spending more and more on defense, including aid to these allies.

That, I believe, is indicative of what we can expect if our present policy is followed. Let me remind the Senator that Europe is no isolated example. Who is carrying the load in southeast Asia? Who is carrying the load in Formosa? Who is carrying the load in South Korea? We are.

That is why I say that unless we adopt a new policy—unless we take a new look we are in for further failures. We cannot continue along the road we have been traveling and maintain our way of life.

Mr. THURMOND. Merely because we have helped these nations with billions of dollars does not necessarily mean that they will stand with us if a showdown comes. Is that correct?

Mr. ELLENDER. Of course. I can assure the Senator of that.

Mr. THURMOND. It is a matter of survival for them, and they will go with whoever they think will be the winner, or remain neutral. Is that correct?

Mr. ELLENDER. We have no guaranty that we will not find ourselves alone, I can assure the Senator.

The PRESIDING OFFICER. Does the Senator from Louisiana yield the floor?

Mr. ELLENDER. I yield the floor.

Mr. KENNEDY. Mr. President, I should like to join with my colleagues in complimenting the distinguished Senator from Louisiana upon the very concise, excellent talk he has given us today concerning his recent trip to Russia, Europe, and Asia.

Mr. ELLENDER. I thank the Senator from Massachusetts.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, informed the Senate that, pursuant to law, the Speaker had appointed Mr. TEAGUE, of Texas; Mr. RABAUT, of Michigan; Mr. MILLER, of Maryland; and Mr. WAINWRIGHT, of New York, as members, on the part of the House, of the Board of Visitors to the United States Military Academy.

The message also informed the Senate that, pursuant to law, the Speaker had appointed Mr. RILEY, of South Carolina; Mr. FRIEDEL, of Maryland; Mr. ANDERSEN, of Minnesota; and Mr. OSTERTAG, of New York, to be members on the part of the House of the Board of Visitors to the United States Naval Academy.

The message further informed the Senate that the Speaker had appointed Mr. GARY, of Virginia, and Mr. WIDNALL, of New Jersey, to be members on the part of the House of the Board of Visitors to the United States Coast Guard Academy.

The message also informed the Senate that the Speaker had appointed Mr. YOUNG, of Texas, and Mr. FINO, of New York, to be members on the part of the House of the Board of Visitors to the United States Merchant Marine Academy.

The message further informed the Senate that the Speaker had appointed Mr. ROGERS, of Colorado; Mr. MAGNUSON, of Washington; Mr. CHENOWETH, of Colorado; and Mr. SCRIVNER, of Kansas, to be members on the part of the House of the Board of Visitors to the United States Air Force Academy.

The message also informed the Senate that the Speaker had appointed Mrs. ST. GEORGE, of New York, as a member of the National Monument Commission, to fill an existing vacancy thereon.

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

H. R. 5938. An act to amend section 812 (e) (1) (D) of the Internal Revenue Code of 1939 with respect to certain decedents who were adjudged incompetent before April 2, 1948;

H. R. 7762. An act to amend section 223 of the Revenue Act of 1950 so that it will apply to taxable years ending in 1954 to which the Internal Revenue Code of 1939 applies;

H. R. 8865. An act relating to the administration of certain collected taxes; and

H. R. 9035. An act to amend the Internal Revenue Code of 1954 with respect to the basis of stock acquired by the exercise of restricted stock options after the death of the employee.

FORTIETH ANNIVERSARY OF UKRAINIAN INDEPENDENCE

Mr. KENNEDY. Mr. President, the courage and spirit of the people of the Ukraine are foremost in our thoughts as we join with them in celebrating the 40th anniversary of Ukrainian independence day. After centuries of foreign rule, the intrepid people of the Ukraine finally expressed the eternal yearning of free man everywhere, and a new nation was born when the Ukrainian national council at Kiev proclaimed the independence of the country. Unfortunately, in 1920 this nation became one of the first victims of Soviet imperialism.

Despite years of enslavement, however, these people, who for such a brief period enjoyed freedom, have kept the spark alive. It remains for us in the free world to encourage and support their aspirations in full recognition of our common cause. Let us not forget that the strivings of the valiant Ukrainians, as well as those of the other Soviet enslaved people, are a part of the same effort in which all the people of the free world are engaged.

Today more than ever we are reminded that the struggle between tyranny and freedom will be won in the hearts and

minds of men. No group, in my opinion, better exemplifies the tenacity and adherence to principles of freedom than the valiant Ukrainians.

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

The PRESIDING OFFICER. The clerk will call the roll.

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

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

The PRESIDING OFFICER. A quorum is present.

PROCEDURES FOR REPORTS BY EXECUTIVE AGENCIES RELATIVE TO DEVELOPMENT OF LAND AND WATER RESOURCES

The Senate resumed the consideration of the resolution (S. Res. 148) to prescribe procedures and contents for reports to the Senate by executive agencies with respect to proposed projects for conservation and development of land and water resources.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Utah [Mr. WATKINS] to recommit the resolution to the Committee on Interior and Insular Affairs and the Committee on Public Works with certain instructions.

Mr. ANDERSON. Mr. President, I do not know how long it is intended to continue the debate on the resolution. So far as those of us who favor it are concerned, we shall be very happy to have a vote on it in a short time.

In the course of the debate yesterday on Senate Resolution 148, questions were raised as to whether or not this proposal had been considered by the Western States and other western reclamation interests. The proceedings of the National Reclamation Association, at its conventions at Salt Lake City in 1956, and at Phoenix, Ariz., in 1957, have been reviewed. The record shows that at both conventions the procedures for the evaluation of land and water resource projects were discussed at length by the water policy committee of the association.

This water policy committee is composed of a representative from each of the 17 Western States, and it has the advice and counsel of State engineers and other spokesmen of the water interests of each State. If there is any organization that can speak for the water interests of the Western States—even though we may not always agree with their conclusions—it is the National Reclamation Association and its Water Policy Committee, which reflects the views of the organized western water interests.

The present chairman of the water policy committee is Mr. Hugh Shamberger, State engineer of Nevada, who is exceedingly well qualified for this position.

At the Phoenix convention of the National Reclamation Association in November 1957, the following comment is made on Senate Resolution 148 and printed in a pamphlet labled "The Voice of the West," embodying the resolutions and report of the water policy committee of the Association, approved by 17 State caucuses and adopted by the National Reclamation Association at its 26th annual meeting at Phoenix, November 6 to 8, 1957.

The cover of that publication reads:

> The voice of the West—Resolutions and report of water policy committee, approved by 17 State caucuses; adopted by the National Reclamation Association, 26th annual meeting, Phoenix, Ariz., November 6–8, 1957.

It was my happy privilege to be asked to deliver an address upon that occasion, and to see several Members of the Senate present at that time.

The comments with relation to Senate Resolution 148 are as follows:

> PROCEDURES FOR THE EVALUATION OF LAND AND WATER RESOURCE PROJECTS
>
> The water policy committee in its 1956 report commented at length on the problems and proposals involved in Senate Resolution 281 of the 84th Congress, 2d session.
>
> After hearings and considerable staff work, Senate Resolution 148, responsive to the directions in Senate Resolution 281, was introduced in the 1st session of the 85th Congress and referred to the Committees on Interior and Insular Affairs and Public Works.
>
> The principal purpose of Senate Resolution 148 is to provide full information to the Congress on land and water resource projects. Thus, Congress will be able to make the necessary decisions on resource policies and will be saved from abdicating that constitutional responsibility by default. Adequate information, as provided in Senate Resolution 148, should lead to a more intelligent evaluation of the land and water development projects.
>
> After a careful review of the policy questions involved in Senate Resolution 148, the Water Policy Committee expressed general approval of this measure. If the provisions of the resolution were to be enacted into policy procedures, the presentation of proposals to the Congress from the Departments of the Army, Interior, and Agriculture would be consistent, the data on projects would be presented in a more complete manner, and the possibility of unwarranted delays in the presentation of proposals would be minimized.
>
> Senate Resolution 148 is commended to the membership of the National Reclamation Association for careful study.

I point out that members of the water policy committee were not at all confused. They saw that the purpose was to provide full information to the Congress on land and water resources projects; and they stated:

> After a careful review of the policy questions involved in Senate Resolution 148, the water policy committee expressed general approval of this measure.

That is in line with what I tried to say yesterday. We studied this question as carefully as we could, and tried to make sure that what was offered to the Senate for action was proper.

It was stated yesterday that this measure should be in the form of a joint resolution. I believe that when the actual criteria are established, they should be in the form of a joint resolution. No one contends differently.

This resolution comes to the floor of the Senate in response to the Senate's own request for information. The Senate asked that the question be studied, and that a report be submitted to the Senate.

I hope the motion to recommit will not again throw this question into controversy, involving long continued arguments. We have considered the question. An opportunity was extended to any Member of the Senate to attend the hearings when they were under way. The hearings were finally concluded, and the report was submitted.

The hearings were on Senate Resolution 148, and not on some extraneous matter. Therefore I hope the proposal to recommit will not be agreed to, because it could only be construed as a motion to kill the entire study, which was undertaken after earnest solicitation on the part of any people who are very much interested in the water problems of the United States.

I hope the motion to recommit will be rejected.

Mr. LAUSCHE. Mr. President, I rise in support of the motion of the Senator from Utah to recommit Senate Resolution 148 to the Committee on Interior and Insular Affairs and the Committee on Public Works. I do so for several reasons.

First, the action of the two committees is not in conformity with the directions contained in the resolution, which committed this question to those committees for study and report.

Second, the resolution now pending before the Senate, if adopted, would constitute unilateral action on the part of the Senate, without concurrent action by the House, on a question which, in the committing resolution, was repeatedly described as a responsibility of the Congress.

Third, I support the motion to recommit because, in my opinion, this resolution would dilute the criteria for establishing the financial feasibility of a public-works project to the point where the most fantastic and extravagant projects contemplated for conservation of water would come within the definition of a financially feasible project.

With respect to my first reason, under Senate Resolution 281, the Senate assigned this subject for study by the two committees which I have identified. I submit to my colleagues that if one reads the resolution, he must reach the

conclusion that the Senate, when it passed Senate Resolution 281, contemplated that the Congress would fix the criteria upon which the financial feasibility of a public-works project should be determined.

To support that proposition I wish to read from section 1, as follows:

That it is the sense of the Senate that the stabilization of the national economy and the effectuation of the wisest, most orderly, and most economic utilization of the land and water resources of the Nation for the widest possible public benefit requires that the Congress continue to exercise all of its constitutional powers—

If the pending resolution is adopted, it will not place the authority in Congress, but will constitute an action unilaterally by the Senate, not joined in by the House.

Secondly, I now read from section 4, as follows:

That reports to the Congress in support of requests for the authorization of projects for the conservation and development of land and water resources should include evaluations made in accordance with criteria prescribed by the Congress—

I now wish to read what in my opinion most forcefully points out that when Senate Resolution 281 was adopted it was intended that the recommendation made by the two committees should be acted upon by the Senate and House of Representatives, not by the Senate alone.

I now read the concluding paragraph of Senate Resolution 281:

SEC. 6. That the Committee on Interior and Insular Affairs and the Committee on Public Works be, and they hereby are, directed jointly to study, in consultation with other appropriate committees and executive agencies, and to design and to formalize comprehensive and particularized sets of standards and overall criteria for the evaluation of all proposed projects for the conservation and development of land and water resources—

I omit reading a few words, and resume my reading—

all to the end that the Congress shall fully exercise its constitutional powers—

I submit that the language in Senate Resolution 281 clearly declares that this disputed subject should be settled by Congress, not by the Senate alone.

So much for that phase of my support of the recommittal motion.

I now come to what I believe to be the more fundamental objection to the pending resolution. There are now about $8 billion worth of backlogged public-works projects on the shelves. Last year we passed a bill authorizing the construction of $1,500,000,000 worth. That bill is now pending in the House. The quantity of the work that is backlogged is reflective of the fact that with respect to the "porkbarrel" projects, authorizations were given for public works as to which there is hesitancy about going forward.

The pending resolution contains one very interesting paragraph. It states what the criteria shall be. In paragraph 3 it provides:

Benefit-cost ratios calculated by using total tangible benefits and total tangible costs for 100 years, and for 50 years, except where the economic life of the major project facility is less.

There is justification, I believe, in asking: Why is it directed—and if not directed, at least implied—that the studies should be made on the basis of a one hundred-year amortization of the cost? I believe I know the answer to that question. It is that if it is found that a project cannot be declared financially feasible on the basis of a 50-year amortization, it is to be suggested: "Look at it from the standpoint of 100 years."

In the bill we passed last year, there were included $1 billion worth of projects declared to be financially infeasible, or not to have been studied to the extent where a report could be made recommending that a particular project be built.

If this is to be the criterion, if this is to be the mode of determining financial responsibility, I submit that the most fantastic projects will be made to appear financially feasible by spreading the cost of amortization over a 100-year period, instead of a 50-year period.

In my judgment, this is a most important piece of proposed legislation, and it cannot be looked upon merely as an innocent request for information from the various divisions and departments of government. In effect, it will become a directive, and projects which it will be possible to amortize in 100 years will be declared to be financially feasible, even though, if they could be amortized in 50 years, they would have to be declared infeasible. Those are the reasons why I believe the pending resolution should be recommitted.

If the resolution were recommitted, what damage would be done? The committee would continue its study, and there would probably come out of the committee a joint resolution in which the House would concur. If that is done, Resolution 281 will have conformity; otherwise, it will not.

I do know that there is complaint that the President vetoed the public works bill 2 years ago. More power to him. I hope, if the one we passed last year comes before him from the House, he will veto that one, too. I cannot understand how he could avoid doing it, when we recognize the fact that there are $1 billion worth of projects in it which have not been adequately studied or have been declared to be financially not justified.

Those are my reasons for supporting the motion of the Senator from Utah [Mr. WATKINS] that the resolution be recommitted.

Mr. KERR. Mr. President, I have been quite interested in the remarks of the distinguished Senator from Ohio with reference to the resolution. I wish to express to him my deep appreciation for the frankness with which he has stated his position. The great Senator from Utah [Mr. WATKINS], who submitted the motion to recommit and sponsors it on the floor of the Senate, is one of the ablest advocates of conservation in the Senate. He has as proud a record of service in behalf of conservation of water and development of soil resources as any Member of the Senate.

I am convinced of his sincerity of purpose in sponsoring the resolution, and that it is his desire to do what he believes will be helpful to the cause of conservation. I respect him and honor him for that attitude.

It is quite apparent that the Senator from Ohio [Mr. LAUSCHE] has no such purpose. He supports the resolution because he thinks if it is adopted it will hinder and impair and slow down water conservation and the development of soil resources in the United States. He has made it quite plain that he is not trying to develop a better method than the one now in use to bring about the objectives of Senate Resolution 281. He has made it quite clear that he wants to do what he can to kill or impair the objective of Senate Resolution 281, of 1956, under which the Committee on Public Works and the Committee on Interior and Insular Affairs reported S. 148 to the Senate.

I think it is quite significant that the distinguished Senator from Ohio knows more about what is in Senate Resolution 281, which was passed before his arrival here, and which was considered for months by Republicans and Democrats alike in the Committee on Public Works and the Committee on Interior and Insular Affairs, than do the members of those committees; when the fact about the business is that it was evident on the floor yesterday that the distinguished Senator from Ohio did not even know what was in Senate Resolution 148.

I say to the Senator that the Committee on Public Works and the Committee on Interior and Insular Affairs held joint and separate hearings on the resolution, in a sincere effort to carry out the objectives of Senate Resolution 281 and to implement its spirit, which is to bring about a more effective program of conservation of the total soil and water resources of the Nation.

The distinguished Senator from Ohio decries the fact that there is a backlog of authorizations. He took the same position on the floor last year when the Senate passed the omnibus rivers and harbors bill. As I recall—and I want the Senator to correct me if I am mistaken—he and his distinguished colleague from Ohio [Mr. BRICKER] jointly sponsored an amendment to the bill for a project in his State, and the Senate accepted it. Then the distinguished junior Senator from Ohio voted against the bill. If I am in error, I should like to be corrected.

Mr. LAUSCHE. The Senator from Oklahoma has stated the proposition correctly. When the bill came before the Senate, it involved expenditures of $1,500,000,000.

Mr. KERR. The Senator is mistaken. The bill did not involve an expenditure of a single dollar. It was not an appropriation bill.

Mr. LAUSCHE. The Senator may make the best of that point, but he cannot change the substance of what we are talking about. The Senator from Oklahoma may pick on commas and periods, but the substance of what I have in mind will not be changed by the Senator from Oklahoma.

Mr. KERR. I am convinced of the accuracy of that statement.

Mr. LAUSCHE. The bill provided for $1,500,000,000 worth of projects, $1 bil-

lion of which were declared either to be financially not feasible or not to have had studies completed to the point where the engineers could make recommendations upon them. While the bill was pending, the junior Senator from Ohio reported that all the agencies of government had recommended a $13 million harbor project.

Mr. KERR. Whereabouts?

Mr. LAUSCHE. In Cleveland.

Mr. KERR. In what State is that?

Mr. LAUSCHE. It was declared to be financially feasible and that it could go forward. I said I would join in approving the project, but that I would vote against the bill.

May I ask the Senator from Oklahoma what amount of projects relating to his State, and which were not financially feasible, were contained in that bill?

Mr. KERR. Not one dollar.

Mr. LAUSCHE. It was a rather substantial amount, as I recall.

Mr. KERR. I say to the Senator from Ohio that if a full and comprehensive knowledge of the economic feasibility of the projects in that bill were to dawn upon him at this moment, I should fear the result of the impact of the truth of it on the psychology of the Senator from Ohio.

There was not a project contained in the bill which had not been declared economically feasible, and with a very high cost-benefit ratio, in the State of Oklahoma. The projects in that bill which were located in the State of Oklahoma had been approved by the interagency committee established in 1950 by legislation. The Corps of Army Engineers, the Department of Agriculture, the Department of the Interior, the Federal Power Commission, the Public Health Service, and representatives of eight States, had labored to bring to Congress the report of the economic feasibility of those projects.

The statement by the Senator from Ohio about the nonfeasibility of the projects in Oklahoma is just as erroneous as was his statement that there was a billion dollars worth of projects in the bill which had been declared to be infeasible by the administration.

The junior Senator from Ohio is a great man and a fine man, but I say to him that it is beyond the realm of legislative omniscience to be able to speak familiarly of matters with which one has had so slight and fleeting an association.

Mr. CASE of South Dakota. Mr. President, will the Senator from Oklahoma yield?

Mr. KERR. I yield.

Mr. CASE of South Dakota. Opinions may vary as to the virtues of the resolution, although I myself do not think the resolution calls for anything which any committee of Congress having responsibility in this field might not ask for on its own initiative. The purpose of the resolution, as I understand, is to bring about some uniformity in the making of the reports which we receive, and to get the agencies to use the same yardstick when they allocate costs as when they measure feasibility.

One little point came up in the colloquy between the Senator from Oklahoma and the Senator from Ohio, which I think should be clarified in the interests of accuracy. If I understood him correctly, the Senator from Ohio was acting under the impression that the omnibus flood control bill which was passed by Congress 2 years ago contained projects totaling about $1,600,000,000. I thought I understood the Senator from Ohio to say that more than $1 billion of them had not been found to be feasible or had not passed review by the Corps of Engineers.

Mr. KERR. That was the remark the Senator from Ohio made, and with reference to which I said his statement about the Oklahoma projects was just as incorrect as the other one.

Mr. LAUSCHE. I will stand to be corrected on whether the amount was $500 million or $1 billion. I am sure it was at least $500 million; I think it was $1 billion.

Mr. CASE of South Dakota. My recollection of the matter is that the Senator from Ohio had the figures turned around. I have just consulted with the clerk of the Committee on Public Works, and he tells me that that is correct. Something more than $1 billion worth of projects had been approved and found to be feasible; that they had gone to the Bureau of the Budget and had been reviewed by the Corps of Engineers.

So something more than $500 million of projects had not completed all the processes of review. However, many of the projects were under review at the time.

When the Senate passed the bill last year, the processes had been completed on more projects, so that something in the neighborhood of $200 million worth of projects were all that had passed all the several steps of review.

So at first, instead of there being $1 billion worth of projects which had not been found feasible, it was $1 billion plus which had been found feasible, and $500 million on which reviews had not yet been completed.

When the bill was passed last year, studies on something more than $1,400,000,000 of projects, or approximately that amount, had been completed, and the reviews had found them to be feasible.

The amount which now is under review is in the neighborhood of $200 million. It may be that since the report was made last summer, the review of some more of those projects may have been completed.

Mr. KERR. Mr. President, I thank the Senator from South Dakota for giving us the specifics on the question to which he has addressed himself. What he has stated shows the enormity of the error of the Senator from Ohio, when he said that when the bill was passed last year, $1 billion worth of the projects involved in it had not been found to be economically feasible.

The point I was making, Mr. President, is that the action of the Senator from Ohio is calculated to slow down water and soil conservation and development. I referred to his action in connection with the omnibus bill of last year as another evidence of that attitude. It is one to which he is entitled, and I honor him in the exercise of his choice and his privilege and his right to decide as he wishes. But I think other Senators, in contemplating his support of this motion, are entitled to know that it is consistent with the record he has made here in opposition to soil- and water-conservation projects, not in support of them.

Mr. ANDERSON. Mr. President, will the Senator from Oklahoma yield to me?

Mr. LAUSCHE. Mr. President——

Mr. KERR. I yield to the Senator from New Mexico.

Mr. ANDERSON. I believe I understood the Senator from Ohio to take the position that he believed he was laying down a new yardstick to be used when the Congress wishes to measure irrigation projects in terms of 50 or 100 years.

Would it help the Senator from Oklahoma if I were to remind him that there are irrigation projects which now have a 100-year pay-off period? One is in Oregon; another is in South Dakota; another is in Colorado. Whenever an irrigation project which has been entered into in good faith is found, because of soil conditions or because of a change in the water supply, to require action by the Congress to extend pay-out periods Congress can act; and the Congress has acted.

I applaud the fact that when the Congress has found it necessary to do so, it has extended the pay-out period on these contracts for irrigation, even up to 100 years.

It is still within the realm of contemplation that other projects may get into pay-out trouble, just as these three projects did, and other pay-out periods may need to be changed.

Although that may be pointed out as a defect, I thought it was a recognition that Congress had been wise in doing these things previously. Does not the Senator from Oklahoma believe that to be so?

Mr. KERR. Entirely so, and I thank the Senator from New Mexico for that observation, because I think it points up the fact that the pending resolution is not based upon a desire or an effort to change the criterion controlling the Congress. This measure simply seeks to require the Government agencies to bring to our committees additional comprehensive information, not controlling on them, but in order that it may be available to them, and through them, to the Senate, whereby a broader scope of information may be available to us.

It seems to me that the distinguished Senator from Ohio is afraid to have the members of the Senate committees obtain comprehensive information about a project, lest perchance they might find a basis to justify its authorization.

Mr. ANDERSON. Mr. President, will the Senator from Oklahoma yield further to me?

The PRESIDING OFFICER (Mr. SPARKMAN in the chair). Does the Senator from Oklahoma yield to the Senator from New Mexico?

Mr. KERR. I yield.

Mr. ANDERSON. With reference to this criterion, I say to the Senator from

Oklahoma that I make the flat statement—and I do not think anyone will contradict it—that Senate Resolution 148 does not change one criterion or any set of criteria. No one can possibly prove to the contrary.

Furthermore, the newly numbered section 4 contains some language different from the original language of the original resolution. That new language was suggested by the Comptroller General of the United States. To say that someone who is trying to expand the program has included such language is simply not to speak in accordance with the facts. The Comptroller General of the United States, well within his rights, said they would like to have included a provision for the period of time allowable for review of the power investment and things of that nature; and we wrote that provision into the resolution, in response to the request of the Comptroller General of the United States.

Mr. KERR. And consistent with the principle of seeking to establish a means whereby more complete information could be made available to the committees, with reference to matters under their consideration.

Mr. ANDERSON. Certainly.

Mr. O'MAHONEY. Mr. President, will the Senator from Oklahoma yield to me?

Mr. KERR. In just a moment.

Mr. President, at this time I yield first to the Senator from Ohio [Mr. LAUSCHE], who for some time has been seeking recognition; and thereafter I shall yield to the Senator from Wyoming.

Mr. LAUSCHE. Mr. President, it is my understanding that the 75- and 80-year amortization period applies in a substantial degree to irrigation projects, but that there has been a rather uniform 50-year limitation in the case of power projects and water projects. My position is——

Mr. KERR. At this point, will the Senator from Ohio permit me to correct him? The irrigation projects are water projects.

Mr. LAUSCHE. Yes; that is true.

Mr. KERR. And often they are power projects.

Mr. LAUSCHE. That is true. But in calculating the time in which the cost of a water pumping station or a power generating station can be amortized, the conclusion is reached that such stations have a life of 50 years. The life of the irrigation projects runs to 65 or 75 years.

I submit the proposition that the language contained in the section I read will make it possible to extend the period beyond 50 years in amortizing those projects, which in the past have uniformly been held to be payable in 50 years.

Mr. KERR. Mr. President, the Senator from Ohio could not be more completely mistaken.

Mr. ANDERSON. Mr. President at this point will the Senator from Oklahoma yield to me?

Mr. KERR. I yield.

Mr. ANDERSON. I agree with the Senator from Oklahoma that the Senator from Ohio could not possibly be further from the facts of the matter.

The reclamation law provides for a 40-year repayment period, plus 10 years, which have been added in order to get the projects under way. Generally speaking, our reclamation projects have a 50-year life. But water projects where power is created do not have that. As a matter of fact, when the central Arizona project was under consideration by the Senate, and since that time, it was pointed out that by means of the construction of certain dams—and the Glen Canyon Dam will be one of them; the Bridge Canyon Dam would be another, if it were added—the life of Hoover Dam would be extended another 100 years.

My personal guess is that the Hoover Dam will be in operation 300 years, and probably more than that. We do not have any limitation in that respect. It will pay out much sooner than that. But the great dams of the Pacific Northwest—among the most wonderful works I know of—will go on and on, far beyond the 50-year or 65-year or 80-year period.

For the life of me, I do not see what is wrong with allowing Congress to find out what can be expected to happen in those 100 years.

Mr. O'MAHONEY. Mr. President, at this time will the Senator from Oklahoma yield to me?

Mr. KERR. I yield.

Mr. O'MAHONEY. I believe we can meet this issue very squarely if the Senator from Oklahoma will answer 1 or 2 simple questions.

First, is any Member of Congress bound to cast his vote for some project in the future, by anything that is included in this resolution?

Mr. KERR. Not remotely.

Mr. O'MAHONEY. Is any policy in respect to the manner in which future projects will be built declared in the resolution?

Mr. KERR. No. I say to the Senator from Wyoming that the policy declared in the resolution is that we request the agencies of the executive branch of the Government to give us information on alternate plans of cost-benefit ratio, without approving any or without disapproving any and without making any remote effort to bind this body, or any Member of it, as to what it or he should do with reference to any of those proposals.

Mr. O'MAHONEY. Is it not a fact that all that is done by means of the resolution is to request information?

Mr. KERR. The Senator from Wyoming is eminently correct.

Mr. O'MAHONEY. And if the request is complied with, such information will be submitted without entailing any obligation upon either the executive branch or the legislative branch?

Mr. KERR. That is correct.

Mr. O'MAHONEY. Is there any member of the Committee on Public Works or of the Committee on Interior and Insular Affairs whose vote on any future project will be controlled by anything contained in this measure?

Mr. KERR. Not remotely; nor do the proponents of the resolution seek such control. The resolution expressly disclaims any such purpose.

Mr. O'MAHONEY. Is it not a fact that, without this resolution, Congress in the past has extended the repayment period on reclamation projects?

Mr. KERR. Up to 100 years.

Mr. O'MAHONEY. Is it not a fact that there is nothing in the resolution which would increase the powers of Congress or lay any compulsion on any Member of the Senate or of the House to vote in a particular way?

Mr. KERR. The Senator is eminently correct. The sole purpose of this resolution is to bring more light, more information, to our committees, to enable them the better to serve us.

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

Mr. KERR. I yield to the Senator from Oregon.

Mr. MORSE. Supplementing the point which was made by the Senator from New Mexico [Mr. ANDERSON], is the Senator from Oklahoma aware of the fact that we are now being told by experts in our Engineering Corps that, because of great improvements made in modern construction techniques, the life expectancy of a typical power dam today is equivalent to 150 years, instead of 50 years?

Mr. KERR. As a minimum, yes.

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

Mr. KERR. I yield to the Senator from Tennessee.

Mr. GORE. Granted that some Members of the Senate may not be as enthusiastic as are others about the development of natural resources or the conservation of water resources or resources of soil, is there any logical reason why even those who are less enthusiastic should not wish for, and perhaps be benefited by, the additional information for which this resolution would call?

Mr. KERR. I think the answer to that question is decidedly in the negative, Mr. President, because if this resolution is accepted in spirit by the executive, and if, in response to it—if the Senate should agree to it—the executive accedes to our request for information, which is the extent of the resolution, Congress will be provided with more comprehensive information about a project. If there were anything about the project which would indicate it should not be authorized, those who sought to oppose the authorization would have an equal opportunity with those who favored it to be armed with more complete information about the project than is the situation under the present policies of the executive departments or the present practice in their associations and relations with the committees.

Mr. GORE. Mr. President, will the Senator yield further?

Mr. KERR. I yield.

Mr. GORE. Is it not true that those of us who reported this resolution favorably had in mind, not the promotion of arbitrary decisions, but enabling the Congress of the United States to detect arbitrary decisions if such decisions should be made?

Mr. KERR. The Senator is eminently correct, whether an arbitrary decision was favorable or unfavorable.

Mr. GORE. Or based upon facts of which the Congress was advised or unadvised. Is that correct?

Mr. KERR. That is correct.

Mr. GORE. Is it not true that we had in mind the laying of full facts before the Congress in order that the committees of Congress and the Congress itself might make decisions in light of the full facts?

Mr. KERR. In the light of more complete and fuller facts. The Senator is eminently correct. I sincerely hope the motion——

Mr. COTTON. Mr. President, will the Senator yield for a question?

Mr. KERR. I yield.

Mr. COTTON. The Senator has indicated, if I understood him correctly, that nothing in Senate Resolution 148 lays down or attempts to lay down any policy on the part of Congress; that it is purely concerned with obtaining necessary information from the agencies regarding proposed projects.

I call the Senator's attention to page 6 of the resolution, section 4, which, if I read it correctly, does not refer to reports or information from downtown, but provides that "authorizations of multiple-purpose water resource projects" shall include and shall specify certain things.

I am not indicating that that is not a desirable thing, but is that not laying down a policy for Congressional action, at least so far as the Senate is concerned?

Mr. ANDERSON. Mr. President, will the Senator allow me to answer that question?

Mr. KERR. Yes. I yield to the Senator from New Mexico for that purpose.

Mr. ANDERSON. That provision was put in the resolution at the request of Mr. Joseph Campbell, Comptroller General of the United States. I do not think it lays down any policy. The Comptroller General felt he needed to have that information. I would not want to deprive him of it. Joseph Campbell is a very fine Comptroller General, and we thought we should pay attention to his request.

Mr. KERR. I wish to say further, in that regard, that at the conclusion of section 4 of the resolution, to which the Senator from New Hampshire has referred, it is specified that additional information shall be contained in an authorization. The only policy contained in this resolution is that more complete information be made available, and I think the provision is consistent with that purpose.

Mr. COTTON. That section certainly goes beyond a request from committees of Congress for information from executive agencies of the Government. It declares what should be specified in authorizations, which are acts of Congress. I am not suggesting that this provision is not desirable, but I think it goes beyond the question of merely seeking information for the committees of Congress. I will take the Senator's judgment on that point, because he is better versed in these matters than I am.

Mr. KERR. My judgment is that this paragraph lays down the policy that, information should be contained in the authorization for a project as to which method is to be used in the allocation of costs or how the allocation of costs shall be determined. In other words, the policy is that such additional information shall be contained in the authorization.

Mr. CASE of South Dakota. Mr. President, will the Senator from Oklahoma yield?

Mr. KERR. I yield to the Senator from South Dakota.

Mr. CASE of South Dakota. I hope the genial Senator from Oklahoma will modify his answer to the question suggested by the Senator from New Hampshire, because I believe the provision goes a little further than requiring information to be provided. It does declare the policy of the Senate to be that authorizations should specify the method by which allocation of costs shall be determined. I think such a requirement is highly desirable. We have had many examples of cases in which one agency of the Government has reported on the feasibility of a project on one basis, using one yardstick; and then, after the project has been constructed, we have found that another agency has used a different yardstick for allocating costs. The Comptroller General was eminently correct in suggesting that Congress should specify that in the authorization of the project the method by which the allocation of costs should be determined should be stated, and not left subject to conflict or quarrel between the various agencies.

Mr. KERR. I agree with what the Senator has said with respect to what the paragraph contains, but in order for me to agree with the statement of the Senator from New Hampshire, as I understood his statement, I would have to agree that the principle is laid down as to which method should be used. The paragraph does not lay down the principle of the method by which allocation of costs shall be determined. It lays down the policy that the method which at the time is in the mind of the Congress shall be stated in the authorization.

Mr. CASE of South Dakota. I can see the Senator's distinction.

There is one other provision in section 2, which I think goes beyond the question of merely getting information.

It is provided in section 2 that the reports by the Federal agencies should be sent to the Congress not later than 6 months after they have been submitted for comment to the governors of the affected States. That is merely an expression of policy, but it is an important expression of policy so far as the Senate is concerned.

In section 3 it is declared that the policy of the Senate would require that the projects recommended for construction by the Secretary of Agriculture under the Watershed Protection and Flood Prevention Act should be transmitted to the Congress not later than 3 calendar months after their approval by the said Secretary of Agriculture.

Both of those items deal with furnishing information to the Congress, and in that respect they come within the answer of the Senator from Oklahoma, but they do declare a policy. That policy is that instead of permitting the reports to kick around for many months, we should hear from the agencies within 6 months in a case in which reports have been submitted to the governors of the States for comment, and within 3 months after the Secretary of Agriculture has made up his own mind that he should report.

Mr. KERR. Does the Senator from South Dakota agree with me that, even on the basis upon which he has called the attention of the Senator from Oklahoma to the question, the entire resolution is still in the form of a request and does not purport to assume the dignity of a directive?

Mr. CASE of South Dakota. That is true. What we are considering will not be a law, but merely an expression of the Senate.

Personally, I welcome a resolution such as this, which would bring about some uniformity among the reports submitted to the Committee on Interior and Insular Affairs and to the Committee on Public Works. There are too many times when the Committee on Public Works has received the viewpoint of the Corps of Engineers and the Committee on Interior and Insular Affairs has received reports from the Department of the Interior. In some instances those reports relate to the same project.

Probably the most patent illustration occurs with respect to my own State and the other related States in the Missouri Basin, where we have the great Missouri River, which involves projects being constructed both by the Corps of Engineers and by the Bureau of Reclamation. The Missouri River runs through many States. The Missouri Basin projects involve the States of Montana, North Dakota, South Dakota, Nebraska, Iowa, Minnesota, Kansas, and Missouri. All those States are affected by the Missouri River. Some of the States have projects under the Corps of Engineers, and other States have projects under the Bureau of Reclamation. Some States have projects involving both agencies.

We now have a situation in which there is no clear definition as to the responsibility so far as power is concerned. The Senator from New Mexico [Mr. ANDERSON] conducted some hearings, at which time many witnesses appeared and testified before the committee. One witness had one point of view with respect to how power should be paid for, or what should be covered with respect to repayment to the Treasury. Another witness had other views. When representatives of the two agencies appeared before the committee we found a divergent point of view as between the Corps of Engineers and the Bureau of Reclamation as to what was the responsibility of the power users in paying for the power.

The Comptroller General did not have any firm idea on the subject. An effort was made to look into the precedents, and different reports were found on different bills. Finally, by a very complex construction which related clause (a) in one report to clause (b) in some other report, or to some interpretation

given by the Comptroller General with respect to some other project, an effort was made to "hatch up" a basis for fixing the repayment responsibility.

All that section 4 would provide is that it shall be the policy, so far as the Senate is concerned, that when a report is made to the Senate it shall include a recommendation as to the allocation of costs and the method of repayment which is to be followed. Presumably if the Senate fulfills its responsibility it will write into the legislation, either specifically in the act or in the report accompanying an authorization, the method which is to be followed or the principle which is to be followed in the allocation of costs. That is highly desirable from the standpoint of the Comptroller General and from the standpoint of the United States Treasury.

Mr. KERR. Mr. President, I thank the distinguished Senator from South Dakota. It was my privilege to work side by side with the Senator from South Dakota [Mr. CASE] as well as with the distinguished Senator from New Mexico [Mr. ANDERSON] and the other members of the subcommittee of the Committee on Interior and Insular Affairs in the hearing, in drafting the language of the resolution. I say to the Senator that on the basis of the long and friendly and cooperative association we have had on the Committee on Public Works I know in my own mind that there could be no difference between the Senator from South Dakota and the Senator from Oklahoma as to thought and attitude with reference to the resolution and what it contains.

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

Mr. KERR. I yield to the Senator from New Hampshire.

Mr. COTTON. The question upon which I was attempting to obtain information has perhaps now been forgotten by the Senator, because of what has intervened.

I wish to say first to the distinguished Senator from Oklahoma that I agree completely with him and with the distinguished Senator from South Dakota [Mr. CASE] that the objective suggested in section 4 is a desirable objective. My question, however, was as to whether section 4 laid down a policy of the Senate. That was a preliminary to another question which I should like to ask the distinguished Senator.

My next question is not asked in any sense in an argumentative way, but is asked because it is the crux of the whole question which concerns so deeply the Senator from New Hampshire.

I know the Senator from Oklahoma always speaks very eloquently and very sincerely. The Senator has stated in the past few minutes, and has further emphasized to the Senate, that the resolution we are considering, with all that it contains relative to the method of computing costs, relative to the time of amortization, relative to the consideration of future development in years ahead—and all the other things that are included in the resolution—has no real effect on any action of Congress in the future and cannot change such action, because it is merely a resolution to enable the Senate to obtain from the agencies downtown, such as the Bureau of the Budget, the Department of Agriculture and the Department of the Interior, the information which the committees want and which the Senate needs.

I should like to ask what might occur as a result of the action of the Senate of the United States on this resolution. Assume for the sake of argument—which I am not quite ready to concede in entirety—that what the Senator from New Mexico [Mr. ANDERSON] said is correct—that there is nothing new in the resolution, that every one of these criteria has already been used and laid down by various agencies, and that the resolution does not add a thing. When the Senate acts to approve this resolution, I believe the Senator from Oklahoma will agree, it will take a formal action to approve various criteria. The various criteria will be given a seal of approval, a force, and a potency which will be referred to by Senators on the floor and in committee, and by Representatives in the other body in the years to come, as indicating, when a project is under consideration for approval, that the Senate of the United States in Senate Resolution 148, adopted way back in 1958, laid down a policy and by inference, at least, gave its approval to the criteria set forth in the resolution with respect to the information requested. Does the resolution not have some potency in that respect?

Mr. KERR. Mr. President, I appreciate the question of the distinguished Senator from New Hampshire. In the statements I have made with reference to my interpretation of the resolution I have tried to speak factually and sincerely. I must submit to the distinguished Senator that I would hesitate to answer the question he addressed to me as to what effect the resolution might have on actions of Senators in the future in speeches they might make on the floor of the Senate in favor of or against any proposed authorization.

I believe my distinguished friend will recognize that, fertile as is the imagination of both the Senator from New Hampshire and the Senator from Oklahoma, it would put them to a greater strain than probably they should be subjected to at this late hour of the day to attempt to specify the reaction which Senators in future years might have to this resolution.

Mr. COTTON. Mr. President, I should like to direct one more brief question to the Senator from Oklahoma.

If what he says is true, and if it is stretching our imagination too far——

Mr. KERR. I did not say the resolution would stretch the imagination. I said that I would have to stretch my imagination in order to answer the Senator's question.

Mr. COTTON. If it strains our imagination too far to picture what might be the potency of this resolution in the minds of future Senators, I invite the Senator's attention once more to the middle of page 4, and the criteria in section 5.

The resolution provides that information should be furnished regarding the "physical feasibility and costs of providing capacity in the project works for current needs and future uses that may reasonably be anticipated to develop during the useful life of such project works."

That is the one section with respect to which I find it difficult to believe—and I have searched rather conscientiously in connection with this question—that it is not an addition to what has been previously laid down by the departments downtown as criteria. When we consider that some of these projects may extend over a period of 100 or 150 years in the future, as has been stated on the floor of the Senate, I ask, How about the strain on the imagination of the people downtown, who must advise the Senate on that particular section?

Mr. KERR. Let me say to the distinguished Senator that I thought paragraph 5 was a very useful paragraph in the resolution. As the Senator has just stated, it would result in a request from the Senate to the agency affected to provide the committee with information as to the physical feasibility and costs of providing capacity in the project works for current needs and future uses that may reasonably be anticipated to develop during the useful life of such project works.

I do not believe that such information would be a burden or a liability to the committee. I do not think it would involve undue hardship on the Corps of Engineers or the Bureau of Reclamation to make such a study of the usefulness of the project as would enable it to give the committee a picture of the physical feasibility and costs of providing capacity in the project works for current needs and future uses that may reasonably be anticipated to develop during the useful life of such project works.

I take it that the word "capacity" means storage capacity, for current needs and future uses that may reasonably be anticipated to develop during the useful life of such project works.

I believe that such information would be helpful.

Let me say to the distinguished Senator from New Hampshire that if that is the paragraph in the resolution which has placed such a heavy burden upon his mind and created concern to such an extent that he is greatly worried as to the result our action today might have upon the minds of Senators in the future, I ask him this question: If the sponsors of the resolution were to agree to ask unanimous consent to delete that paragraph, would that obviate the Senator's opposition to the resolution, and let us get on with the business of the Senate?

Mr. COTTON. I shall permit Senators to get on with the business of the Senate in just a moment.

My answer must be "No." It is the steadfast opinion of the Senator from New Hampshire that the passage of this resolution, with all the criteria which are laid down in it—and there is scarcely any restriction to such criteria—involves a very great many contingencies. If such criteria were fol-

lowed—and the dignity which would be given to them by passing the resolution today would mean a strong argument that such criteria should be followed—my imagination is not vivid enough to imagine any project in any part of the country which is beneficial to anyone, which could not be justified by some part of the resolution.

Mr. KERR. I thank the Senator. I was of the opinion that the elimination of the paragraph referred to would not obviate his opposition. I thank him for making it plain that in reality the basic difference between the Senator from New Hampshire and the Senator from Oklahoma can be found in this colloquy, in that the Senator from New Hampshire might be seeking a checkrein, as the President said the other day, while the Senator from Oklahoma might be seeking to apply a stimulant to the conservation program.

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

Mr. KERR. I yield.

Mr. ANDERSON. I do not know whether this is the answer to the question, but I do know what was in the minds of some of those concerned with the resolution.

Some time ago a bill was passed providing for a dam in the State of Idaho, known as the Palisades Dam. At that time careful regard for the people of that area might have contemplated that future needs might require the construction of another dam, the Burns Creek Dam. Nothing of that nature was included in the report. Sometimes the Bureau of Reclamation includes such observations, and sometimes it does not.

This year both Senators from Idaho came forward with the Burns Creek project. It was a reasonable project. The bill was passed by the Senate. It is held up in the House of Representatives—I hope for only a short time.

It is anticipation of future needs that is contemplated here. I see nothing wrong with anticipation of future needs. I hope the people will not worry because once in a while the Government does look ahead.

Mr. KUCHEL. Mr. President, I simply do not see on what basis any Member of the Senate can oppose the pending resolution.

Very simply stated, the resolution merely indicates it to be the sense of the Senate that two committees, the Public Works Committee and the Committee on Interior and Insular Affairs, ought to receive certain information with respect to projects embodied in bills which are referred to either of them.

The resolution is but an indication of the type of information which is necessary to enable members of each of those committees to reach an honest judgment as to what to do with projects embodied in bills which come before them.

During the days I have had the honor and pleasure of serving in the Senate, I have been a member of the Committee on Public Works and of the Committee on Interior and Insular Affairs. I believe that each of them is a great committee. I believe that each of them has outstanding Members of the Senate on its roster. As one of the newcomers, I have been most pleased at the care with which each piece of legislation coming before either committee is weighed and with respect to which final determination is made, for or against, when the vote comes.

I congratulate the members of the committee who, in their capacities as chairmen of these two committees, responded to what the Senate told them to do, and did a good job, as did the chairmen of both subcommittees.

I believe that enough has been said by many Members of the Senate with respect to the wording of the resolution, and I shall not detain the Senate, other than to say that thus far no one has denied that the resolution would simply attach the dignity of Senate approval to a Senate resolution designed to meet the needs of two committees in an extremely important field.

Among Senators who oppose the resolution are men for whom I have the greatest respect. A very dear friend of mine, a man whom I respect, the distinguished Senator from Utah [Mr. WATKINS], delivered a speech against the resolution yesterday and then made a motion that the Senate recommit it.

Yesterday, when he discussed the pending resolution, he said, in part, "It fails to meet the obligation of the legislative branch to establish basic policy."

The simple answer is, that in this resolution, we are not trying to establish basic policy for Congress. What we are endeavoring to do is to demonstrate to every appropriate agency in the executive branch that the Committee on Public Works and the Committee on Interior and Insular Affairs of the Senate have the right to receive and must receive, if the resolution is adopted, the type of technical, specific data and information which the resolution will require.

Very quickly I wish to say that in the report which accompanied the resolution, Major General Itschner, Chief of Engineers of the Army, said, in part:

> The items of information which the agencies of the executive branch would be expected to provide pursuant to Senate Resolution 148 are generally consonant with the principles and procedures for formulating and evaluating water-resources projects which have been evolved over the past several years through the cooperative efforts of the interested Federal agencies and which are currently in use by the Corps of Engineers in planning such projects. It is gratifying that the findings of the committees are in such close agreement with these practices.

I do not find very much in these comments to oppose the resolution.

Speaking for the Department of the Interior, Mr. Fred G. Aandahl, Assistant Secretary of the Interior, said, in part:

> A large part of the information called for by Senate Resolution 148 is now regularly or often included in our project-planning reports. The remainder can, we believe, generally be supplied. Undoubtedly, there will be occasion from time to time to supplement even this expanded list of items or to delete from it those which prove not to be worth while.

Here, too, does it not appear that the Department of the Interior offers no basis for opposition?

On what basis do the appropriate agencies of Government today make comments concerning proposed pieces of legislation introduced in the Senate which find their way into either one of those two committees? Certainly not by law. There is no law on that subject. It is by a decision on the part of the executive branch of the Government. When the executive branch of the Government determines to change the basis or a criterion, it does so. And it has done so on many occasions in the past.

Thus we have the perfectly ludicrous situation of a project being determined feasible on the basis of one formula, one day, but measured on an entirely different basis subsequently, when the executive branch changes the basis for reporting. We who sit in judgment in the Senate ought to be able to say: We want the same type of information in 1958, in 1959, in 1960, and thereafter, until we ourselves determine that a different type of information is necessary or required.

It seems to me that if we reject the resolution, we will in effect be tying at least one hand of each of the two committees, and depriving both committees of the additional dignity which the pending resolution, if it were approved, would give to the requests that come from both of the committees when they sit in judgment on public project bills.

I conclude by repeating, that to me there is no logical basis for the Senate to refuse to approve this resolution, simply designed to promote the efficiency of two of the most important committees of the Senate.

I do not believe that we ought to sit idly by and do nothing until we are able finally to mesh our approach to a problem with that of the House of Representatives. The Senate sees many things in a different light from the House of Representatives. The Senate passes legislation upon its own ipsi dixit. The House, on the other hand, passes legislation on its own judgment and in accordance with the way it looks at things. To me, it is clear that we should approve the resolution and defeat the motion of my good friend the Senator from Utah.

Mr. KERR. Mr. President, the distinguished Senator from Pennsylvania [Mr. MARTIN], who heads the minority members on the Committee on Public Works who do not agree with the report of the committee, is not present. I therefore ask that the minority views of those members of the Committee on Public Works be printed in the RECORD at this point.

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

MINORITY VIEWS FROM COMMITTEE ON PUBLIC WORKS

Senate approval of Senate Resolution 148 in its present form is highly undesirable for a number of important reasons:

1. It could lead to further delay and postponement in the construction of the enormous backlog of projects now authorized but not built.

2. It would seriously weaken and undermine the economic standards necessary to the proper evaluation of the Nation's land and water resources projects.

3. It could lay the groundwork for opening the floodgates of the Public Treasury to unessential, wasteful, and unjustified projects.

4. It could provide Congress with a confusion and multiplicity of plans and alternatives that could clog the pipelines of progress on genuinely needed legislation.

5. Senate committees already can request the same information from Government agencies as is contained in Senate Resolution 148.

The stated objectives of Senate Resolution 148, with which we agree, are to improve the procedures for evaluation of land and water resources projects, and to provide a greater degree of Congressional control over resource development. Adoption of the resolution, however, will only worsen, instead of improving, the present situation. These minority views may be the foundation for saying we are not in favor of public-works programs. Such an assumption would be an erroneous one. We are interested in promoting and furthering a sound and wholesome public-works program which will merit the approval of citizens and taxpayers.

I. The most pressing problem in the water-resource development field, and the one which contributes most to loss of control by Congress, is the tremendous backlog of projects already authorized. There is now a backlog of about 470 active projects for rivers, harbors, and flood control, authorized for construction by the Corps of Engineers, which have never been started. These projects, in addition to some 400 now being built, will require an estimated $8.3 billion to construct. At the current rate of spending ($495 million in fiscal year 1958) it will take almost 17 years to complete them. It will take the Bureau of Reclamation more than 30 years to build its presently authorized backlog at the current spending rate. It is apparent that enough work is on hand to last a long, long time without looking for additional ways to justify more projects.

II. The real purpose of the resolution is to dilute the careful standards of projects evaluation that in the past have screened out the unfeasible, uneconomic projects. New projects can be found which meet our present careful and long-tested standards of acceptance. By relaxing these standards, added projects can secure approval; but such relaxation of standards would lead to authorization of unessential and wasteful projects.

Friends of public-works and resource-development programs, whether they be conservative or liberal in their thinking, and regardless of their political affiliation, are interested in sound and acceptable programs. Volume should not be one of the factors involved. Acceptance and approval of such projects are not measured by the taxpayers in terms of volume. The test is a more practical one of cost and feasibility.

Some of the ways in which the resolution would undermine sound economic standards in evaluation of proposed projects and lay the groundwork for unessential and unjustified projects deserve special mention:

The resolution (sec. 1 (5) (b)) would require computation of amortization upon the basis of 50 years, 100 years, or the useful life of the facilities, if less. The use of a 100-year amortization period would result in reducing annual fixed costs, and thus increase chances for annual benefits which exceed yearly costs. Writing off the cost of a project over a 100-year period will put a major share of the bill on the taxpayers of succeeding generations. This is not the heritage which we should be proud to bequeath to our children.

The resolution requests Government agencies to submit information on indirect and intangible benefits which may become part of the criteria in determining the feasibility of projects. If benefits arising from a project are greater than its cost, we have a basis for saying the project is justifiable and economically sound. The danger signal goes up on those borderline projects where there is doubt whether the benefits will justify the cost. The indirect and intangible benefits, which at best are likely to be vague, will then be considered. Such vague standards could be the determining factor in putting the stamp of approval on many a project. Indirect and intangible benefits can be so broadly defined and far reaching that even the remotest possible benefit can be used as the standard of project evaluation.

Recreation benefits are among the indirect and intangible benefits on which information would be requested by this resolution. A bill now on the Senate Calendar, S. 1164, would make recreation considerations a direct, calculable benefit in evaluating projects. Some of the objections to that are pointed out in the minority report on the bill. They are equally applicable here. The resolution lays the groundwork for putting the Federal Government in the recreation business. It could also lead to an unwarranted expansion of Government participation in a host of fields.

Furthermore, all States do not equally share the benefits of land- and water-resources projects. Expansion of this program as contemplated in the resolution is likely to result in projects so local in nature as to arouse criticism and overwhelming opposition from people in other sections of the country.

The resolution calls for information on "future uses that may reasonably be anticipated to develop during the useful life of such projects works." This could lead to imposing on the taxpayers of tomorrow for something we have no way of knowing whether they will want or need. It could make a crystal ball as important as his slide rule to a project-development engineer.

The resolution also requires information on three methods of cost allocation. Current policies seek to secure a fair apportionment of the cost of projects among the various uses rather than to give preferential treatment to one use against another. A single method, the separable costs-remaining benefits method is generally accepted by all major agencies involved in water-resource development as being most equitable. The majority has given no reasons for requiring costly calculations on the basis of two additional methods, out of the nine available, despite their effect on the Treasury. The implication of this would be that the majority desires to approve projects on an incremental cost basis which would greatly expand the nonreimbursable Federal contribution to many projects.

III. We also question the vehicle chosen to accomplish the objectives of the majority. This resolution will not be sent to the House for its approval and yet its purpose is to aid Congress, not just the Senate. If the House of Representatives were to approve a resolution on a similar subject, but different in its terms and directions, the Government agencies would then be confronted with submitting different, and potentially conflicting, information to the Senate and House. There is no need to dwell on the difficulty Congress could have in evaluating, and properly authorizing a project in such a situation.

EDWARD MARTIN.
NORRIS COTTON.
ROMAN L. HRUSKA.
CHAPMAN REVERCOMB.

Mr. WATKINS. Mr. President, I do not intend, at this late hour, to make any extended remarks on the resolution before the Senate. What I have heard convinces me that, if there had been any flaw in the case we made yesterday, for recommittal that weakness has now been fully taken care of by the discussion we have had today. As I understand now, the disclaimer that no policies are sought to be established made in answer to the questions of the Senator from Wyoming by the Senator from Oklahoma [Mr. KERR] put the case for the resolution practically out of court. That is true notwithstanding that in section 4 of the amended resolution, at page 6, it is provided: "That authorizations of multiple-purpose water resource projects should, first, specify the method by which the allocation of costs shall be determined."

Let us stop and look at the word "authorizations." Only Congress makes authorizations. That is what we are talking about. We are talking about authorizations which Congress makes, and will make in the future.

If there is any policy declaration in the Resolution 148, it is certainly in that sentence. In other words, with respect to any future authorization acts we pass authorizing multiple-purpose water resource projects, we "specify the method by which the allocation of costs shall be determined, the period of time allowable for repayment of the power investment, and the formula for determining the rate of interest on it that is to be returned; and, second, require that prior to the time that any major facility of such multiple-purpose project is placed in operation the construction agency shall report the allocation of costs in accordance with the criteria of section 1 of this resolution, together with its recommendations and the comments of the power marketing agency if that be other than the construction agency."

If I understand the meaning of that language and its legal effect—and I have had some experience in the legal field, as my colleagues have been kind enough to mention—it means that an attempt is made in section 4 to lay out a course of action the Senate is supposed to follow with reference to water resource development projects. Senator KERR's disclaimer contradicts the plain language of the resolution.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. WATKINS. We do not have any real power to bind any future Congress, or any future Senate, because any Senate can change that language. However, if that is not a declaration of policy, I have never read one. I yield to the Senator from South Dakota.

Mr. CASE of South Dakota. As the Senator knows from my observations, I think that is a declaration of policy, so far as that is concerned. I should like to ask the distinguished Senator from Utah if he does not think it is a good policy. Does not the Senator believe that Congress, in making authorizations, should specify the method by which the allocation of costs should be determined?

Mr. WATKINS. I should like to say——

Mr. CASE of South Dakota. Does the Senator not think so?

Mr. WATKINS. I will ask the Senator to wait just a moment. I was only referring to what the section means. I say that actually declares a policy.

What is contained in that policy declaration requires a great deal of study. I doubt, as a matter of fact, that the resolution contains everything that

should be contained in such a policy, because in my 11 years in the Senate, I have found it very difficult to find a formula that will fit all projects, because most projects must stand on their own feet; and, necessarily, there will have to be different types of formulas applied to different projects. That is one reason why we have never had any hard and fast formula with respect to all projects.

At one time we authorized the Secretary of the Interior to go ahead with a certain class of projects, by allowing him to say: "This project comes within the law," and permit him, on that basis, to build it. Later we took that power away from him.

Mr. CASE of South Dakota. Would the Senator rather——

Mr. WATKINS. Just a moment; I will ask the Senator to let me finish. We thought it was not right to set up the same kind of standard, when projects differed materially.

The Colorado River has a different set of circumstances. The Columbia and other rivers have circumstances peculiar to themselves. It is difficult to establish any particular formula that will fit all water resource developments.

Mr. CASE of South Dakota. Does not the able Senator from Utah think that when a project is authorized, Congress exercises its judgment, in authorizing the project, in specifying the time for repayment of costs from revenues, such as the sale of power?

Mr. WATKINS. I should say that probably many of those things should be specified, but we usually do so without any direction in advance from the Senate. When all is said and done, the Congress in being at this time will fix the terms of a bill under which a project will be authorized.

Mr. CASE of South Dakota. But Congress has not always done so in the past. That is why the Comptroller General wanted this provision included. There have been times when Congress has not specified the method by which the allocation of costs should be determined. There have been times when Congress did not specify the time allowable for repayment. There have been times when Congress did not spell out the formula for interest.

Mr. WATKINS. We cannot bind future Congresses.

Mr. CASE of South Dakota. No, we cannot bind them, but we can declare it to be a policy that instead of legislating so loosely, as we have with respect to some projects in the past, future authorizations should spell out these requirements.

We should not be legislating on some obscure report on a bill. We should not throw upon the Comptroller General or the Bureau of the Budget the burden of determining the basis of feasibility and the intent of Congress as to how much should be repaid. Those factors should be contained in the authorization. That is a sound declaration of policy.

Mr. WATKINS. Does the Senator think those are the only factors which should be contained in authorizing legislation?

Mr. CASE of South Dakota. I do not know whether they are all, but I think those ought to be included.

Mr. WATKINS. Do we not exclude under rules of construction ordinarily applied all matters not mentioned in a section which attempts to name specific requirements?

Mr. CASE of South Dakota. No. Congress can specify in the legislation, but it should not overlook these things, as it has done in the past.

Mr. WATKINS. My point is that the Senator has made it clear that he agrees with me. After all has been said and done, after the colloquy between the Senator from Wyoming [Mr. BARRETT] and the Senator from Oklahoma [Mr. KERR], they gave a policy declaration quite to the contrary.

Mr. CASE of South Dakota. I think we do; and I have so said consistently during the debate.

Mr. WATKINS. I think it is a very unwise thing to go ahead and try to put a limitation on us now, to a certain extent, so far as we think we can do it without study by a committee. We probably ought to provide for more critera than are contained in the resolution. Remember this has to do with authorizations.

I shall not attempt to meet all the arguments which have ben made. I thought the statement last night made it rather clear that the Committee on Public Works and the Committee on Interior and Insular Affairs have the full power now to get, by resolution of the committee, any information which is needed from the executive agencies. No matter what is required, it is within the power of the committees to get it. They do not have to come before the Senate, get a resolution of the Senate, and try to bind some Senate in the future on an authorization to get information, if that is the sole purpose of the resolution.

I have been a Member of the Senate for 11 years. I have not yet seen a time when a committee which had asked for information about a specific problem or a specific bill did not get whatever information the departments already had on the subect. I have never seen that happen. I asked a question on that point last night, but I did not get an answer which indicated that the committees had ever been refused information which they wanted.

It seems to me that what we are attempting to do is rather unwise. My friends were somewhat naive last night when they said that one of the main reasons we must pass the resolution is that we cannot get the House to take similar action. We will not send a joint resolution to the House because the House will not agree with us.

We must remember that any legislation which is to be passed by Congress must have the approval of the House as well as of the Senate. We cannot get into a hassle with the House by saying to them, in effect, "You people will not go along with us on any reasonable program, so we are going to have one of our own." That seems to me to be unwise, from the standpoint of authorizing water conservation and development projects in the future. We have got to get along with the House. It seems to me that this resolution will be considered more or less a slap in the face by the House; it will be something gratuitous; something we should not do.

After all has been said and done, I do not think any work has been done to get the House to go along with the Senate on this particular type of resolution. That is one reason why I think it is entitled to further study.

The Senator from New Mexico [Mr. ANDERSON] stated that if we do not pass the resolution, the proposal will simply die. But we still have the obligations as are set forth in Senate Resolution 282, to discharge.

This is what the motion which I offered would direct the committee to do:

> That the committees—

I am referring to the two committees already named—

> instruct their legal and technical staff to together prepare a synopsis of the information available relative to establishing a Federal water resources development policy adaptable to national coverage;

That takes in a wide territory, when one is talking about developing a water resources policy adaptable to national coverage. That is what I should like to see us develop. My motion continues:

> with further instructions that such a synopsis be brief, although comprehensive; that it contain a summary of the objective for establishing such a policy; and that the staff, collectively, report to the committees, from time to time, on progress, on need for further instructions, and on the desirability for further Federal agency reports as well as reports from the affected States.

I should like to go one step further and suggest that after we shall have gone into this subject a little further we shall try, if we possibly can, to prepare a statement for circulation to the States and the State water departments as to the national policy. Then, when we have established a policy, it will be one which people can live with and can support.

I think that what we will get as a result of the disclaimers made here will be largely a gesture which will not mean anything, except as to one matter which the Senator from South Dakota [Mr. CASE] has mentioned. If I interpret rightly what has been said, there is not any agreement among the committee members that this is the meaning of this particular resolution. There is a dispute as to what it actually means. One declaration is that there is not any policy being established; the other is that a policy is being established.

The record has been made. So far as I am concerned, I thought it was my obligation as a Senator and as a member of the committee to call this point to the attention of the Senate, and particularly to the attention of those who are interested in some kind of water-resource development. I want to cooperate with them. I have offered what I consider to be constructive suggestions. I think we shall ignore the resolution, if it should be adopted—and it may be adopted—whenever a large project

comes along that does not fit the formula we have adopted. There is no sense in passing a resolution if we cannot live with it.

All I am asking for is a better study. I have looked through the record of the hearings which were held before the Committee on Interior and Insular Affairs on Senate Resolution 148. The hearings lasted about 2 hours. Very few witnesses appeared. Some Senators appeared, and some statements were submitted.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. GORE in the chair). Without objection, it is so ordered.

The question is on agreeing to the motion to recommit.

Mr. LAUSCHE. Mr. President, on this question, have the yeas and nays been ordered?

The PRESIDING OFFICER. They have not been ordered.

Mr. LAUSCHE. I ask for the yeas and nays.

The yeas and nays were not ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to recommit. [Putting the question.]

In the opinion of the Chair, the "noes" have it.

Mr. WATKINS. Mr. President, I ask for a division.

On a division, the motion was rejected.

The PRESIDING OFFICER. The resolution is open to further amendment.

If there be no further amendment to be proposed, the question is on agreeing to the resolution, as amended.

The resolution (S. Res. 148), as amended, was agreed to.

The PRESIDING OFFICER. The question now is on agreeing to the amendment to the preamble, which will be stated.

The CHIEF CLERK. It is proposed to amend the preamble by adding at the end thereof the words "and for clearance pursuant to the provisions of the Watershed Protection and Flood Prevention Act (68 Stat. 666, as amended)."

The amendment to the preamble was agreed to, and the preamble as amended was agreed to.

The resolution (S. Res. 148), as amended, including the preamble as amended, is as follows:

Whereas the sense of the Senate, stated in Senate Resolution 281, 84th Congress, is that the Congress will continue to exercise its constitutional powers to encourage the comprehensive conservation, development, and utilization of the land and water resources of the Nation, and that reports to the Congress in support of authorization of such projects should (a) include evaluations made in accordance with criteria prescribed by the Congress, and (b) fully disclose the results of studies and analyses of the potential utilizations, costs, allocations, pay out, and benefits, both direct and indirect; and

Whereas pursuant to said Senate Resolution 281, the Committee on Interior and Insular Affairs and the Committee on Public Works jointly have reported to the Senate that, in order to evaluate projects proposed for authorization, certain information is needed in addition to that regularly submitted by the executive branch in support of proposed projects, such information being related to selection of plans of development, costs, benefits, reimbursements, or contributions required of local interests; and

Whereas such information is needed also for consideration by the Senate in connection with legislation to establish policies and criteria regarding allocations of project costs, and for evaluations of project benefits, which policies and criteria the Comptroller General of the United States, the Bureau of the Budget, and the Secretary of the Army have recommended should be established by the Congress; and

Whereas the program for conservation, development, and utilization of the land and water resources of the Nation is impaired by delay in the delivery to the Congress of reports on projects proposed for authorization and for clearance pursuant to the provisions of the Watershed Protection and Flood Prevention Act (68 Stat. 666, as amended): Now, therefore, be it

Resolved, That it is the sense of the Senate that procedures for evaluation of land and water resource projects should be improved, and that the agencies of the executive branch of the Government responsible for the preparation of reports relative to the authorization of land and water resource projects be, and are hereby, requested to furnish, in connection with such reports, the following information in addition to the data now presented in support of project authorizations:

Information relative to alternative plans for the water resource projects that may reasonably be considered physically feasible of construction consistently with the advice of the Department of the Army, or the Department of the Interior, or the Department of Agriculture, including enough of the information enumerated in subparagraphs (1) to (10) inclusive to show why each alternative was dropped in favor of the recommended plan. With respect to the project recommended for authorization, the information should include, but not be limited to—

(1) Complete description of project, including an estimate of the economic life of the major project facility.

(2) Estimated costs of construction, operation, maintenance, and replacement, together with a plain and succinct statement of the basis upon which all such estimates are made.

(3) Benefit-cost ratios calculated by using total tangible benefits and total tangible costs for 100 years, and for 50 years, except where the economic life of the major project facility is less.

(4) Description and, to the extent possible, computation or other evaluation of indirect and intangible net benefits including but not limited to (a) protection of life and property; (b) improvement of transportation; (c) conservation of water, soil, and forest resources; (d) wildlife conservation; (e) recreation; (f) abatement of pollution, including salinity; (g) control of sedimentation; (h) maintenance and enhancement of the agricultural, commercial, and industrial economy of the area affected.

(5) Physical feasibility and costs of providing capacity in the project works for current needs and future uses that may reasonably be anticipated to develop during the useful life of such project works.

(6) Allocations of costs, to be calculated (a) by at least three methods, namely, the separable costs-remaining benefits method, the priority of use method, and the incremental cost method; and (b) on at least two time periods for amortization, namely, 50 years or the useful life of the facilities, whichever is the lesser, and 100 years or the useful life of the facilities, whichever is the lesser.

(7) Description of the extent to which the Federal, State, and local governmental agencies, and nongovernmental entities have evidenced interest in participating in the construction or operation and maintenance of the potential project, or in obtaining its benefits, including, in the case of electric energy, information, relative to the preference status of governmental agencies, municipalities, and cooperatives; and the manner in which it is proposed to accomplish coordination and cooperation, and the estimated Federal costs of such participation.

(8) Estimated schedules of repayments of reimbursable costs that would be within the estimated financial resources of the potential use area, such schedules to show also the deferred repayment of the portion of the costs allocated to uses that may be anticipated to develop in the future.

(9) Probable effects of the potential project on State and local governments, including, but not limited to (a) the costs of local government services; and (b) the enhancement or reduction of tax revenues, together with the amount of potential tax revenue that would be forgone by Federal development in lieu of non-Federal development of the project. The estimated amounts of tax revenue enhancement and tax revenue forgone as a result of the project should be shown in calculations of project benefits and costs.

(10) In support of proposed increases in the authorizations of appropriations for continuation of the construction of basinwide projects, proposed schedules of investigations and construction should be supplied, including descriptions of the units to be undertaken, and deviations in schedules of construction supplied in support of prior authorizations.

SEC. 2. That reports on surveys and investigations or project reports relative to the authorization of land and water resource projects should be delivered to the Congress not later than 6 calendar months after the date on which such reports are circulated to the Federal agencies and to the affected States pursuant to section 1 of the act of December 22, 1944 (58 Stat. 887). The agencies of the executive branch responsible for preparation of such project reports be, and are hereby, requested to deliver to the Congress such reports not later than 6 months after they have been submitted for comments to the governors of the affected States.

SEC. 3. That reports on projects recommended for construction by the Secretary of Agriculture pursuant to the Watershed Protection and Flood Prevention Act (68 Stat. 666), as amended, should be transmitted to the Congress not later than 3 calendar months after their approval by said Secretary of Agriculture, and the officials of the executive branch responsible for such transmittal pursuant to said act be, and are hereby, requested to so deliver such reports not later than 3 months after their approval by said Secretary of Agriculture.

SEC. 4. That authorizations of multiple-purpose water resource projects should (1) specify the method by which the allocation of costs shall be determined, the period of time allowable for repayment of the power investment, and the formula for determining the rate of interest on it that is to be returned; and (2) require that prior to the time that any major facility of such multiple-purpose project is placed in operation the construction agency shall report the allocation of costs in accordance with the criteria of section 1 of this resolution together with its recommendations and the comments of the power marketing agency if that be other than the construction agency.

SEC. 5. That the Committee on Interior and Insular Affairs and the Committee on Public Works be, and they hereby are, directed to continue the study instituted pursuant to Senate Resolution 281, 84th Congress, and to recommend to the Senate as mental cost method; and (b) on at least two early as practicable in the second session of the 85th Congress such further measures as may be appropriate to provide for full and effective conservation, development, and utilization of the Nation's land and water resources.

Mr. BYRD. Mr. President, I wish to have the RECORD show that I voted against Senate Resolution 148.

INVESTIGATION OF PROBLEMS OF AMERICAN SMALL AND INDEPENDENT BUSINESS

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar 1204, Senate Resolution 209, to investigate the problems of American small and independent business. My purpose is to have the resolution made the unfinished business.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the resolution (S. Res. 209) to investigate the problems of American small and independent business, which had been reported from the Committee on Rules and Administration with an amendment on page 2, line 13, after the word "exceed", to strike out "$100,000" and insert "$90,000", so as to make the resolution read:

Resolved, That the Select Committee on Small Business, in carrying out the duties imposed upon it by Senate Resolution 58, 81st Congress, agreed to February 20, 1950, and Senate Resolution 272, 81st Congress, agreed to May 26, 1950, is authorized to examine, investigate, and make a complete study of the problems of American small and independent business and to make recommendations concerning those problems to the appropriate legislative committees of the Senate.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1958, to January 31, 1959, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1959.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $90,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

RECESS

Mr. MANSFIELD. Mr. President, pursuant to the previous order, I now move that the Senate stand in recess until tomorrow at noon.

The motion was agreed to; and (at 5 o'clock and 6 minutes p. m.), the Senate took a recess until tomorrow, Wednesday, January 29, 1958, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 28 (legislative day of January 27), 1958:

PROMOTIONS IN THE REGULAR ARMY

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3304. All officers are subject to physical examination required by law.

To be colonels, Army Nurse Corps

Bradley, Ruby G., N87.
Bryant, Ruby F., N79.
Haynes, Inez, N88.

To be lieutenant colonels, Army Nurse Corps

Benninger, Marion L., N1885.
Chapman, Gracie L., N2115.
Clark, Alice B., N1870.
Hogan, Mary I., N2117.
Kornfeind, Helen A., N105.
Lassiter, Janie L., N2041.
Park, Edna K., N1945.
Price, Ida G., N2353.
Ullom, Madeline M., N123.
Vlahovich, Fanny E., N2573.

To be lieutenant colonels, Army Medical Specialist Corps

Davis, Helen M., R10004.
Lee, Harriet S., M10001.
McDaniel, Myra L., J13.
Riley, Winifred G., R10071.
Robinson, Ruth A., J45.
Ryan, Barbara M., R10074.
Sheehan, Helen R., J46.
Snyder, Agnes P., M10003.
Tipton, Dorothy G., M10020.
Whitcomb, Beatrice, M10076.

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3299. All officers are subject to physical examination required by law.

To be majors, Army Nurse Corps

Adams, Melba L., N1424.
Adams, Phyllis W., N1019.
Agar, Bernice J., N2257.
Allebach, Cora L., N2175.
Allen, Gertrude F., N251.
Allen, Mayna R., N2106.
Amend, Rebecca V., N2417.
Anderson, Robena C., N2150.
Angell, Elizabeth E., N2325.
Ansley, Edith, N724.
Archer, Rubye W., N1634.
Artz, Elizabeth, N264.
Atwood, Dorothy M., N2144.
Autry, Della F., N2451.
Avery, Lillian V., N1037.
Ayer, Ida B., N2082.
Bacior, Agnes, N1530.
Backmann, Caroline M., N2241.
Baggett, Ella L., N2376.
Bailey, Margaret E., N2293.
Bair, Cecile E., N2232.
Baker, Catherine F., N2219.
Baker, Julia W., N1043.
Baker, Mescal, N109.
Baker, Nancy G., N611.
Baker, Nina M., N594.
Ball, Katherine, N358.
Barber, Pauline A., N128.
Barker, Mary R., N2382.
Barrett, Frances M., N730.
Barsh, Phyllis D., N1741.
Baskin, Johanna E., N2493.
Bauer, Anne N., N872.
Beck, Helen I., N2271.
Beedle, Doris I., N2235.
Beidle, Georgia V., N1282.
Bell, Mattie A., N694.
Belsit, Hazel, N2122.
Bender, Alice J., N2481.
Benedict, Maude B., N197.
Bennett, Anna R., N2407.
Benson, Jenevieve I., N2239.
Berg, Mary J., N2429.
Berkebile, Alma J., N2470.
Berry, Alice E., N1882.
Best, Bonnie J., N489.
Bevins, Loretta M., N1280.
Bilisky, Frances J., N758.
Bishop, Margaret N., N186.
Bitros, Minnie L., N691.
Bitter, Louise F., N1358.
Blatt, Margaret E., N583.
Blazetic, Gladys M., N2064.
Blossman, Inez H., N1273.
Blount, Jewell, N2327.
Bodis, Jeannette M., N2439.
Bodson, Goldie L., N1688.
Boles, Catherine G., N365.
Bonnet, Edith J., N1597.
Boone, Ada E., N1301.
Bourgeois, Emiline A., N2390.
Bowen, Geneva N., N1966.
Bowling, Pauline J., N578.
Bradsher, Marie E., N164.
Brandt, Bernice D., N2124.
Brandyberry, Marcella V., N618.
Brant, Esther E., N2288.
Brazeal, Lucy P., N842.
Breen, Edith R., N376.
Breen, Frances R., N2443.
Breneman, Ruth E., N1328.
Bresnahan, Margaret M., N132.
Breton, Margarita E., N2080.
Briggs, Dorothy P., N1651.
Briggs, Winifred M., N992.
Brookens, Treva B., N2130.
Brown, Helen E., N2558.
Browne, Hannah T., N2299.
Browning, Edna M., N1690.
Bryan, Mary C., N2094.
Burchfield, Muriel, N276.
Burkhead, Florence A., N1998.
Burleson, Gertie A., N2304.
Buro, Bessie C., N622.
Burrows, Mary L., N2152.
Burton, Ethel, N207.
Burts, Marjorie J. K., N2196.
Bustrann, Ruth, N936.
Butler, Monnie C., N1988.
Butler, Rose A., N590.
Butterworth, Virginia F., N2278.
Butts, Sara C., N297.
Byrd, Nelna M., N1051.
Cahill, Virginia F., N711.
Caldwell, Jeanette V., N2213.
Callentine, Helen L., N2187.
Candon, Marian W., N2381.
Cannoles, Margaret H., N1211.
Cannon, Margaret R. N2207.
Carsey, Mary J., N1429.
Carson, Lanetta I., N2238.
Casserly, Mary A., N1572.
Cavanaugh, Dorothy W., N2384.
Caylor, Jennie L., N1290.
Chadwick, Hazel C., N1289.
Chambers, Beatrice E., N107.
Chartrau, Dorothy M., N2099.
Chavez, Helen A., N1903.
Chrisman, Bertie L., N2395.
Cindric, Rose H., N1983.
Clark, Mary D., N755.
Clark, Mary E., N1295.
Clark, Mildred I., N608.
Clarke, Gertrude R., N2387.
Clarke, Lacadia M., N1132.

Clarke, Margaret G., N745.
Classen, Gertrude M., N2038.
Cleveland, Rita A., N2324.
Clymer, Barbara A., N409.
Coard, Louise M., N1577.
Coble, Frances J., N2253.
Coletti, Christine, N1642.
Collins, Esther R., N570.
Colyer, Betty L., N1206.
Comina, Marie A., N2406.
Connell, Florence T., N337.
Connor, Margaret E., N387.
Coover, Dora M., N1344.
Craig, Iris V., N2315.
Crate, Grace A., N1113.
Creaney, Tillie H., N2354.
Crittenden, Edna E., N2411.
Crosno, Gladys M., N2056.
Crossen, Flora B., N2397.
Croswell, Myrtle A., N2053.
Cullom, Barbara M., N1101.
Cully, Irene E., N614.
Cundiff, Helen E., N1670.
Cundiff, Virginia E., N850.
Cunningham, Eleanor R., N2408.
Cunningham, Dorothy M., N1390.
Curley, Ryta M., N2389.
Curran, Isabelle R., N1984.
Dalrymple, Elmira, N922.
Dalton, Helen D., N1886.
Davies, Robertine E., N1263.
Davis, Anna L., N732.
Davis, Caroline, N161.
Davis, Hazel D., N1013.
Dawley, Harriet A., N644.
De Frane, Georgia D., N701.
DeHaven, Grace I. B., N317.
De Pollo, Helen M., N2447.
Dean, Kathleen M., N1596.
Delaney, Grace, N454.
Dembeck, Helen C., N1222.
Dennis, Anna K., N1965.
Derryberry, Jewell, N214.
Dial, Evelyn E., N2444.
Dickie, June M., N2113.
Dickson, Grova-Nell, N484.
Diekroeger, Luella E., N1861.
Dietsche, Helen F., N665.
Dillemuth, Rachel E., N1576.
Dolan, Patricia F., N573.
Dolembo, Catherine M., N1927.
Doll, Helen L., N210.
Domert, Lydia M., N901.
Donahue, Dorothy M., N621.
Donahue, Mary S., N2090.
Donnedy, Madelyn F., N1220.
Donnelly, Eileen E., N175.
Donoghue, Rose A., N877.
Donovan, Mary E., N301.
Doody, Kathryn M., N338.
Dooley, Helen A., N2237.
Dorenkemper, Dorothy G., N577.
Dorset, Annie M., N225.
Douglas, Sadie B., N2394.
Dragoiu, Victoria R., N2156.
Drake, Myrtle, N837.
Drakulich, Georgia F., N2046.
Drozd, Magdalene, N257.
Drumm, Judith M., N2467.
Duffy, Catherine E., N567.
Duley, Clara M., N1637.
Dumas, Mamie, N286.
DuVal, Helen G., N348.
D'Zurko, Anna, N2200.
Earle, Barbara E., N773.
Edenfield, Ruth, N2061.
Edenfield, Sammye, N740.
Edmund, Ingrid M., N2296.
Egan, Margaret M., N2058.
Ehalt, Alliene E., N2438.
Eidsaa, Alma O., N167.
Eilts, Allie M., N589.
Elliott, Dorothy V., N2245.
Enquist, Vera A., N2043.
Eskeldson, Marian, N1678.
Eubanks, Mildred, N2279.
Evans, Hazel L., N1404.
Fairley, Anna E., N1304.
Falcone, Gaeda N., N838.
Faulk, Eleanor H., N458.
Fay, Agnes I., N2012.
Feagans, Nellie I., N1547.
Fehr, Dorothy M., N1997.
Fell, Maxine H., N1425.
Fels, Dorothy B., N169.
Fennon, Isabel, N2371.
Fischer, Mercedes M., N2089.
Fisher, Lucille C., N1922.
Fisher, Ruth A., N350.
Flavelle, Elizabeth L., N1896.
Fleming, Janet M., N2055.
Fletterer, Florence L., N2428.
Flook, Margaret H., N702.
Flowers, Mary M., N180.
Folwell, Mary A., N2014.
Foor, Virginia E., N735.
Fore, Claudia L., N1131.
Foreman, Adele F., N2164.
Foster, Anne R., N655.
Fowler, Lucille I., N633.
Fowler, Mary M., N2484.
Fowlie, Gladys O., N2059.
Frandrup, Bernadine M., N2364.
Franklin, Loyce I., N2264.
Fraser, Mildred L., N624.
French, Irma J., N1009.
Frey, Irene, N603.
Fries, Josephine A. G., N1894.
Fuller, Anne L., N587.
Fullerton, Jeanne T., N674.
Furlong, Mildred M., N1401.
Fusi, Bruna G., N2182.
Fusselman, Gladys L., N1419.
Gaillard, Jeanne M., N1970.
Galvin, Mabel, N266.
Garniewski, Victoria J., N2318.
Gattis, Margaret L., N1245.
Gawarecki, Julia F., N2273.
Gayle, Mary H., N2034.
Gaylord, Tyyne N., N1964.
Geis, Rita M., N2087.
George, Anne, N1908.
Gianarakos, Anastasia E., N2005.
Gill, Marie A., N1971.
Gillard, Marjorie G., N991.
Gilligan, Ramona A., N1907.
Girard, Pauline H., N218.
Girarde, Lillian C., N172.
Goodrick, Dorothy S., N2375.
Goodson, Melrose C., N703.
Goodwin, Joyce, N1284.
Goodyear, Bess C., N2179.
Grass, Barbara A., N369.
Graves, Julia T., N2195.
Green, Josephine M., N2400.
Greenfield, Ruth L., N873.
Grenon, Jeannette D., N1002.
Grissom, Willie M., N1987.
Groh, Emma C., N1298.
Groh, Hortense S., N256.
Groh, Mary T., N2008.
Guest, Revella, N195.
Gunlogson, Alice, N2194.
Gustafson, Pauline A. C., N2148.
Hagler, Ethel I., N2007.
Hall, Edna F., N2284.
Hall, Ethel E. L., N2399.
Halonen, Alice M. S., N1001.
Hammarlund, Mabel, N2057.
Hardman, Mabel O., N853.
Hargrove, Edna, N1880.
Harkins, Anna DeL., N1416.
Harnett, Helen, N2151.
Harper, Dorothy B., N2178.
Harris, Frankie D., N579.
Hartley, Mary E., N1375.
Hartman, Lulu J., N1724.
Haselmire, Nora C., N643.
Hawkins, Dale A., N1129.
Haydel, Juanita E., N1900.
Hayenga, Virginia P., N1976.
Hayes, Katherine E., N688.
Hayes, Sally C., N1231.
Hays, Anna M. McC., N905.
Hayworth, Helen G., N2128.
Heath, Bernice I., N1385.
Heide, Nargith H., N1293.
Heinrich, Helen M., N203.
Heinz, Helen D., N2065.
Helm, Margaret C., N2401.
Hendrickson, Sylvia E., N2202.
Henley, Nellie L., N486.
Hennies, Elma E., N401.
Henry, Jonike E., N1065.
Hentges, Elsie M. C., N390.
Hergert, Ione E., N2363.
Herrin, Jane E., N303.
Hester, Sue I., N442.
Hill, Levenia E., N2062.
Hines, Mary L., N1974.
Hogan, Ann E., N1201.
Hogan, Gertrude F., N2225.
Honeycutt, Hazel V., N1913.
Hoppock, Eleanor M., N2377.
Horan, Leona E., N2431.
Horne, Elizabeth R., N1277.
Houck, Rose E., N2141.
Houseknecht. Luluah Y., N154.
Howell, Ann E., N985.
Hufcut, Vira B., N2243.
Huffman, Lessie P., N2228.
Humphrey, Josephine G., N2256.
Hyland, Ann T., N469.
Infosino, Lucy M., N861.
Ingram, Alberta T., N391.
Ingram, Lemma M., N698.
Ingram, Sallie H., N1302.
Jablunovsky, Velma V., N471.
Jackson, Margaret E., N918.
Jamison, Pearl E., N2009.
Jamula, Cecilia P., N485.
Janas, Bertha K., N481.
Jankoviak, Angeline P., N996.
Jankowski, Hendrina, N2385.
Jarma, Luciana, N2323.
Jayne, Harriet J., N708.
Jeffreys, Alice C., N1229.
Jelinek, Leda E., N437.
Jensen, Emilie K., N60.
Jentgen, Carolyn M., N584.
Johnson, Edna L., N1909.
Johnson, Gladys E., N2201.
Johnston. Pauline V., N2140.
Jones, Hazel M., N944.
Jones, Opal M., N2404.
Jones, Peggy G., N363.
Jordan, Mary C., N987.
Jordan, Mary E., N756.
Judd, Florence E., N232.
Jump, Katherine R., N341.
Kabana, Margaret A., N1661.
Kaiser, Emma S., N224.
Kammeraad, Angie C., N1529.
Kauffman. Kathren L., N2127.
Kauffman, Mildred B., N2274.
Keating, Marie A., N671.
Keefe, Mary E., N1451.
Kehoe. Lelia M., N1349.
Keith, Catherine C., N662.
Kemp, Leila, N379.
Kennedy, Marian C. I., N2487.
Kent, Isabel M., N1973.
King, Florence H. N2427.
King, Helen E., N2409.
King, Mary L., N321.
Kinnaird, Ruby L., N231.
Kinnison, Lois F., N245.
Kinsey, Nancy B., N2025.
Kirschling, Cecelia L., N1062.
Knapp, Ann E., N2249.
Knips, Alberta H., N971.
Koltvet, Anna, N119.
Koschmeder, Julia F., N2307.
Koszalka, Julia E., N1562.
Koziol, Jean B., N1603.
Kraft, Idelle D., N1056.
Kraftschenk, Dorothy E., N287.
Kramolis, Marie C., N2358.
Krchnavi, Elsie, N2188.
Kroll, Marilyn, N182.
Kronemeyer, Sylvia M., N461.
Krumanocker, Josephine M., N1045.
Krumperman, Lucile, N1338.
Kruse, Joyce J., N2210.
Kudletz, Rose, N1560.
Kuhn, Mary H., N1920.
Kurutz, Katherine R., N1274.
Kydd, Marjorie W., N324.
Laggan, Mary M., N1028.
Lamb, Elizabeth V., N399.
Landis, Helen M., N1299.
Lang, Thelma L., N1979.
Langdon, Hazel L., N2138.

LaPlante, Theresa S., N1917.
Lark, Martha L., N2418.
Laubacher, Harriet T., N1112.
Lavin, Marguerite M., N2071.
Lawrence, Caryl R., N1242.
Lawton, Elva J., N1978.
Lee, Mary E., N2118.
Leland, Helena M., N874.
Lenz, Adeline H., N625.
Lessard, Marcia M., N1079.
Lewis, Blanche Z., N714.
Lewis, Iva D., N1083.
Lewis, Luella R., N340.
Lien. Elsie M., N630.
Lieske, Beata M., N361.
Lillard, Erma L., N2276.
Lindau, Marjorie J., N2154.
Lines, L. Marguerite, N1219.
Linke, Jean M., N1992.
Linn, Edna J., N323.
Lionais, Irene, N1217.
Lipowski, Stella, N1967.
Little, Laura B., N1636.
LoCicero, Josephine A., N1296.
Lockwood, Esther M., N1281.
Lohman, Martha E., N1325.
Lohrmann, Agnes B., N1329.
Lohrmann, Imelda H., N1254.
Lokuta, Loretta L., N259.
Loman, Mamie V., N1014.
Lonchar, Helen T., N1012.
Long, Johnnie E., N1994.
Looper, Floy L., N744.
Lovin, Helen B., N2250.
Lozinak, Mary M., N2291.
Lucas, Virginia G., N1551.
Lund, Edythe M., N1977.
Lusas, Frances A., N1735.
Lyle, Shirley McC., N331.
Lyon, Irene, N2496.
MacDonald, Verna E., N2379.
Maher, Margaret L., N2319.
Mahn, Gertrude I., N752.
Mahoney, Elizabeth C., N1665.
Malerba, Agnes C., N1036.
Malone, Rhoda E., N364.
Manning, Ramona S., N446.
Mantor, Frances C., N813.
Marks, Alice S., N1418.
Martin, Mary L., N449.
Martin, Sarah N., N1532.
Martini, Marian E., N208.
Marwine, Beulah L., N2097.
Mason, Isabelle A. C., N148.
Massie, Myrtle D., N2446.
Massoni, Mary A., N927.
Mastroianni, Ellen, N2252.
Matheson, Marjorie, N928.
Matthias, Doris V., N2485.
Matthias, Edith F., N1980.
Maxeiner, Pauline G., N283.
Maxwell, Hazel M., N2010.
Maxwell, Mamie H., N2380.
Maxwell, Pauline E., N133.
McAndrews, Blanche M., N63.
McBride, Dorothy, N2004.
McCain, Ruby E., N252.
McCally, Mary J., N770.
McCally, Mildred A., N771.
McCarthy, Eileen L., N2143.
McClellan, Iola R., N278.
McCommons, Daisy M., N146.
McCord, Frances S., N2388.
McFadden, Martha A., N402.
McGill, Barbara R., N445.
McGuire, Venona M., N2136.
McMahon, Agnes, N1605.
McNeil, Esther, J., N2473.
McQuiston, Marian R., N1567.
McWatt, Elizabeth H. S., N2258.
Mears, Anne, N2456.
Melton, G. Elizabeth, N1918.
Menold, Mary V., N1209.
Messersmith, Betty E., N2142.
Meszar, Marjorie, N675.
Micklick, Irene E., N388.
Mikowski, Florence J., N1340.
Miller, Eileen A., N713.
Miller, Kathleen F., N1253.
Miner, Florence Z., N672.
Mire, Ouida R., N2461.
Mizelle, Margaret B., N2463.
Monette, Helen D., N900.
Monroe, Grace E., N563.
Monske, Freda L., N2135.
Montgomery, Vernie J., N1906.
Montgomery, Leona L., N1981.
Moore, Gladys, N239.
Moore, Jean, N2006.
Moore, Vivian M., N626.
Morris, Marie C., N2234.
Morris, Mary C., N2035.
Morris, Mary S., N346.
Morrison, Ida B., N1327.
Morse, Mary F., N860.
Morse, Mary F., N1417.
Moultrie, Mary L., N1985.
Murphy, Lenore L., N2131.
Murphy, Margaret M., N2137.
Murphy, Patricia T., N2107.
Murray, Dorothy H., N1294.
Musch, Myrtle M., N2372.
Myers, Lottie M., N2436.
Neal, Ida F., N2469.
Nearhood, Madeline L., N856.
Neisig, Nadine A., N1711.
Nelson, Edna M., N604.
Newell, Nelly, N885.
Newman, Mary E., N975.
Newton, Lucille, N134.
Nicholas, Hazel S., N2155.
Niles, Evelyn J., N1656.
Nolan, Charlotte L., N1351.
Nyberg, Alma M., N1552.
Nyez, Walburga G., N1236.
Oberg, Clara R., N2024.
O'Dwyer, Maureen P., N425.
Ogden, Lily M., N173.
Ognibene, Josephine M., N2289.
Olson, D. Marguerite, N1898.
Olszowy, Frances F., N1061.
Orbin, Mary J., N2476.
Orsini, Clara E., N2424.
Osborne, Naomi I., N1225.
Ouimet, Mary E., N1396.
Pace, Lucyle M., N1905.
Paetzold, Alma M., N886.
Pagano Philomena A., N354.
Page, Susie W., N1438.
Pagels, Elizabeth A., N2262.
Parker, Edna M., N271.
Parks, Jean L., N377.
Patterson, Evelyn M., N339.
Paul, Phoebe M., N353.
Paulson, Isabel S., N1376.
Pawlowski, Irene M., N1288.
Peacock, Leoleen I., N831.
Peake, Augusta K., N820.
Pearce, Marie L., N2212.
Pearce, Martha S., N2183.
Pears, Maria L., N2040.
Pearse, Mildred C., N1951.
Pecora, Florence M., N359.
Peene, Ava L., N663.
Pell, Thelma I., N2088.
Pensinger, Barbara H., N422.
Percival, Hazel, N696.
Perfett, Constance M., N2206.
Perreault, Marsciene A. B., N2396.
Pesci, Jane C., N2449.
Pesut, Elizabeth A., N258.
Peters, Marguerite L., N1975.
Pettengill, Alice E., N2101.
Pettibone, Margaret E., N1643.
Pfeffer, Henrietta H., N2413.
Phillips, Kathleen W., N2458.
Phillips, Rowella N., N1212.
Pinckney, Gladys H., N864.
Pirner, Hildegard A., N2285.
Pittman, Flora V., N367.
Plemon, Evonne L., N1860.
Plunkett, Ollie W., N2060.
Pollack, Julia R., N1571.
Ponticello, Rose L., N2197.
Popcke, June H., N1297.
Posey, Reber L., N1067.
Potochnik, Anna M., N2169.
Potter, Eleanor M., N2287.
Preecs, Ethelyn McI., N356.
Priddy, Lillian F., N1044.
Pritchard, Ruby E., N690.
Puckett, Martha A., N774.
Pugsley, Helen E., N1969.
Putnam, Helen P., N171.
Rabenold, Caroline L., N2374.
Rahm, Carolyn B., N1684.
Rakita, Helen J., N941.
Rancoilta, Jean C., N253.
Rapp, Elizabeth F., N2366.
Rauktis, Helen D., N582.
Reed, Anna G., N2306.
Reed, Katherine C., N190.
Reed, Olie B., N1723.
Reeves, Ann, N974.
Regan, Margaret B., N2320.
Reutenauer, Marguerite C., N206.
Rheaume, Julianne M., N1553.
Richardson, Bertha D., N1208.
Richardson, Helen V., N407.
Rime, Mabel L., N1533.
Robertson, Mary M., N2432.
Robertson, Sue H., N1244.
Robinette, Arry I., N453.
Rodeman, Charlotte R., N601.
Rodenboh, Florence J., N723.
Rogers, Theda W., N444.
Romeo, Nina M., N1633.
Rosasco, Louise C., N2450.
Rose, Anne, N2190.
Ross, Edna E., N194.
Ross, Mary E., N1947.
Rourke, Rita V., N677.
Rundell, Lilla B., N2392.
Russel, Evelyn L., N661.
Russell, Katherine A., N2416.
Russo, Jean G., N2159.
Ryan, Phyllis, N869.
Ryden, Etta L., N2422.
Salisbury, Helen M., N978.
Sandberg, Wilma K., N248.
Sanderson, Helen F., N220.
Satterfield, Ruth P., N2168.
Saulnier, Dorothy N., N249.
Scheel, Charlotte M., N2445.
Schelper, Anna K., N414.
Schild, Laura B., N1652.
Schloemer, Beulah, N588.
Schnader, Helen J., N834.
Schuchmann, Amanda E., N2147.
Schwind, Evelyn E., N2410.
Scoffield, Afton M., N2254.
Scott, Frances M., N1986.
Sebelien, Bernice M., N242.
Sedor, Elizabeth F., N1972.
Sedor, Sophia D., N2079.
Seibert, Gertrude C., N255.
Self, Azile, N228.
Self, Gladys B., N2246.
Sellars, Jacqueline H., N931.
Serfass, Berneda A., N729.
Seymore, Dorothy L., N2268.
Shadewaldt, Ruth F., N673.
Shaw, Doris L., N2433.
Shepherd, Elizabeth E., N204.
Shorter, Frances V., N2294.
Siebert, Rita M., N2425.
Siems, Florence M., N934.
Simpkins, Martha A., N1265.
Sipple, Blanche I., N1204.
Sjoberg, Jeanette E., N2248.
Skadorva, Estelle M., N1923.
Skiba, Sophia C., N411.
Skinner, Jean E., N572.
Slaats, Alpharetta E., N684.
Slack, Ada L., N2222.
Smith, Estelle, N2193.
Smith, Frances K., N1271.
Smith, Geraldine S., N2084.
Smith, Mary B., N413.
Smith, Mary I., N1005.
Smith, Maude M., N1096.
Smithers, Florence R., N2158.
Smull, Helen K., N1993.
Snaadt, Corinne E., N932.
Snape, Connie, N1904.
Sodt, Marjorie E., N1676.
Sorini, Charlotte R., N2270.
Sorrells, Jessie A., N600.
Soto, Lila D., N1990.
Sox, Barbara C., N2105.
Spendlove, Venice, N1345.
Spivey, Eva K., N1897.
Stack, Helen A., N104.
Stacy, Elinor C., N2260.
Stafford, Margaret C., N2204.
Stark, Amelia, N656.

Steenburgh, Ruth M., N2075.
Stevenson, Eleanor M., N1921.
Stewart, Blanche McR., N2003.
Stievenart, LaVerne, N260.
Still, Alice E., N2052.
Stivlen, Sylvia M., N1432.
Stohl, Dora J., N2455.
Stokes, Martha E., N2491.
Stoltz, Ruth M., N586.
Stone, Katrine F., N2386.
Stout, Carrie P., N889.
Stringfellow, Violet G., N2430.
Stroemer, Ruth M., N2104.
Stuwe, Kathryne C., N296.
Sulkowski, Cecilia A., N1420.
Svedirsky, Alice H., N876.
Swan, Eleanor J., N1901.
Swanson, Ruth M., N2176.
Swenson, Alice O., N196.
Tannehill, Helen C., N2172.
Tate, Dorothy T., N2272.
Taylor, Alice C., N1915.
Taylor, Anna L., N2163.
Taylor, Elizabeth P., N2077.
Taylor, Inez A., N2160.
Taylor, Ruth P., N302.
Teague, Madge M., N201.
Teasley, Agatha B., N2162.
Tewell, Mollie A., N333.
Thatcher, Margaret K., N973.
Thexton, Margaret A., N1034.
Thompson, Ida M., N373.
Thornton, Joyce A., N267.
Thurness, Elizabeth J., N436.
Tinkle, Evelyn F., N199.
Tkacik, Mary C., N1659.
Tollefson, Margaret E., N329.
Toole, Lena A., N1891.
Toudouze, Mary P., N467.
Travers, Estelle M., N314.
Travers, Sadye T., N2478.
Treacy, Jeanne M., N2093.
Trimmer, Mildred L., N1911.
Turner, Mildred, N174.
Tyler, Anne A., N263.
Urette, Fanny, N2074.
Van Baak, Lois H. A., N127.
Vaughan, Mary E., N1669.
Via, Lera V., N712.
Viedt, Doris W., N731.
Villamaria, Amelia, N2259.
Votava, Mary T., N448.
Wagener, Mary M., N153.
Waite, Eileen M., N2096.
Waldron, Miriam E., N1202.
Walker, Ada M., N2480.
Wallace, Joella W., N355.
Wallner, Margaret D., N2145.
Walls, Nellie E., N2070.
Walsh, Margaret M., N2420.
Ware, Aquillya M., N2435.
Warren, Sarah E., N2322.
Watry, Clara K., N700.
Watson, Ruth V., N416.
Webb, Maxine E., N2267.
Webber, Rebecca, N2134.
Weinstein, Alice E., N976.
Weir, Reba B., N1881.
Werley, Harriet H., N1241.
Werner, Ida B. A., N1303.
Wertenberger, Irene, N468.
West, Martha M., N1230.
Whalen, Louise A., N1586.
Wheeler, Margaret H., N2068.
Whitcomb, Virginie G., N2240.
Wickensheimer, Virginia, N372.
Wilborne, Mary W., N1728.
Wilde, Elizabeth A., N2220.
Wilkinson, Jane A., N2186.
Williams, Agnes L., N1239.
Williams, Althea E., N2098.
Williams, Irma F., N830.
Williford, Sarah L., N1310.
Wilson, Claire A., N2495.
Wink, Alice R., N858.
Winkler, Harriet E., N2479.
Witczak, Ann M., N610.
Wuerdinger, Gertrude E., N385.
Yancey, Martha J., N2149.
Yeik, Irene L., N2383.
Yerger, Marguerite A., N555.
York, Jeraldine, N1929.
Young, Miriam E., N2081.
Younger, Mary M., N288.
Younger, Vera W., N2459.
Zais, Anne B., N227.
Zalesney, Nellie J., N1536.
Zuerner, Lurline V., N1673.

To be majors, Army Medical Specialist Corps

Arduser, Helen M., M10097.
Ashton, Madge, M10117.
Bender, Catherine M., M10024.
Binning, Marcel, M10011.
Bradley, Ruth W., M10021.
Brice, Virginia N., R10049.
Brigham, Agnes A., M10100.
Coeling, Ethel W., M10104.
Cohen, Belle K., M10059.
Conlon, Marcella A., M10035.
Desmond, Isabelle M., M10010.
Dillon, Edna L., M10118.
Douglas, Marion D., R10076.
Duer, Pamela E., M10105.
Eisele, Mabel M., J1.
Ellinger, Ruth W., M10025.
Evans, Nannie R., R10019.
Fowler, Elizabeth, M10077.
Frost, Virginia L., M10022.
Haag, Lucille M., R10110.
Harman, Thelma A., R10092.
Hawkins, Jean M., R10093.
Haxthausen, Halleene M., M10110.
Hook, Gladys T., R10017.
Huston, Nancy L., R10015.
Johnson, Fuchsia L., R10023.
Klainer, Cecelia T., R10135.
Lawrence, Mary S., M10103.
Lipscomb, Mary, R10025.
MacKellar, Rose M., R10097.
Manchester, Katherine E., R10016.
Miller, Elsie K., R10043.
Miller, Jessie L., M10072.
Myers, Cordelia, J62.
Nachod, Elizabeth M., J50.
Nevels, Elizabeth M., R10087.
Newton, Edith, M10111.
Parker, Doris L., R10018.
Petersen, Elna C., R10132.
Radke, Margaret E., R10024.
Richardson, Velma L., R10014.
Rizzo, Corrine C., M10043.
Sargent, Lois H., J63.
Smith, Carolyn E., R10089.
Stange, Carol, M10058.
Steele, Mada, M10044.
Strickland, Ida R., R10112.
Stuart, Margaret, R10084.
Thornton, Margaret J., R10077.
Watkins, Annabel, R10033.
Whitehurst, Margaret E., M10075.

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3298. All officers are subject to physical examination required by law.

To be first lieutenants

Adair, Billy R., O77245.
Addison, Richard L., O73541.
Andrews, Donald G., O77254.
Applewhite, Ray, O74627.
Arciero, Robert G., O77255.
Awtrey, Sherry E., O77257.
Baker, Jack E., O77263.
Baldwin, Noland Y., O75141.
Barcelona, Charles B., O71640.
Bare, Frank L., O77264.
Beal, Bruce T., O78224.
Beaube, George P., O74635.
Bockman, Leonard I., O74641.
Bozmyski, Valentine W., O77276.
Bradberry, William N., Jr., O77278.
Bramlett, James T., O77281.
Broman, Ralph W., O78242.
Brooks, Leo A., O75154.
Bryan, Thomas F., O77288.
Bunyard, Jerry M., O77290.
Cameron, Duane G., O77300.
Campbell, William W., Jr., O71769.
Cardwell, Kenneth E., O77305.
Chapin, Gordon R., O77313.
Cleary, Arthur C., O74660.
Click, Edwin F., O77322.
Cole, Donald J., O77328.
Colson, Keith Q., O77330.
Cornell, Robert K., O77336.
Costino, Michel, O77338.
Crosby, Richard D., Jr., O77345.
Crouch, Harry C., O75168.
Cuba, Paul J., Jr., O71911.
Darling, Allan L., O77350.
Davis, Dwight A., O77352.
DeWitt, William W., O77353.
Dickinson, William G., O77358.
Dill, Bobby M., O77359.
Dimsdle, Arthur, O73317.
Dixon, Allen C., Jr., O77363.
Dunn, Earl C., Jr., O71784.
Engram, Edwin J., O74684.
Esplin, Willard B., O74686.
Falbo, John J., O77380.
Farrow, James H., O77382.
Felker, Dale R., O77383.
Fernander, Bobbie B., O77385.
Finehout, Arthur W., O77388.
Fuellhart, Joseph M., O77396.
Gabrielli, Robert J., O77398.
Garcia, Eliseo J., O72370.
Gminder, Russell, O77406.
Goldberg, Daniel J., O77407.
Gontarski, Joseph W., O77408.
Gosney, Robert R., O77410.
Grant, John C., O77415.
Green, David E., O74703.
Green, Donald J., O77417.
Greer, Richard B., O74704.
Hally, John E., Jr., O77423.
Halsted, Thomas A., O73339.
Hampel, Victor H., O77426.
Hess, Carl H., O77441.
Heuschkel, Donald G., O77443.
Higgins, Alan R., O74722.
Hilbert, Donald E., O77445.
Hilton, Maynard E., O77446.
Hissong, Fred, Jr., O71518.
Hock, Robert C., O77450.
Hoffman, William J., O74727.
Hornish, William E., O77458.
Hough, Henry A., O77460.
Hymes, Morris A., O72390.
Imholz, Robert E., O77472.
Jackson, Tracy H., O77478.
Jarrett, Richard S., O77480.
Johnson, Jack O., O77484.
Jones, Thomas S., 3d, O75220.
Jordan, Horace E., O77492.
Justiss, Robert E., O77493.
Kanamine, Theodore S., O77494.
Kelly, Edward J., 3d, O77499.
Kinney, Philip R., O74747.
Kolditz, Walter, O77512.
Komarow, Ronald M., O75383.
Krengel, Thomas F., O72339.
Lizardo, Alex R., O74922.
Lloyd, Joseph W., O77533.
Lloyd, Luther R., O77534.
LoRe, Jesse D., O71935.
Lowery, George B., O71828.
Lyles, Jesse D., O77545.
Lynn, Charles T., Jr., O78410.
Main, Robert G., O77552.
March, Miles B., O71936.
Marshall, Thomas W., 3d, O77557.
McLaughlin, Thomas J., O74772.
McLay, Orville K., O75019.
Mendenhall, Robert L., O74773.
Merrick, Philip B., O74775.
Miller, Raymond H., O72764.
Miluszusky, Raymond J., O77580.
Momeier, John L., O75255.
Moore, David R., O77589.
Morton, Bryan D., O72526.
Mueller, Frederick W., Jr., O71847.
Oakley, Howard H., O77605.
Oblock, Louis W., O71944.
O'Leary, Arthur J., O77608.
Osborn, Phillip C., O77613.
Palermo, Frank J., Jr., O74799.
Pattakos, Arion N., O72635.
Perrin, Everett I., Jr., O75264.
Perschetz, Gerald, O77622.
Pettit, Lewis W., O71855.
Philbrook, Wilbur W., Jr., O77625.

Phillips, Clyde W., O75267.
Pierce, Wilbur R., Jr., O71950.
Pratt, Willis G., O77627.
Pryor, James M., Jr., O72776.
Purdy, Harry E., Jr., O72380.
Quinn, James R., O75273.
Ragains, Robert L., O74818.
Rajski, Daniel J., O72398.
Randolph, James W., O77637.
Rapkoch, James M., O77638.
Regan, John P., O77641.
Reid, Robert L., Jr., O77643.
Rice, Harley E., O77648.
Rider, James D., O77651.
Rogers, Roland B., O74827.
Roop, John R. C., O77656.
Rose, Ronald J., O75280.
Rowe, Richard H., O77662.
Rutledge, Howard L., O77665.
Savoldi, William R., O75284.
Schaefer, Rolland M., O77670.
Schneider, Finis E., O77674.
Senay, David C., O71867.
Sessions, Jerrald M., O77681.
Seward, John M., O77682.
Sherron, Gene T., O74841.
Smith, John A., O74846.
Spry, Alfred E., O74853.
Stein, Albert E., O77703.
Stevenson, Thomas A., O74855.
Stone, Leon H., Jr., O77711.
Street, Clover B., Jr., O72359.
Strom, Roy M., O77713.
Sullivan, Roy F., O77717.
Swanson, Robert L., O75302.
Talbot, Bailey M., 4th, O71964.
Tandy, Donald F., O72794.
Terzopoulos, Nicholas, O77727.
Thames, Peter H., O71965.
Thompson, John U., O77732.
Tigh, Leland F., Jr., O77736.
Toner, Francis J., O77737.
Torbett, William C., 3d, O77738.
Trent, Warren T., Jr., O77740.
Tunmire, Dana, O74873.
Turner, Joseph E., Jr., O72381.
Valz, Darwin K., O77748.
Van Houten, William, 3d, O77750.
Van Pool, Jack L., O77751.
Walker, Robert L., O72801.
Wallace, Joel B., Jr., O72661.
Walther, Harry J., O71888.
Ward, Chester L., O71889.
Wharrie, Robert E., O72405.
Williams, Lawrence A., O74892.
Williamson, Rayburn L., O77780.
Wilson, Parks W., Jr., O74894.
Woods, Eugene R., O77793.
Zurbriggen, Donald J., O77801.

To be first lieutenants, Women's Army Corps

Albright, Ruth M., L516.
Shippee, Audrey B., L518.

To be first lieutenants, Medical Service Corps

Bullard, John W., O75337.
Evans, Billy W., O74943.
Glenn, Dwight W., O74945.
Hubert, Alexander A., O74950.
Isbell, Charles A., O71926.
Piper, Donald R., O74953.
Russell, James L., Jr., O74954.
Silvernale, Douglas J., O75428.
Stiles, Peter W., O74959.
Stover, James W., O75433.

To be first lieutenants, Army Nurse Corps

Atchison, Juanita M., N2776.
Berg, Ellen M., N2777.
Geissinger, Amy D., N2793.
Mimms, Barbara N., N2771.
Rodgers, Elizabeth I., N2806.
Tiernan, Pauline E., N2751.

To be first lieutenant, Army Medical Specialist Corps

Lawrence, Lucille G., R10167.

The following-named officers for appointment in the Judge Advocate General's Corps, Regular Army of the United States, in the grades specified under the provisions of title 10, United States Code, section 3292, and Public Law 737, 84th Congress, subject to physical examination required by law:

To be lieutenant colonel

Herr, Norman Phillip, O406323.

To be majors

Cipriano, Noel Joseph, O420564.
Haefele, Joseph Lynn, O284499.

To be captains

DeMund, Robert John, O1051536.
Miller, Hubert G., O1295925.

To be first lieutenant

Bartelle, Talmadge Lewis, O2273216.

The following-named officers for appointment in the Medical Service Corps, Regular Army of the United States, in the grades specified under the provisions of Public Law 737, 84th Congress, subject to physical examination required by law:

To be lieutenant colonel

Schunior, George Emanuel, O294918.

To be majors

Alsup, E. Herschel, O406667.
DiFusco, Manrico Peter, O401935.
McCall, Robert George, O511766.
Urbine, Anthony Wayne, O1533462.
Van Gilder, Robert Ellis, O452294.

To be captains

Arima, James Kenichi, O2002390.
Avrett, Marion Edwin, O1686368.
Barker, Arthur Wilson, O2046881.
Beakes, Francis Cleveland, O1547529.
Brown, Dale Edward, O2051063.
Brumley, Robert Dean, O1541893.
Bunte, Albert George, O1540784.
Buto, Junichi, O379031.
Camp, Frank Rudolph, Jr., O992504.
Case, Vernon Ernest, O452162.
Cevey, Paul Edgard, O1544779.
Craig, Howard Hancock, O1321997.
Eddinger, Clyde Charles, O447312.
Fanning, William Edward, O2049542.
Fellerman, Erwin Kenneth, O1547289.
Garza, Rene Charles, O2050050.
Ginikowre, George James, O1582758.
Greene, Billy Chadwell, O1058814.
Haggerty, John Edward, O1533076.
Halladay, Theodore Joseph, O1534276.
Heady, Harold Thomas, O1101484.
Hemperly, Cecil Willis, O454117.
Hesford, Douglas, O1533577.
Holtwick, Philip Barrett, O2042978.
Hooker, LaRay Dennis, O2048017.
Hunter, Donald Homer, O529618.
Lada, John, O1541381.
Levardsen, Richard Williams, O1534073.
Linthicum, Seth Hance, Jr., O428336.
Loyd, Reginald Charles, O1997572.
Mihm, Homer Walter, O1541200.
Morgan, John Gerlach, O2047755.
Morris, John William, O1285627.
Newman, Forest Pike, Jr., O2047090.
Nystrom, Rudolph, Jr., O2050593.
O'Neill, William Brendan, O2046777.
Ostby, Wallace Leuman, O2051522.
Petrini, Bruno Anthony, O1533170.
Quigley, Calvin Carlyle, O1541195.
Ramsey, Foster Goodstein, O2027433.
Rand, Richard Stanley, O2011204.
Reinel, Anthony Adam, O1535064.
Rogers, O. B., O934874.
Rogers, Robert John, O2050935.
Ross, William Edward, O1542893.
Schongalla, William, Jr., O1534196.
Simmons, Tom Alton, Jr., O2047499.
Tarantino, Frank Salvatore, O454141.
Turk, Richard Peebles, O2049420.
Waterfield, William Mac, O2050998.
Williams, Lewis Henry, O968875.
Winkler, Harry Thomas, O2051380.

To be first lieutenants

Beauregard, Robert McKean, O1927596.
Clyde, Norman Eugene, O4006201.
Conley, Robert, O2271737.
Herwig, Lee Conrad, Jr., O4017056.
Rose, Gerald Sylvin, O2102749.
Stocks, Harold Womack, O4024259.
Weber, Charles Joseph, Jr., O1878379.
Woods, Clyde Thomas, O4001959.

To be second lieutenants

Amidon, Charles Donald, Jr., O4065811.
Darnauer, Paul Fredrick, O2284096.
Davis, Robert M., O4077196.
Dawes, Ronald Blaine, O2285084.
DePonte, Joseph Paul, O4064477.
Irons, Ernest Morton, Jr., O4025301.
Johnston, Laurence, O4025205.
Long, James Elton, O4048701.
Murrell, Dan Stewart, O4083511.
Neitzel, Richard Frank, O4060199.
Neugebauer, Donald Lee, O2277089.

The following-named officers for appointment as chaplains in the Regular Army of the United States in the grades specified, under the provisions of Public Law 737, 84th Congress, subject to physical examination required by law:

To be captains

Ciesielski, Francis, O933326.
Hickey, John Jerome, O962888.
Paznonskas, Leonard Jerome, O997017.
Waldie, Thomas Edward, O514642.

To be first lieutenants

Brooks, Porter Harrison, O1340051.
Madden, James Francis, O2263865.
Shevlin, John Gerard, O2274695.

The following-named officers for appointment in the Women's Army Corps, Regular Army of the United States, in the grades specified, under the provisions of title 10, United States Code, section 3311, and Public Law 737, 84th Congress, subject to physical examination required by law:

To be captain

Mason, Harriet May, L704149.

To be second lieutenant

Adams, Doris Marie, L1010897.

The following-named officers for appointment in the Regular Army of the United States in the grades specified, under the provisions of Public Law 737, 84th Congress, subject to physical examination required by law:

To be colonel

Lander, Quintin Scougall, O261015.

To be lieutenant colonels

Adams, Burr Elward, O316082.
Arvin, Paul Dennis, O292797.
Chrietzberg, William David, O304821.
Ewell, James T., Jr., O334235.
McDaniel, Wallace Allen, O361232.
McMains, D. M., O298618.
Richardson, Robert Ernest, O350316.
Sherlock, John Vincent, O378775.
Surdyk, Eugene Edward, O337702.

To be majors

Abarr, Robert Gene, O1041699.
Allen, William Martin, O1102601.
Armstrong, Robert Paul, O1292635.
Ashenbrenner, Peter Joseph, O362060.
Baker, Morris Lee, O339879.
Bennett, William, O1291565.
Berry, George Albert, Jr., O1574577.
Blackwell, Lotus Berry, O383372.
Brown, Lawrence Granville, O408164.
Buerger, Kenneth Grossjean, O1697907.
Burns, Oran Frank, O354709.
Burton, Lloyd Parsons, O1697917.
Byorum, Henry Moon, O346385.
Carpenter, Sidney Crider, O374015.
Cheatham, William Lucian, O352101.
Christin, Charles Alfred, Jr., O347151.
Clifford, John Woodrow, O1165168.
Coburn, Herbert William, O389793.
Coffin, Sanford, O1307511.
Collings, Kent Jennings, O1308106.
Conway, Marion Lee, O1165169.
Cook, Woodrow Wilson, O2055521.
Cory, Allan Murray, O317610.
Cougill, John Calvin, O327207.
Cowan, Ralph Howard, O452265.
Crea, Robert Donkin, O507808.

Cude, Harold Eugene, Jr., O367705.
Dallas, Thomas Spencer, O333507.
Dickson, Robert Stephen, 3d, O376992.
Dingle, Robert Seth, Jr., O328099.
Dodge, Harland Laurell, O392772.
Donaghey, James Calvin, O403711.
Duncan, Harry Norman, O365335.
Durand, William Harris, O1002618.
Durst, Richard Henry, O391387.
Eason, Sidney Seaborn, O365170.
Eddy, John Herman, O376397.
Edwards, Elmer Forrest, O419289.
Eichen, Harris Clark, O900008.
Evans, James Grady, O1284687.
Evans, John Thomas O343226.
Fink, Richard Arthur, O1041758.
Fiske, Robert Walter, O410381.
Frost, Thomas George, O452021.
Funke, Nathaniel Louis, O398401.
Gates, Quinten Lachester, O406663.
Gibson, Henry William, O1165293.
Goldenberg, Joseph, O565453.
Gregorie, James Bujac, Jr., O363649.
Gundlach, Philip James, O342498.
Harper, Garlyn William, O1645635.
Harris, Charles Eric, O749162.
Hillard, James Russell, O382798.
Holton, Russell Gilman, Jr., O464562.
Horloch, Fred Hugh, O1290604.
Horowicz, Leo Stanley, O362952.
Hranicka, Joseph Gosnell, O400169.
Hughes, William Edward, O407709.
Jackson, Bennett Lee, O316126.
Jackson, John William, O319576.
Jackson, Kingsbury Temple, O391677.
Jillson, Stuart Farnham, O341959.
Jones, George E., Jr., O324137.
Jordan, Woodrow Wilson, O390568.
Kampschroer, Felix, O1040253.
Kopischkie, Carl Edward, O346614.
Kovach, Frank Zboray, O407698.
Kuehlke, Christian Gotlob, Jr., O354079.
Kulp, James Minor, O325483.
Langham, Dwight, William, O367053.
Lieding, Robert Kenneth, O362730.
Lovell, William Frank, O1285449.
Lowe, William Hollinger, Jr., O1283278.
Lucas, William Ashley, O339661.
Luckenbach, Everett Alexander, O327765.
Mack, John Denis, O1002681.
Maerz, Richard Hugh, O396673.
Malone, William Frank, O361378.
Mangum, Claud Darwin, O1581948.
Mansfield, Herbert Viscount, O361345.
Marshall, Ben Fridge, O413260.
McAdams, James Orien, O404984.
McCaskill, John Calvin, O322335.
McFarland, Edwin Doudna, O483152.
McKerral, Howard Alton, O318711.
Medinger, John Norman, O1633406.
Meis, Emil Ferdinand, Jr., O339668.
Melcher, John Frederic, O319400.
Mellett, Earle Clayton, O329440.
Merlo, William Joseph, O1798376.
Merrick, Ralph Bernard, O391391.
Merritt, Charles Augustus, O1643124.
Moffett, Oren E., O1002819.
Molloy, William Thomas, O363930.
Morrisey, John Charles, Jr., O1288097.
Moss, Alfred Harold, O394280.
Moye, Ralph George, O328198.
Murphy, James Henry, O351306.
Murray, Douglas Brooks, O366936.
Nabors, George Allen, O1018843.
Nealon, Arthur Joseph, O456222.
O'Connor, James Francis, O398653.
Pahl, Irving Charles, O450625.
Panell, Marion Randolph, O366818.
Parker, Warne Richard, O1303534.
Parr, William Richard, O355684.
Parrish, Edward Lawrence, O394374.
Pate, Brantley Miller, Jr., O356081.
Porter, William Amos, Jr., O385725.
Pugh, Delmar Arthur, O1296578.
Raouls, Bernard H., O391025.
Rapp, Paul Chadwick, O1287059.
Reed, Gilbert Richard, Jr., O400215.
Reeder, Roger Earl, O328394.
Reinhard, Charles Arthur, O375508.
Reiter, Nathan Irving, Jr., O1994515.
Rice, John Lenheart, Jr., O386792.
Roberts, Robert Andrew, O361169.
Robichaux, Douglas Benedict, O365112.
Ruff, Henry, O384032.
Savan, Jules, O366147.
Scheftel, Lawrence Abraham Lowensohn, O373073.
Schmidt, Ronald William, O320294.
Sewell, Donald M., O391162.
Shaw, Stanley Hammond, O376448.
Smith, William Moffett, Jr., O341117.
Snow, Harold Eugene, Jr., O1633571.
Spagnolo, Joseph Anthony, O1038491.
Stoecker, John Van Dover, O453017.
Sunshine, George Philip, O450919.
Surface, Cress, Jr., O1053387.
Tankersley, Milton Jutson, O398981.
Thomas, Douglas Robert, O396347.
Tichenor, John Field, O454847.
Tjossem, Oliver Paul, O1166851.
Tompkins, Charles Henry, O1581428.
Trattner, Herbert Marvin, O1794884.
Traver, Paul Carlton, O342020.
Treneman, Robert Arthur, O343571.
Ulanowicz, Emil Michael, O396758.
Vail, Robert Edward, O1285522.
Van Wert, Robert Wayne, O1548157.
Vangen, Terrance Anthony, O1283873.
Vaughn, Jack Erwin, O1040634.
Vignes, Joseph Larose, O395132.
Von Sholly, Frederick William, O1557106.
Vuksich, Melvin Michael, O367837.
Wadsworth, William Franklin, Jr., O425139.
Ward, Ben Hunt, O465228.
Weaver, Earl John, O452654.
Westbrooke, Jack Griffin, O385837.
Wheatley, Melford Marcelle, O375943.
Whitney, Carl Everett, Jr., O398275.
Whitt, Ralph Lee, O452098.
Wilkins, Wallace W., Jr., O387709.
Williams, Ezra Max, O375357.
Williams, Thomas Calvin, Jr., O1296461.
Wingfield, William Benjamin, O327988.
Winterbottom, Frederick William, O388482.
Wood, Starling Witt, Jr., O375055.
Young, Leilyn Malhorn, O389005.
Zebrowitz, Morris, O375533.

To be captains

Abrams, Lester Winfield, O2037155.
Adamo, Pascal, O1822972.
Adinaro, Joseph Thomas, O1635235.
Aguilar, Arthur, O1582547.
Ahrenholz, Albert Francis, O1167716.
Akers, Walter William, O1846014.
Albanese, Archie Joseph, O1313363.
Allender, Nicholas Vickers, Jr., O1030541.
Anderson, David McClure, O1593433.
Anderson, Frank Ernest, O1285690.
Anderson, Russell Vernon, O1287813.
Applebee, John Elsworth, O1014618.
Applegate, William Gould, O1590965.
Arbuckle, Robert Charles, O1035310.
Armstrong, Russell Benjamin, Jr., O1639897.
Aston, David Thomas, O448981.
Baer, Malcolm Ridgely, O1287120.
Bagley, James Curry, O1285173.
Bahr, Herman Joseph, O1641984.
Bailey, Kenneth Lee, O495178.
Baker, Claude, W., O1289856.
Balaker, Basil Charles, O1104725.
Balmforth, Edmund Elliott, O2200103.
Banse-Fay, Frederick Vincent, O1332045.
Barnett, Clarence Charles, O1300439.
Barnhizer, Harry Joseph, O1573723.
Barone, Sandro Armando, O1334531.
Barrett, Frederick Taylor, O1651942.
Barton, Deforest Allen, O1337917.
Bauknight, George William O1286767.
Beahler, Lee Edward, Jr., O1106582.
Beaman, Milburn Frank, O1004734.
Beaty, Edward Robert, O1012384.
Becraft, Clarence William, O1335103.
Bell, Ernest Lee, O1283008.
Bell, Raymond Eugene, O1036753.
Bell, Thomas Lewis, 01946910.
Bender, Keith Gordon, O1041963.
Benge, Charles Johnnie, O1284085.
Benson, Robert Charles, O2055465.
Benson, Theodore Nelson, O516913.
Berg, Jacob James, O1062663.
Berger, Rayfield Robert, O1044759.
Berger, Roy Harold, O1036847.
Berkshire, Harry George, O2008606.
Berlin, Walter Irvin, O1292995.
Berridge, William Joseph, O1845339.
Berris, Michael Thomas, Jr., O1003669.
Berry, Fred Parke, O583061.
Bess, Victor Eugene, O1281482.
Betit, Joseph Washington, O2020705.
Bickford, Robert Joseph, O1797936.
Biersack, Christian Matthew, O1116331.
Bishop, Clarence Edwin, O1317261.
Bishop, John Henry, O1062468.
Black, Charles Samuel, O1117362.
Black, James Robertson, Jr., O2274638.
Blackman, Edward Bonner, O441493.
Blackwell, Roy Vail, O1585861.
Blair, Bruce Everett, O1583892.
Bohn, William Walter, O1109820.
Bolke, Francis Gene, O1043574.
Bond, James Joseph, O1044179.
Borges, Richard Anthony, O1948696.
Botchin, Philip, O456600.
Bowles, Alvin Hoyt, O1037405.
Bowman, Harvey Rowland, Jr., O1295988.
Bowman, Joseph Carlock, O1280922.
Boyd, William Edward, O1290536.
Boyer, Ray Yeager, O1573737.
Bradley, Robert Weston, O1329209.
Brady, Robert Walter, O1304636.
Brady, Walter, O1166912.
Branham, Milton Gelwicks, O1548654.
Brant, William Allen, O1048693.
Braun, William Francis, O1826122.
Brickell, Grant Rice, O1037413.
Bridenbaugh, Donald Davis, O1166234.
Brigandi, Joseph, O540530.
Britten, Roland Leon, O1551806.
Brooks, George, O450807.
Brown, David William, O1337539.
Brown, Guy Wilson, O1326975.
Brown, John George Carleton, O1010305.
Brown, Kitchen Neville, O1326134.
Brown, Lloyd Winfield, O1325122.
Brubeck, David Lindley, O392968.
Brugge, Robert Otto, O1118172.
Bryant, Oren Wayne, O520817.
Buckingham, James Stewart, O1186172.
Buckles, Ronald J., O372058.
Bullock, Baxter Mangum, O1799235.
Bunton, Raymond Barnard, O1104534.
Burch, Robert Leonard, O1334096.
Burgess, James Martin, O1327711.
Burke, Donald Dean, O1169445.
Burke, James Rogers, O2055215.
Burnette, Thomas Nelson, O1032195.
Burns, Patrick James, O1010461.
Burton, Edward Kearney, O1947471.
Bush, Leonard Raymond, O2000539.
Butler, David Clifford, O1293544.
Butler, Frank Lawrence, O1186504.
Cadmus, George William, O679826.
Callinan, Patrick Michael, O397053.
Campbell, James William, O1010317.
Cannon, Clinton Carlisle, Jr., O1548675.
Cantaral, Raymond Hugh, O1548676.
Carlson, Carsten Douglas, O1306812.
Carpenter, Clyde Pershing, O400802.
Carroll, Edward Francis, O2007004.
Carson, John Lee, O425262.
Cassell, John William, O870684.
Cassias, Clarence Eugene, O1183485.
Castrale, James, O1286438.
Catania, Alfred John, O1584371.
Caudell, Louis, O1306702.
Causgrove, Bernard Thomas, O1183325.
Cellucci, Loreto, O1634605.
Chase, Jack Powers, O1599099.
Cheek, Leon Blakely, Jr., O1165596.
Child, Thomas Waring, Jr., O1633118.
Christian, Averill Lee, O409721.
Christiansen, Donald Andrew, O1169897.
Church, Charlie Roller, O1290716.
Citrak, Michael, O2000516.
Clare, George Frederick, O1645170.
Clark, Stephen, O450107.
Clavio, James Dominic, O1556397.
Cline, Edbert Clayton, O465506.
Cloutier, Francis McCormick, O1638882.
Coates, Charles Everett, O1016737.
Coburn, Dick, O437068.
Coffey, William Wagner, O1280815.

Coggins, Clyde Alton, O1308604.
Collins, Gilbert Richard, O1012814.
Collins, Philip Russell, O1822963.
Colt, John Boyd, O1165600.
Colvocoresses, Alden Partridge, O390093.
Compton, Jack Emil, O1290902.
Cook, Bruce Kingsbury, O518863.
Cooke, Raymond Warren, O1172813.
Coombs, Richard Brown, O1575878.
Cooper, William Reed, O1584076.
Copp, Duport Mauro, O1182088.
Corcoran, Edward William, O383439.
Corneli, Robert Wesley, O1183045.
Cortez, Clyde Amado, O1318385.
Costa, Leonard LeRoy, O1017590.
Costilla, Fred, O1998721.
Crain, Charles Lorand, O1297166.
Crane, Ray Thomas, O1589773.
Cranford, Jack, O1046403.
Curtis, Lawrence Brabson, O1575892.
Dague, Robert Victor, O1100067.
Dallinga, Hyrum, O1017302.
Dalton, Dermot Patrick, O1170697.
Dalton, Elvin, O1038952.
Davino, Louis, O1329331.
Davis, Charles Emil, O1322978.
Davis, Dale Ervin, O1579544.
Davis, Frank Brownie, O1015356.
Dayton, Kenneth Goodman, O1588514.
Debyle, George Albert, O1536161.
De Rieux, Stanley Neil, O1634670.
DeSanto, Anthony Joseph, O1169925.
DeWitt, Richard Phillip, O1058225.
Dean, Gernard Daniel, O530000.
Derry, Hugh Augustin, O1645782.
Delaney, Edward Joseph, O1000734.
Dempster, Robert Nicol, O1341521.
Denhart, John Frederick, O922576.
Dewhirst, Sam Turner, O1685615.
Dezarn, Lowell Bernard, O1120006.
Dickerson, William Rowe, Jr., O1297172.
Dickerson, Roy Linville, O465087.
Dillon, Francis Henry, Jr., O538531.
Dillon, Paul Cox, O389623.
Dixon, Billy Lee, O1341644.
Dodd, William Ray, O1179371.
Dodson, Arthur William, O1290044.
Donaldson, Kenneth Colvin, O449156.
Doppel, Leroy, O1057721.
Dorr, Colgate, O558622.
Douglas, Wayne Minshull, O2042810.
Dover, Donovan Carl, O1043319.
Dowden, Richard Leon, O540438.
Downie, John William, O1295845.
Drake, Oscar, O1325482.
Drozd, Walter Marjan, O1045719.
Dul, Peter A., O1321110.
Dunbar, Philip H., Jr., O1184806.
Duncan, William Lyle, O1289880.
Dunlap, Jack Alexander, O1294635.
Dunlop, John, O2036904.
Dunn, Horace Bonsey, Jr., O1548201.
Dunn, Richard James, Jr., O1634702.
Dupart, William Louis, O1328682.
Durham, James Thomas, O1586548.
Dwyer, Robert Charles, O1844738.
Dye, Laverne E., O1016660.
Dye, Thomas Addison, Jr., O1030556.
Ecklon, Leland Christian, O1845030.
Eggleston, Edmond Overton, O1114469.
Eiler, William Robert, O2026311.
Eliasson, Arne Holger, O1061377.
Elkins, Robert Davis, O425497.
Elliott, John William, O663879.
Ellis, Walter Graham, O1020404.
Ellison, Milton Herbert, O885520.
Ellison, Paul Parks, Jr., O1335910.
Elwell, Raymond Garrett, O1633831.
Emerick, James Clayton, O1332589.
Ensor, John Oscar, O1329340.
Erickson, John Donald, O1171135.
Etchemendy, Leon, O444709.
Evans, Edward Spaulding, O1294114.
Evans, James Anderson, Jr., O1634729.
Evans, Luther, Jr., O1040022.
Evers, Raymond Russell, O417491.
Farkash, Eugene Jack, O1633842.
Farnham, Kenneth Nathanial, O1080705.
Felch, Robert Irving, O412567.
Fell, Joseph Gerard, O1339712.
Field, David Dudley, O1586572.
Filby, Robert Arthur, O1997789.
Finlayson, Hugh Stewart, Jr., O553369.
Fischer, Leonard Jack, O1634750.
Fish, Frederick James, O1041760.
Fisher, Paul M., O1011309.
Fleck, Harold John, O1011737.
Fleming, William, Jr., O1588556.
Flynn, Joseph Vincent, O1325745.
Flynn, Thomas Beury, O1036524.
Foley, Francis Edward, O2200119.
Foley, Richard Francis, O1011943.
Ford, Clifford Haun, O521821.
Forrester, Charles Tucker, Jr., O1575985.
Forsyth, George Edward, O1588560.
Fourt, Herbert John, O1179070.
Fowler, Philip James, O1797984.
Fox, Archie Carl, O2027542.
Frame, Golden James, O1582729.
Franzek, Theodore Daniel, O1703949.
Freda, Thornton George Embree, O442456.
Freeman, Herman Oliver, O1557150.
Frol, Anthony Belmore, O540892.
Furr, James Homer, O1058519.
Furth, Norman Joseph, O1169969.
Gabelia, George Theodore, O1013229.
Gaffney, Leo Francis, O1534490.
Gandy, William Frederick, O1107968.
Garr, Arthur Sylvester, O1119059.
Garrett, O. G., O1305568.
Gentry, Clarence E., O1118377.
Gettman, Richard Philip, O477012.
Gewinner, Marcus Napoleon, O1288687.
Giaccio, Albert Pascal, O413776.
Gibbs, Cyrus Leroy, O1178162.
Gill, Harvey Eugene, O544496.
Gillert, Gustav John, O2020719.
Gioia, Joseph Frank, O1178812.
Glaser, Robert Donovan, O1313594.
Glass, Malvin Frankiln, Jr., O1037503.
Gleason, James Keith, O1640488.
Godfrey, Wayne Richard, O550633.
Goldrick, Robert Newton, O1639082.
Goley, Byron Haywood, O2036926.
Goodwin, Guy Russell, Jr., O387919.
Goodwin, James Maurice, O483712.
Gordner, Henry Louis, O1318782.
Goss, Donald Franklin, O1280910.
Gould, Harold Alan, O1101012.
Grandelli, Charles Michael, O1332596.
Graser, Harry Carl, O1593597.
Greene, George Victor, Jr., O1948141.
Greer, Herman Earl, O1179870.
Gregg, George Francis, O1059795.
Gresick, Bernard Alexander, O1012739.
Gribble, Lee Roy Waldon, O1637566.
Griffin, Robert William, O1287866.
Griffith, Robert Elmon, O1593600.
Gritz, Sidney, O1101467.
Grodin, Richard Adrian, O1895363.
Guiang, Marcelino Colorado, O1896858.
Guice, Billy Milton, O1303880.
Guild, Donald Edmund, O1012189.
Gursky, Alex Peter, O2025959.
Gwynn, John Edward, O1573247.
Gysin, Thomas William, O1057083.
Hack, Sidney, O1061413.
Hacker, Frederick, O1179876.
Haen, Clifford Leo, O439507.
Hagar, Bailey Warren, O442471.
Haight, Chauncy Price, O1171172.
Hale, Albert Carson, O1598405.
Hall, George Ross, O405726.
Hall, Ohio Columbus, O1051583.
Hallanan, George Henry, Jr., O454135.
Hamer, George Richard, O1697960.
Hamilton, Joseph, Jr., O1302647.
Hamilton, Robert Brendon, O1051584.
Hand, Clifton Earl, O1050699.
Hanna, Nathaniel Phillip, O466721.
Hanna, Thomas Gerald, O1171574.
Haralson, Browning Roy, O1332812.
Harbin, Darwin Dougherty, O1305578.
Hardin, George Blaine, Jr., O1287706.
Harrigan, Thomas York, O1823442.
Harris, Earl Donovan, O1634855.
Harris, Leon Milton, O1000577.
Harris, Neal Wesley, O391447.
Harris, Peter James, O1169560.
Harris, Roland, O571956.
Harrison, James Jacoby, O1316291.
Hartline, John David, O1637622.
Harvey, William Thomas, O1040935.
Hassinger, Robert Wayne, O1688340.
Hawk, Edwin Louis, O1649681.
Hawke, Willard Wesley, O1302462.
Hawley, George Richmond, Jr., O2012195.
Hayes, Lincoln Richards, O1041359.
Hayes, Stephen Hawley, O1591183.
Haymaker, Gerald LeRoy, O1041164.
Haynes, Chester Harold, O1308640.
Hearn, William Monroe, O1319207.
Hecklinger, Henry Donald, O1062380.
Helterbran, David Joseph, O1000782.
Henderson, John Ray, O405831.
Hendricson, Harold Maris, O1012772.
Henry, Charles Onis, O1293050.
Henry, John Frank, O377094.
Herrington, Rupert Couthbert, O1589000.
Hessler, Robert John, O1292698.
Hetzel, Foster Greer, Jr., O1118387.
Higgins, Robert Francis, O1585617.
Hill, Ralph Edward, O1647081.
Himic, Steve Paul, O1296032.
Hinrichs, Frank Anton, O390975.
Hipley, Fred Francis, O1335788.
Hirsch, Edward, O437855.
Hisaka, Masakatsu, O1331946.
Hockaday, Spencer Thurston, O449046.
Hoffman, Robert Lee, O1176669.
Holt, Paul Ensley, O2020155.
Holt, Robert Bandy, O1288746.
Honeman, Donald Edwin, O456140.
Hooks, Walter Allen, O1000381.
Hopkins, Paul Everet, O1594242.
Hopkinson, Harry Lowe, O1035285.
Hopper, Harold Winthrop, O1031098.
Hosemann, Joseph Francis, Jr., O1048417.
Hostetter, Charles Alfred, O1039044.
Houston, Frank Wilmer, O2014907.
Howard, Hubert Carroll, O1000048.
Howard, John Andrew, O467323.
Howard, Norman Farlow, O1685646.
Hubble, James Everett, O2020646.
Hughes, Harold Lloyd, O1011453.
Hughes, Richard W., O1315447.
Hummel, Atlee Vorice, O1826008.
Hurd, James William, O1003763.
Hursh, Donald Gordon, Jr., O1591608.
Hyde, Thomas Irvin, O728214.
Hyndman, James Hugh, O1797467.
Ilston, William George, O452412.
Ireland, Robert Abner, Jr., O1551033.
Irish, Ralph Giles, O1642222.
Israelson, John Arthur, O1102127.
Jachens, Richard Charles, O1638994.
Jacks, John Lyles, Jr., O1588066.
Jackson, Charles Austin, O394902.
Jackson, Henry Taylor, O1341342.
Jacobs, Bruce Melburn, O1554213.
Jacobson, Arthur John, O1318044.
Jameson, Malcolm MacGregor, O400182.
Jardon, Eldo Beard, O1338241.
Jennings, Dan Duvol, Jr., O1283077.
Jewell, Jack Frederick, O1283969.
Jobst, John William, O1314785.
Johnson, James William, O962678.
Johnson, Richard Stephen, O1645700.
Jones, Cecil Reginald, O1336223.
Jones, Harold Irvin, O1297204.
Jones, Harry Lane, O2038882.
Jones, Homer Hardaway, O461025.
Jones, Hubert Rex, O1553481.
Jones, Murray Gillen, O1310604.
Jones, Robert Douglas, O1001817.
Judd, Donald Stowe, O1165747.
Jung, Gordon Clifford, O1333221.
Kantz, Robert John, O378459.
Karr, Guy Atchinson, Jr., O131408.
Kasdorf, Walter William, O1690748.
Katagiri, Taro, O1019927.
Kattner, Stanley James, O1579855.
Kay, Herbert Jack, O394936.
Kearins, Patrick Frank, O2046279.
Keefer, Robert Joseph, O447300.
Keet, Robert Tyler, O448790.
Keith, James Edgar, O468527.
Kelley, Peter E., O1322926.
Kelsey, Philip Richard, O1796965.
Kemp, Neal Raymond, O1031733.
Kennedy, Maurice Joseph, O1328044.
Kennedy, Richard Joseph, Jr., O1289271.
Kerker, Edward Lawrence, O435577.
Kern, William Russell, O1000142.
Kiernan, James Aloysius, O1313418.
Kies, Robert Herman, O1338609.

Kilbourne, Charles Alexander, O1307831.
Kim, Young Oak, O1309572.
Kimball, George Edward, O436358.
Klaver, Clarence Arie, O1646322.
Klundt, Roland Eugene, O2024460.
Knepp, Lester Johnston, O404220.
Knoeller, Frank Olree, O1284716.
Knox, Thomas James, O398392.
Knudson, Wade Estrem, O754016.
Koehl, Leonard Henry, O2034889.
Kramer, David Oscar, O1341173.
Krometis, August Angelo, O1183908.
Kulhanek, Bernard Joe, O465939.
Ladson, Robert Nash, O374296.
Lambertus, Willard Leslie, O1290439.
Lane, Robert Wilson, O389069.
Lansford, Jack Perry, O1010516.
Lassiter, George Linvle, O1062772.
Laughlin, Lorenzo Dow, Jr., O1949831.
Lawless, Raymond Bernard, O1648208.
Lawless, Roger Edwin John, O455315.
Lecomte, Roger Laurant, O1540842.
Ledbetter, William Russell, O389559.
Lennon, Eugene Francis, Jr., O1036602.
Le Vant, William Spitzer, O536041.
Leonard, Robert Theodore, O1052860.
Leonard, Robert William, O1283451.
Lesniak, Walter John, O2035347.
Lewelling, Billy Reed, O1168777.
Lewey, Merle Creighton, O1641509.
Lewin, Edward Harrison, O1799460.
Lewis, Jack Keaton, O1535934.
Lind, Ralph William, O1015027.
Lindsey, Clifton Shelby, O377868.
Link, Roger John, O1640676.
Linn, William Erwin, O1169619.
Linrothe, Robert Nelson, O1177057.
Lipscomb, John Robert, O1997272.
Little, John Thomas, O887923.
Litton, Andrew LaRoe, O1951016.
Lockhart, Wilson Laverne, O1648360.
Lofland, William O., Jr., O1587419.
Logan, Douglas Kyle, O1340667.
Londner, Bernard, O1944514.
Long, William Fred, Jr., O453203.
Longbotham, Ralph Maynard, Jr., O1332982.
Loomis, Robert Kalman, O1170836.
Lopez, Fernando, O543714.
Lowe, Laddie Langford, O1557041.
Lowry, Leonard, O1302026.
Luick, Alton La Vern, O1582735.
Lumia, Salvatore Albert, O404788.
Lunceford, Roy Lorenza, O2037566.
Lyle, Paul Brown, O1170066.
Lytle, Elmer Edwin, O1167522.
Mabry, J. P., O1172153.
MacFarland, James Clark, O1576321.
MacIntyre, Ellsworth Thomas, O1578799.
MacKenzie, Douglas Alexander, O1305805.
MacLean-Kennedy, Donald Smith, O1688812.
Mader, William Peter, O1168350.
Madigan, William, O1032749.
Mahr, Warren Carney, O1338833.
Majeske, Arthur, O1174942.
Mangones, Robert Joseph, O1342092.
Marcelle, David Arthur, O397220.
Marin, Sebastian, Jr., O1327556.
Marks, Joseph Ward, O1288921.
Marksteiner, John Anthony, O2037629.
Marnoch, Gabriel Wilson, Jr., O518508.
Marshall, George Wilson, O1291850.
Marshall, Robert Bruce, O390594.
Martin, Doyne King, O1645179.
Martin, James Ellis, O1342093.
Martin, James Joseph, O1998114.
Martin, James Mahlon, O1823321.
Martin, Paul Edwin, O1339189.
Mathews, Morgan Howard, O743360.
Mattison, William Renhart, O396533.
Maxa, Rudolph Joseph, O1548102.
Mayer, Merle William, O1338258.
McAvoy, Donald Wayne, O454201.
McCaffrey, Donald Joseph, O1338259.
McCandless, Clarence Edwin, O1593067.
McClain, Wallis Eperson, O1010425.
McClellan, John Anthony, O1576351.
McClung, Boniface Dotson, O1316769.
McConnell, Donald Horace, O1100673.
McCoy, Joseph, O2006186.
McCue, Rufus Glenn, Jr., O1328276.
McDonough, Charles James, O1054705.
McHugh, John Joseph, O1590646.
McIntire, Ralph Walton, O1043166.
McKenna, Warren Earl, O2024336.
McKenzie, James Edward, O1283104.
McKenzie, William Edwin, O1318063.
McKiernan, John Thomas, O1639384.
McLaughlin, George Robert, O404264.
McLeod, Glenwood Paul, O1081485.
McMinn, John Henry, O1339901.
McNeil, William Edgar, O1341810.
McTague, Norman Scott, O1177085.
Melton, Charles Allen, O469856.
Menefee, Robert Gould, Jr., O1169649.
Mergler, Vernon Tilson, O1288270.
Merrell, J. Sterling, O453240.
Meyer, Warren Jay, O2037492.
Midgett, Garland Hugh, O1332398.
Miles, James Stewart, O442892.
Millar, Donald Bruce, O1046203.
Miller, Donald Edward, O1846036.
Miller, Francis Donald, O538342.
Miller, Frederic George, Q1822169.
Miller, John Erven, O1288093.
Miller, William Bert, O1018307.
Miller, William Robert, O887374.
Mills, Edgar Frank, O1015941.
Mishtowt, Basil Illarion, O1284553.
Mitchell, Erwin McLeod, O803732.
Mitchell, Wyatt James, O956058.
Mittenzwei, Francis Xavier, O1004812.
Mize, James Clifford, O1176437.
Mock, Alfred James, O410520.
Monroe, Howard Eugene, O2206103.
Moon, Robert Stanley, O1283464.
Moore, Charles Elmer, O1329272.
Moore, Clarence A., O1014846.
Moore, Ernest Lloyd, O1699968.
Moore, Harold Lane, O1340794.
Moore, Robert Kenneth, O1181700.
Moranda, George Edward, O454886.
Morefield, William John, O1280555.
Morgan, John Pierpont, O1577593.
Morgan, John William, O1165918.
Morris, James Henry, O401525.
Morris, Robert Charnelle, O498281.
Morrow, Thomas Otto, O1172436.
Mosgrove, George Gordon, O1039809.
Mosser, Richard Bucks, O1649559.
Mumford, Elmer Stitt, O423485.
Munson, Orville Oscar, O1101594.
Munt, Francis Randolph, O1588765.
Murphy, James Malcolm, O1598848.
Muttoni, Donald Sylvester, O2018735.
Myers, Chester Lavern, O1645859.
Nash, Leonard Charles, O1100264.
Naughton, Francis Edward, O2288940.
Neitz, Ravellan Henry, O1578920.
New, Charles Joseph, O1032545.
Nicholson, Charles Albert, O497518.
Nicholson, Tom Mercer, O1639872.
Nielsen, Carl Harvey, O1330847.
Nietman, Charles Frederick, O1316191.
Nightingale, Gardner Swift, O1042897.
Nishimura, Bert Noboru, O398791.
Noll, John Valentine, Jr., O1045866.
Nolph, William Harold, O1057836.
Nottage, Paul Edward, O494665.
Novy, James Frederick, O888950.
Oakes, Edward Everett, Jr., O1281348.
O'Brien, John Ashley, O1001868.
Odom, Alton Chafin, O1321726.
O'Donohue, Thomas Joseph, O1051313.
Okawachi, Toru Michael, O1339304.
Okazaki, Saige, O935285.
Oliver, George Sylvester, O1312212.
Olsen, Raymond Malcolm, O2055312.
Olson, Clifford Arthur, O887474.
Olson, Harry Harper, O1557509.
Olszewski, Walter John, O1560445.
Orchel, Stanley, O1300699.
Orlando, John Anthony, O1308693.
Orr, Lawrence E., Jr., O438606.
Orrick, Richard Roscoe, O2024408.
Osburn, Wayne Edwin, O2020195.
Oswell, Gorman Stanley, O1169276.
Owen, Tom Hubbard, O555588.
Padgett, Jerry Ervin, O1646479.
Pagel, Willis George, O441284.
Pahl, Gaylord George, O1821762.
Pardee, Robert Everett, O1536371.
Parker, Brandon Lamar, O1334009.
Parker, Woodrow Wilson, O1286880.
Parks, Marion Wilcox, Jr., O1169279.
Patterson, Dallas Melvin, O408938.
Patterson, David Thomas, O1648659.
Patterson, John Allen, O1102417.
Paull, Joseph Kelly, O453881.
Pearcey, Harold Wilson, O1290652.
Pechacek, Melvin Lee, O2001025.
Pennington, William Yancey, O388688.
Pennino, John Langendorf, O425152.
Peoples, Robert Howarth, O518706.
Peterson, Palmer Adolph, O1018037.
Pfeiffer, John Victor, O1010407.
Phaneuf, Philip Edmond, O446670.
Philips, David Everitt, O1044063.
Phillips, Warren Byron, O447536.
Pickell, George William, O1297583.
Pierce, Walter Raleigh, Jr., O1337336.
Pietrzyk, Mitchell, O1062044.
Pilant, Joseph Lewis, O1054753.
Pinkstone, Hueston Longcor Joseph, O1548282.
Pooley, Nardeth Wayne, O2035492.
Post, Harold Nelson, O1580179.
Poteat, William Daniel, O953885.
Potter, Carleton Frederick, O1651395.
Potter, Jack Conrad, O1312794.
Poulin, Paul Raymond, O1638292.
Praeger, Herman Albert, Jr., O414085.
Prather, Eugene Calahan, O410184.
Prawitz, Leeland Robert, O465152.
Prewett, James Franklin, O1168870.
Price, Herbert Hickham, O415997.
Proudfoot, Robert James, O1558321.
Pye, William Sherwood, O1312107.
Quig, Clayton Anthony, O1291329.
Quisenberry, Joe Fowler, O1587555.
Radcliff, Joseph Anthony, O1309606.
Raleigh, Edward Coblentz, O1040459.
Ramsburg, Charles Everett, O1325108.
Rasula, George Arthur, O1323171.
Rateau, Munro Anthony, O1583543.
Rau, William Anton, O1011048.
Rawlings, Richard Jackson, Jr., O453593.
Ray, Charles Guthrie, O1324651.
Redding, William Vaughn, O456627.
Reeder, James Robert, O1284396.
Reese, Alfred J., Jr., O1341292.
Reeve, John Daniel, O1170934.
Reidenbaugh, Charles Henry, O1794987.
Reynolds, Chester Alexander, Jr., O1947811.
Reynolds, Clifford Henry, O2035145.
Reynolds, Eugene Franklin, O1946601.
Reynolds, Harry Edward, Jr., O1037684.
Rice, Delbert Edmond, O1535519.
Rice, Herman Richard, O1020242.
Richey, Ralph David, Jr., O1320480.
Riddler, Garth Arthur, Jr., O454840.
Riek, Justus Robert, O1314190.
Rimlinger, James Louis, O1305833.
Rippey, George Ellsworth, O387861.
Risen, Everett Lee, O1650714.
Robbins, Phillip Walter, O2006615.
Roberts, David Richard, O1308182.
Robertson, James Clifford, O1584805.
Robinson, Gerald Edward, O1080902.
Rock, Warren Vanderveer, O2048758.
Rogers, Joseph John, O1036358.
Rollison, Howard Elmer, O1045226.
Rood, Gordon Dunlop, O4010833.
Rosoff, Martin, O1285119.
Rowley, Hobart Laverne, O1174128.
Ruby, William Francis, O2032902.
Rudulph, Louis Frederick, Jr., O1640894.
Russell, Lester Franklyn, O1948216.
Rutledge, Walton Albert, O549633.
Sadove, Aaron Solomon, O1001044.
Sager, Perry Ashby, O1299477.
Samson, Jack, O1293841.
Sanders, Frederick Jefferson, O1287954.
Sanders, William Oscar, Jr., O2019653.
Sandsmark, Albert Ivan, O520263.
Scanlon, William Edward, O1324664.
Scherberger, Richard Jerome, O1647257.
Schmiedel, Robert Alfonse, O1550047.
Schneider, Richard Ernst, O662096.
Schofield, Frank Curtis, O2020841.
Schuknecht, Lloyd Charles, Jr., O1648145.
Schwank, Bernard Joseph, O1294026.
Scott, Harvey, O1014168.
Serbousek, George, O2017133.

Setzer, Allen Lee, O2036838.
Sevdy, Lawrence Martin, O1169331.
Shaper, William, O1576633.
Sheppard, Orval Hubertus, O1166604.
Sheriff, Herman Willard, O1036732.
Sherman, Frederick William, Jr., O1118807.
Sherman, Gerald, O386005.
Shroyer, James Lewis, O2015708.
Siegel, Leon Selwyn, O1650329.
Sillin, William Elwyn, O1010947.
Simmet, Kenneth Donald, O404005.
Sims, Howard Russell, O1547795.
Sims, Morton David, O2069400.
Sine, Robert Roy, O1323750.
Singleton, John Edwin, O1054414.
Sitler, Henry Oliver, O1580328.
Skaith, LeRoy James, O1314558.
Skapik, Richard Lee, O1325678.
Skelley, James Leo, O404213.
Skidmore, William Frank, O2033135.
Skiffington, Edward Henry, O441720.
Slate, Francis Taylor, O1295446.
Sly, George Washington, O1177980.
Small, Ballard Burton, Jr., O538082.
Smith, John Andrew, 3d, O535039.
Smith, Joseph Patrick, O449245.
Smith, Kenneth Joseph, O1648163.
Smith, Paul Eugene, O2033037.
Smith, Raymond Howard, Jr., O1058687.
Smith, Temple Christian, O1584939.
Smith, Wilbur Bell, O1826064.
Snyder, Arthur Frank, Jr., O1011877.
Snyder, Harry Alan, O385631.
Sobel, Harold, O455917.
Sollosi, John S., O410583.
Sovern, Charles, O1638562.
Sowers, Harold Norman, O1332328.
Sparano, James William, O2017470.
Spires, George Henry, Jr., O1012650.
Spittler, Charles Richard, O1338872.
Spitzer, Joseph Bernard, O1579163.
Sprague, Francis Ort, O1316682.
Stahelski, Anthony Francis, O1167648.
Stam, Charles William, O1291535.
Stankovich, Albert Anton, O1699987.
Starke, William Stewart, Jr., O1019080.
Starr, John Bernard, O447822.
Stephens, Travis Jimmie Lee, O1598251.
Still, Edgar Earl, O1171000.
Stilo, Frank Guy, O429738.
Stofflet, Lawrence Merlin, O1014887.
Street, Harold Leroy, Jr., O1643374.
Strever, John Eberly, Jr., O1060987.
Sullivan, Daniel Edward, Jr., O1055168.
Sullivan, John Francis, O430034.
Sullivan, John Francis, O1574350.
Sutherland, Warren Freeman, Jr., O1114771.
Sutton, Jimmy Clarence, O2033102.
Svilar, Matthew, O1552604.
Sweeney, Francis Sherlock Patrick, O2000749.
Syverson, Douglas Wayne, O1304304.
Tabor, Harry Elsworth, O1638640.
Tadich, Dmitri Jovo, O1326118.
Tarnell, Benedict Alexander, O1290839.
Taylor, William Wesley, O1577940.
Telke, Frederick William, O1334648.
Tencza, Anthony John, O1297274.
Terry, Lawrence Duryea, O453069.
Terry, Walter Carl, O1596830.
Tessieri, Philip John, O452573.
Thomas, Charles Martin, O1106475.
Thomas, Eldridge, O1951064.
Thomas, Gordon Franklin, O387204.
Thomes, George Edward, O1949670.
Thompson, Alfred Francis, O497304.
Thompson, Benjamin Howard, O2026920.
Thompson, John Griffith, O1015715.
Thompson, John Raymond, O1171394.
Thornton, Samuel Beaver, Jr., O541583.
Thying, Lunsford, O1287788.
Tidler, Calvin Leroy, O2029757.
Tiller, Norman Layton, Sr., O1339826.
Tillotson, John Adams, O1015919.
Todd, Robert Grant, O1018380.
Tomme, Henry Henington, O2048175.
Toppin, Joseph Douglas, O1327684.
Torrence, Bryce Joseph, O1586976.
Towson, William Joseph, O1295318.
Trammell, Howard Aubrey, O1295797.
Tribble, Harold Carleton, Jr., O1042452.
Tryon, Frank Harold, O2017778.
Tuttle, Lawrence Dana, O1796380.
Uchima, Unkei, O1330879.
Uhland, Ray Gordon, O547792.
Ungerleider, Alvin David, O1322738.
Van Buskirk, Lawrence Edward, O1557230.
Van Hazel, George James, Jr., O1285089.
Ver Hey, William Jacob, O1690725.
Waldman, Myron, O1638733.
Walker, Marvin Albert, O1646905.
Walker, Robert George, O1171408.
Wallace, James Lewis, O1554110.
Walter, Jesse Lawton, O1010455.
Waltz, Floyd Randall, Jr., O390191.
Warner, Jack Winfred, O432904.
Warrick, Fred Allen, O1304298.
Wary, William Daniel, O1558359.
Washbourne, Kenneth Worth, O1845258.
Watson, Charles Leslie, O2017153.
Watts, Eugene Augustus, O374849.
Webb, Harold James, O1583819.
Webster, Donald Curtis, O1636792.
Weible, Oscar Joseph, O1329539.
Welch, George Peters, O412846.
Wendt, Irving Robert, O1332215.
Westman, John Phillip, O1326070.
Weston, John Moore, Jr., O1294755.
Whalen, Donald Edward, O374479.
Whalen, Thomas Francis, O1329772.
Whisler, John Larkin, O2025617.
Whitaker, Howard Kenneth, O1844534.
White, John Dalrymple, O2017625.
Whitlock, Charles Theodore, O1552825.
Wieteki, Donald William, O2019399.
Wilkin, John Marc, O1332454.
Wilkins, Robert Morton, O1823901.
Willets, Robert Taber, O1103468.
Williams, Charles Claude, O518771.
Williams, Jay Bass, O1298963.
Williams, Robert Harry, O531621.
Wilson, Albert Fielding, Jr., O1168525.
Wilson, Charles Edward, O2016325.
Wilson, Daniel Schlossberg, O1559279.
Wilson, Raymond J., Jr., O390461.
Wilson, Roy Lee, O1642730.
Wilson, William Vickers, O444693.
Wiltse, Woodrow Wendell, O537540.
Winder, William Joseph, O404523.
Winkler, Robert, O1288660.
Winsted, Ray Hamilton, O1013715.
Winstead, Richard Skinner, O1646715.
Woods, John Owen, O1012355.
Woodson, Eugene Albert, O1487784.
Worthing, Leigh Willson, O378316.
Wright, Lyle Henry, O1170608.
Wynne, Albert Knowles, O1061289.
Yount, James Francis, O1304302.
Yunck, Richard Theodore, O1338172.
Zanin, John Baptist, O1307610.
Zell, Quentin Le Verne, O404993.
Zolner, Charles Leroy, O1170613.
Zufelt, Dick, O1340526.
Zurek, Charles Michael, O1174486.

To be first lieutenants

Ackermann, William Anthony, O2265897.
Alexander, Lyle King, O4044204.
Amaki, Satoru, O4014562.
Apuna, Samuel Kamakaipolani, Jr., O1692467.
Arnold, Henry Raeburn, O1695171.
Arnold, Thomas Heaton, O1875479.
Bailey, Richard Redfern, O1928580.
Bain, John Ralph, O1940556.
Ball, Charles Field, Jr., O1891883.
Barksdale, Clifford Bailey, O4026423.
Barnes, Robert Stephen, O1930078.
Bauer, Daniel Henry, O4002335.
Bauerband, Edward Henry, Jr., O1882965.
Bellis, William Harry, O1931452.
Blanche, John Goodman, 3d, O1880674.
Blank, Jay Paul, O926215.
Blichmann, Donald James, O1930511.
Boster, Philip Leroy, O4026568.
Bostian, Robert Eugene, O1890598.
Boyle, Dean Gerard, O4002158.
Boyle, William Patrick, O4001588.
Brannon, William Weldon, Jr., O1937948.
Brenton, James Odell, O2104679.
Brinton, John Robert, O4006754.
Brocato, Cyrus Vincent, O2265293.
Brodeur, Alfred Francois, O4014926.
Burchell, Troy Doyle, O4024745.
Burkert, Alfred, Jr., O980093.
Callinan, William Francis, O4020716.
Campbell, Harold Thomas, O4012711.
Cannon, Archie Samuel, Jr., O2203137.
Challis, Arthur James, O1881557.
Chapman, Allen Ray, O1927480.
Churchill, Ralph Thomas, O1879660.
Clark, Dallas Wade, O4011960.
Coates, Fred Andrew, O4014798.
Corey, John Douglas, O1935626.
Cosgrove, William Charles, O4023843.
Cramer, Eugene George, O4013117.
Crisp, William Headly, O4011600.
Curtis, Robert Linwood, O2103038.
Daley, Edmund Koehler, Jr., O4033018.
Davia, Albert John, O4001633.
De Sonier, Harold Leo, Jr., O1925165.
Delaney, Robert Francis, O4036955.
Depue, Robert Hemphill, Jr., O4000515.
Dermatis, Walter George, O2028679.
Detwiler, Harvey Carl, Jr., O4001052.
Dews, Robert William, O997543.
Dietderich, Wallace Raymond, O2265762.
Doust, Arol Raymond, O4026933.
Drumm, Donald Raymond, O4001393.
Duffy, William John, O1924907.
Duncan, Jack Leon, O4026445.
Duran, John, O1927483.
Dyer, Gerald D., O4016728.
Ellis, Mike, O4023705.
Faubion, James Lorn, Jr., O4024471.
Fellows, Robert Louis, O4009512.
Ferullo, Generoso James, O4009343.
Finley, John Lovins, O1929715.
Foster, Edward Harold, O1916324.
Foster, Robert Walker, O2030499.
Frechette, Joseph Paul, O999645.
Freeman, William Curtis, O4024126.
Fricke, Charles Joseph, O2003851.
Fuerst, Werner Francis, O4011122.
Furlong, George Patrick, O4010251.
Gardner, William Sam, O4011798.
Gausvik, Donald Edward, O1926923.
Gavin, David Charles, O4029383.
Gazlay, John Collins, O4000848.
Gebelt, Henry Ferdinand Clark, O4010153.
George, Manuel John, O2004848.
Gillespie, Vernon Walter, Jr., O4030588.
Glenn, Stewart William, O4013980.
Goode, Ralph Wiley, Jr., O4002185.
Goodman, Frank Bernard, O2104302.
Goodman, Wilbur Garland, O4012228.
Gorden, Charles Frederick, Jr., O2030423.
Greeley, John Michael, O4016827.
Green, Alford Wayne, O1880918.
Grimes, Donald Baldwin, O2268911.
Hallenbeck, David Roth, O4000850.
Halsted, Robert Edward, O4006093.
Halvorson, John Andrew, O2021627.
Hannaway, Harold Charles, O4020060.
Harrison, Robert Charles, O1937180.
Hausman, Conrad Karl, O2263762.
Hill, Houston Chambers, O4024835.
Hoagland, David Ott, O4033594.
Hoey, Stanislaus John, O4029384.
Hoey, William Rodney, O1923575.
Holder, John Baker, O1880907.
Holland, David Kenneth, O2203207.
Holler, John Charles, O4019940.
Ingram, Harvie Thomas, O1932311.
Ivy, James Morrow, 4th, O1916232.
Jarvis, Ronald Joseph, O1885923.
Jones, Cecil Paul, O4029192.
Jones, George Erwin, Jr., O4005808.
Jones, John Ralph, O4006345.
Kause, Kaye, Donald, O4031957.
Kelly, William Jarmleh, Jr., O1701171.
Knight, Emmett Floyd, O4013949.
Knox, Robert Rodger, Jr., O4007137.
Kovach, James Henry, O2042005.
Kurtz, John Jacob, O1873774.
Lackey, Marvin Edwin, O1940544.
Ladner, Theron Gaston, O1877780.
Landau, Bernard Myer, O4016995.
Landkammer, Theodore Edward, O4027850.
Leisner, Herbert William, O1892140.
Leslie, George William, O4030682.
Leva, Neil I., O4006903.
Lewis, Thomas Milton, O4010015.
Mangold, Clarence Albert, Jr., O1939587.
Martin, George William, O1881347.

Matheney, Harold Dean, O2203859.
Maxwell, William Stephen, O1940398.
McCollum, Richard James Whitworth, O4019834.
McDuffee, David Perry, O1878550.
Mendenhall, Thomas Deal, O4027297.
Mikula, Joseph George, O4036780.
Miller, Harry William, 2d, O1877632.
Miller, Thomas Arlo, O4013102.
Minix, Thomas Ernest, O4011607.
Mino, Paul Lewis, O4033505.
Mix, James Edward, O4026514.
Morrill, Donald Prentiss, O1940766.
Murdoch, William Langmuir, Jr., O4009631.
Murphy, Clyde Lawrence, O4026868.
Myers, Sammy Don, O2002944.
Newbold, Robert Miller, O4004437.
Nolan, John Redner, O4012021.
Olsen, Edumund John, Jr., O4005024.
Openchowski, Kenneth Frazier Alexander, O4009716.
Osborn, Robert Bruce, O19931221.
Ottomeyer, Donald James, O1915405.
Page, Harold Ray, O2263014.
Page, Louis Vincent, O4038727.
Parchinski, Edward Stanley, O4037759.
Pascarella, Pascal William, O4019909.
Pfaller, Eberhard Wilhelm, O4010520.
Pole, Freddie Ray, O4026556.
Porter, Covington Baskin, Jr., O1940028.
Porter, Howard Carlyle, Jr., O1930831.
Potter, Floyd Eugene, O2208944.
Ralph, James Robert, Jr., O4006679.
Randels, Dale Kenneth, O1437580.
Reisling, Glenn Mickle, Jr., O4001711.
Rhoads, Arthur Abel, O1878948.
Ruiz, Ronald Robert, O4013669.
Schouman, Hazen C., Jr., O4010180.
Schult, Arthur Edmond, O1892751.
Schultz, Arthur Herman, O1933407.
Scott, Hugh Alan, O4001753.
Serio, Frank Elmo, O1924927.
Shaughnessy, Thomas James, O4016249.
Shinn, Charles Earl, O1887685.
Sinoff, Alvan Charles, O4007118.
Small, Eugene Fleming, O1890291.
Smith, Lawrence Ralph, O1886207.
Smith, Richard Hunter, O1932355.
Smith, Robert Winsor, O1876114.
Sorbo, William Paris, O2030495.
Spain, Harold Dean, O4024924.
Spegele, John August, O4037773.
Steckbauer, Curtis John, O4023861.
Stedman, William Richardson, O4002882.
Stephens, Richard Barber, O4015003.
Stewart, Israel Wagner, Jr., O4044409.
Stewart, Robert Roy, O4016737.
Stoll, Henry Rodney, O4038923.
Sullivan, William Francis, O4014684.
Sveiven, Desmond Dean, O2263664.
Swanger, Thomas Niel, O4009650.
Sweede, Jack Eugene, O1894202.
Taylor, James Richard, O2004242.
Thomas, John Donald, O4006475.
Thomason, David Arthur, O2028755.
Uhrig, Richard Anton, O4003100.
Valentine, William Lyle, O4032935.
Vosel, Donald Marvin, O4006077.
Voetsch, John Alexander, 3d, O4031850.
Walker, Joe K., Jr., O1894005.
Wallsten, Richard Edmund, O4027763.
Wash, William Bishop, O4001290.
Watts, James Robert, O4038424.
West, Kenneth Lee, O1889191.
Whaley, Zachary, O4019886.
Whitehead, Ruby Lee, 3d, O4002255.
Wilde, Forrest Bunnell, O4019235.
Williams, Billie Gene, O4005867.
Williams, James Elliott, O1928563.
Williamson, Thomas Lloyd, O4023417.
Wise, Lynn Julian, O4013850.
Wood, Hector, O4025080.
Wright, Elden Harvey, O4000661.
Wright, William Joseph, O2266299.
Wyatt, Lloyd Lee, O4013293.
Young, Clifford Edward, O1879320.
Zeleznikar, Louis Joseph, O4016690.
Zwicker, Ralph Lathrop, O1925002.

To be second lieutenants

Adsit, Charles Carroll, O4045729.
Adsit, John Miley, O4057763.
Allanach, Jack Walter, O4050619.
Allen, Wayne Cecil, O4029533.
Allison, Robert Hyer, O4066236.
Anderson, David Robert, O4028305.
Armstrong, Hart Reed, O4061485.
Arnold, Thomas William, O4029224.
Auth, Donald Leo, O4004306.
Baker, Richard Eugene, O4004886.
Bauer, Philip Otis, O4032474.
Bean, Robert Harold, O4030485.
Beckhoff, Otto Frederick, O4046603.
Bedsaul, Clare Donovan, O4010439.
Beers, Thomas Whitney, O4031034.
Bennett, Donald Gilman, O4031192.
Berg, Robert John, O4076655.
Berlioz, Francis Christy, O4064774.
Blank, James Nicholas, O4068916.
Boyd, William Albert, Jr., O4062819.
Bradshaw, John Edward, O4071225.
Brassert, Charles Alexander, Jr., O4074239.
Bray, Lynn Burnell, O4025570.
Brickman, Robert Lee, O2028549.
Brown, Edward Merwin, O4037788.
Brown, George Albert, O4030537.
Bruner, Robert Jewell, O4061530.
Bruno, Vito Joseph, O4037039.
Bryant, Lloyd Dean, O4057182.
Carey, Calvin Carleton, O4059260.
Cate, George Melton, O4071525.
Chamberlin, Michael Aloysius, O4052063.
Clark, Gary Lee, O4049050.
Cockrell, William Fred, Jr., O4063022.
Coe, David Hubbard, O4020015.
Collins, Marion Herbert, O4042974.
Collins, Patrick Warren, O4040894.
Collison, John MacLean, O4048405.
Cook, John Heber, O4047863.
Cook, Thomas Joseph, O4010403.
Correll, John Eli, O4018028.
Counihan, Jeremiah Michael, O4046370.
Cox, William Edward, O4046407.
Cramblet, Thomas Ralph, O4042458.
Crosby, Glenwood Leighton, O1874724.
Crum, Luther G., Jr., O4025634.
Davis, Thomas Griffin, O4042965.
Dean, Leon Clarence, Jr., O4028992.
Dedrick, Warren Frederick, O4047328.
Deetjen, Roy Frederick, O4060691.
Del Camp, Adrian LeRoy, O4074257.
Delaney, Donald Grant, O2028485.
Di Cenzo, Edward Francis, O1931740.
Disbrow, David Carlyle, O4040847.
Dixon, Malcolm Ray, O1936839.
Doiron, Nicholas H., O4052676.
Donohue, John Edward, O4010492.
Downey, Robert Haarer, Jr., O2275972.
Duffie, Richard Rankin, O4071663.
Duncan, Dewitt David, O4071630.
Edmiston, Charles H., Jr., O4044807.
Edwards, Emmet Dee, Jr., O1935229.
Estabrook, Robert Taylor, O4010888.
Evans, Walter Clifford, O4070162.
Eysaman, Kenneth John, O4052198.
Fallon, Peter Edgerton, O4035263.
Fern, James Richard, O4050070.
Flanagan, Carl Pultz, Jr., O4069158.
Frye, Ray Edwin, Jr., O4059282.
Gannon, Martin Anthony, O4036119.
Gibbons, Gerald George, O4040918.
Gilbert, George Washington, O4042542.
Golde, Walter Harold, Jr., O4042922.
Goodyear, Clyde Edward, O4035621.
Gorman, Jay Richard, O4057715.
Gotte, Jack Edward, O4041176.
Gramly, Pyne Arthur, Jr., O4025563.
Green, George Oran, Jr., O4017786.
Griffith, Gerald Sousley, O4044636.
Hall, Norman Monroe, Jr., O4017659.
Hancock, Don Fredric, O4042738.
Hangren, Richard Francis, O4030564.
Hanks, Willis Clark, O4028157.
Harnish, Albert Guilford, Jr., O4051428.
Hatcher, Walter Lee, O4041135.
Haupert, Cecil Alvin, O4025176.
Hayes, Franklin Dennis, O4061196.
Healy, Robert William, O4051836.
Herb, Charles Donald, O4032929.
Hix, Preston Duane, O4048299.
Hoffman, Robert Leonard, O4041253.
Holub, Donald James, O4032569.
Howard, Roger Earl, O4015909.
Howe, Robert Crozier, O4047832.
Huggins, Edward Bernard, O4042893.
Hurley, William Patrick, O4042274.
Husted, Frank Richard, O4053135.
Hyde, Jerry Leon, O4042518.
Janet, Stanley Andrew, O4039260.
Jenks, George Von, O4047663.
Jessen, Jon Robert, O4076396.
Jeter, Munford Scott, O4075414.
Johnson, James Harold, Jr., O4046805.
Johnson, Jesse Gene, O4059121.
Johnson, William Earle, 3d, O4058750.
Joiner, Carey Preston, Jr., O4075653.
Jones, Samuel Hugh, Jr., O4044429.
Keener, Eugene Franklin, O4010615.
Kelly, Alan Carlyle, O4033599.
Knoll, Bruce Frederick, O4056941.
Kuykendall, George Boles, Jr., O4071502.
Lamb, Donald Stuart, O4021070.
Lamey, Robert Eugene, O4034755.
Lathrop, Lloyd William, O4017557.
Laudati, Roger Carmen, O1889746.
Lawson, Lawrence Levern, O4025656.
Leger, Jean Constant, O4010507.
Lins-Morstadt, Juan Joaquin, O4010729.
Little, Warren Masters, O4074514.
Lodewick, Richard Ballard, O4056525.
Lorix, Richard Edward, O4031405.
Ludolph, Anthony Augustine, Jr., O4025085.
MacDonald, Donald Loomis, O4065321.
MacDonald, Frank Herbert, O4026647.
Major, Dorrance Davenport, O4010900.
Marhefsky, Louis Anthony, O4038964.
Mark, James Caylor, O4036273.
Marshall, Charles McLean, O4042817.
Marshall, Richard Hugh, O4062871.
Martin, Richard Carrier, O4036139.
Maupin, Joe Scott, O4010733.
Maynard, Eugene Earl, O4040209.
Meisel, Karl H., Jr., O4010860.
Mial, Robert Paul, O4010704.
Moorhead, Lisle William, O4035342.
Morse, James Whitcomb, O4025764.
Muck, Gilbert Paul, O4028108.
Mungovan, Robert Walter, O4006036.
Murphy, Thomas Joseph, O4036690.
Mushroe, Earl Edward, O4066201.
Nack, John Martin, O4051878.
Nolan, William James, Jr., O4049761.
Norris, James Byron, O4065979.
O'Bryan, William Patrick, O4053162.
O'Neil, Joseph Robert, Jr., O4045400.
Oyler, Leo Edwin, Jr., O4017681.
Pearlman, James Thomas, O4059493.
Perry, John Fincher, O4042725.
Pierce, Fred Washburn, Jr., O4040787.
Pisanelli, Ralph Anthony, O4004842.
Polashock, Michael Stephen, O4074421.
Powel, Ben F., Jr., O4044196.
Power, John Allen, O4044801.
Pruniski, Stephen Andrew, Jr., O2021498.
Rains, Robert Paul, O1925552.
Randall, Donald Autrey, O4044365.
Rigrish, Ernest Earl, O4036573.
Risteter, Vincent Andrew, O4023228.
Robb, Marion Glenn, O4025722.
Robinson, James Hill, Jr., O4051956.
Rosendahl, Richard Charles, O2269730.
Ross, Donald Howard, O4058762.
Ruffle, Ronald Harrison, O4037416.
Savard, Ronald Simpson, O4045085.
Savukinas, John Bernard, O4059360.
Schnabel, Robert Harold, O4029838.
Schwoppe, Edwin Gust, Jr., O4061147.
Secord, John Willis, O4026145.
Sedar, David Richard, O4040398.
Seguin, Raymond Joseph, O4037127.
Shows, Newton Wesley, Jr., O4048015.
Smith, Glenn Norman, O4032604.
Smith, Leland De, Jr., O4024503.
Smith, Robert Frazier, O4010529.
Smith, Thomas Arthur, O4030841.
Spilman, Charles Christopher, O4052528.
Stevens, Charles Thomas, O4057369.
Stevenson, Harry Knopf, O4034762.
Stricklin, Roger Brown, Jr., O4063690.
Swallow, Joseph Patrick, O4056934.
Taylor, Joseph John, Jr., O4031438.
Thomas, Billy Jack, O1941241.
Thomas, Daniel Harrison, Jr., O4044247.
Tindall, Asa Warner, Jr., O4042823.

Tucker, Llewellyn Bryant, Jr., O4010712.
Tyler, Charles Sumner, O4052755.
Verdin, Jimmie Wallace, O4062578.
Wall, Harold Robert, O4025484.
Wall, Kary Darrell, O4024804.
Walsh, Gordon Powers, O4010713.
White, Henry Leslie, O4050517.
White, William Thomas, Jr., O4063118.
Whiting, Jon K., O4050533.
Wickware, Argle Wesley, O2028358.
Willcox, Lester Andrew, O4048440.
Williamson, Robert Linn, O4041189.
Wilson, Richard Albert, O4025351.
Winnicki, Philip Walter, O4056506.
Witt, Harry Gene, O4058817.
Witt, Malcolm David, O2268583.
Works, Bobby, O4036313.
Wyatt, David Lee, O4010441.
Zimmerman, Fred Russell, O4029818.

The following-named officers for appointment in the Regular Army of the United States, in the grades and corps specified, under the provisions of title 10, United States Code, section 3294, as amended by Public Law 497, 84th Congress; title 10, United States Code, section 3291, as amended by Public Law 85-155, 85th Congress.

To be majors

Fitzpatrick, Jack C., MC, O63832.
House, Royce E., MC, O391211.

To be captains

Brookover, Ella L., ANC, N729025.
McConnell, Amy L., ANC, N792222

To be first lieutenant

Harrison, Richard E., MC, O5407610.

The following-named distinguished military students for appointment in the Regular Army of the United States, in the grade of second lieutenant, under the provisions of Public Law 737, 84th Congress:

Blumenfeld, Stan, O4085213.
Bratcher, Dewey F., Jr., O5302761.
Campbell, James F., Jr.
Hamilton, David L., O5202698.
Kosmowski, Jerome A.
Kvederas, Robert A., O4085310.
Langan, Eugene W.
Lowe, John C.
Morgan, Clarold F.
Pompian, Richard O.
Roessner, Norbert J.
Rogan, Robert E.
Sanford, Brian W.
Whitehead, Richard K., Jr., O5302358.

The following-named officer for appointment as professor of electrical engineering, United States Military Academy, under the provisions of title 10, United States Code, section 4333:

Cutler, Elliott C., Jr., O24649.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 28 (legislative day of January 27), 1958:

NATIONAL MEDIATION BOARD

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

PUBLIC HEALTH SERVICE

The following candidates for personnel action in the Regular Corps of the Public Health Service, subject to qualifications therefor as provided by law and regulations:

For appointment:

To be senior surgeon

George Brecher

To be senior sanitary engineer

Lewis A. Young

To be scientist

Robert R. Omata

To be assistant scientist

Clarence J. Weinmann

To be nurse officer

Jessie M. Scott

For permanent promotion:

To be assistant sanitary engineer

Morton D. Sinkoff

For confirmation of recess appointment:

To be senior surgeons

Bohdan G. Giel — William F. Mayes

To be surgeons

Daniel M. Bloch — Thayer M. Mackenzie
Maurice F. Herring, Jr. — Alfred S. Nelson

To be senior assistant surgeons

Gordon Allen — Mark H. Lane
Clement P. Cotter — William C. Mohler
John L. Getz, Jr. — Joseph J. Noya
Lloyd Guth — Jacob Robbins
Martin D. Hicklin — William L. Walter
William M. Jackson — Harry W. Weller

To be assistant surgeon

John R. S. Remsberg

To be dental surgeon

John M. Frankel

To be senior assistant dental surgeon

F. D. Morse, Jr.

To be senior sanitary engineer

Thomas H. Seltzer

To be scientist

George E. Jay, Jr.

To be assistant pharmacists

Mark H. Barnett
Wesley R. Gladhart, Jr.
Paul J. Le Sage

To be sanitarian

Donald R. Johnson.

To be senior assistant nurse officers

Lucile G. Buderer
Harriett Hicok
Virginia D. Hines

To be senior dietitian

Janet E. Stroupe

For confirmation of recess permanent promotion:

To be senior assistant dental surgeon

Christopher E. Kennemer

To be senior assistant veterinarian

Paul Arnstein

HOUSE OF REPRESENTATIVES

TUESDAY, JANUARY 28, 1958

The House met at 12 o'clock noon.

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

Matthew 6: 33: *Seek ye first the Kingdom of God and His righteousness.*

Eternal God, our Father, earnestly and humbly, we are beseeching Thee that the hours of this day may be filled with joyous and helpful service.

Thou hast made known unto us Thy great and beneficent purpose of establishing upon the earth a kingdom whose foundation stones are the virtues and principles of righteousness and justice, of love and friendship, of peace and good will.

We rejoice that Thou dost graciously condescend to use our poor human efforts and energies in building that kingdom and in breaking down the dividing walls between the nations.

Grant that here in this council chamber the Members of the Congress may be inspired with a vision of that glorious time when the King of Kings and Lord of Lords shall reign supremely in the mind and heart of all mankind.

To Thy name we ascribe the glory and the praise. Amen.

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

MESSAGE FROM THE SENATE

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

H. R. 5938. An act to amend section 812 (e) (1) (D) of the Internal Revenue Code of 1939 with respect to certain decedents who were adjudged incompetent before April 2, 1948;

H. R. 7762. An act to amend section 223 of the Revenue Act of 1950 so that it will apply to taxable years ending in 1954 to which the Internal Revenue Code of 1939 applies;

H. R. 8865. An act relating to the administration of certain collected taxes; and

H. R. 9035. An act to amend the Internal Revenue Code of 1954 with respect to the basis of stock acquired by the exercise of restricted stock options after the death of the employee.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 8216. An act to amend the Internal Revenue Code of 1954 to prevent unjust enrichment by precluding refunds of alcohol and tobacco taxes to persons who have not borne the ultimate burden of the tax.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2920. An act to provide for small-business disaster loans in areas affected by excessive rainfall.

The message also announced that the Vice President has appointed Mr. JOHNSTON of South Carolina and Mr. CARLSON members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers referred to in the report of the Archivist of the United States numbered 58-27.

TAXING INCOME OF LIFE-INSURANCE COMPANIES

Mr. THORNBERRY from the Committee on Rules reported the following priviledged resolution (H. Res. 456, Rept. 1299) which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 10021) to provide that the 1955 formula for taxing income of life-insurance companies shall also apply to taxable years beginning in 1957. After general debate, which shall be confined

to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER. For what purpose does the gentleman from Missouri [Mr. CANNON] rise?

Mr. CANNON. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state the grounds upon which he claims the privilege.

Mr. CANNON. Mr. Speaker, this morning on page A628 of the daily CONGRESSIONAL RECORD of January 27, 1958, the following appears:

REPRESENTATIVE CANNON SETS UP A FAULTY FOUNDATION

Representative CLARENCE CANNON, Democrat, Missouri, powerful chairman of the House Appropriations Committee, set up the foundation in 1950.

The Revenue Service held that the foundation's charter did not meet the requirements for tax exemption. So it disallowed CANNON's deductions of his gifts and upped his tax assessment.

But the little bill to exempt CANNON's foundation from the tax laws sailed through Congress in just 4 days. And it might have escaped notice had not T. Coleman Andrews, then Internal Revenue Commissioner, been angry at CANNON for his refusal to give the Revenue Service more money to enforce the tax laws.

Mr. Andrews mentioned the bill in a magazine article. He wrote: "It came as near to making suckers out of all the rest of us as any piece of tax legislation Congress ever enacted."

The SPEAKER. The Chair feels that under the circumstances the charges and allusions made in the article just read by the gentleman from Missouri are a reflection on him to such an extent that he may claim the right of personal privilege.

Mr. CANNON. Mr. Speaker, as will be observed, no charge is made that anything unlawful or unethical has been done in this connection. But the implication is that there was something questionable about it and Mr. Andrews is quoted as saying "it came as near to making suckers out of all the rest of us as any piece of tax legislation Congress ever enacted."

The newspaper from which the article is copied says "The Cannon Foundation bill did no great harm."

As a matter of fact the foundation has done no harm at all and its only crime has been to provide for annual scholarships of $500 to enable high school graduates—who otherwise would have to quit school and get a job—to continue their education by attending some standard college or university.

Scholarships from the foundation are limited to college freshmen. Every college has scholarships, fellowships, student funds, and local employments from which any worthwhile student can be financed for the last 3 years of his college course. But none of these are open to freshmen. A boy or a girl must be able to finance the first year in college and demonstrate their ability and their worth before these facilities are available.

The purpose of this foundation is to bridge the gap between the high school and the sophomore year and if the student has the capacity and has demonstrated his sincerity in his freshman year, the road to a college education and a life of greater service to the Nation is open to him.

In 1949 when the idea of establishing such a foundation was first entertained I took for granted it was merely a matter of filling out forms with the proper Federal authorities. With that in view I went down to the Treasury Department to see Secretary John Snyder, at that time Secretary of the Treasury. Secretary Snyder called in some of his assistants who said they had no knowledge of the establishment of foundations of any kind and advised me to apply to State officials in Missouri.

On my return home I called on Secretary Toberman, secretary of state, at Jefferson City and he told me that so far as he knew there was no recognized routine for establishing such a trust. As a result of my importunities the legislature of Missouri has since enacted a law covering the entire procedure.

Thereupon I visited Dr. McCleary, dean of the school of law at the University of Missouri, who said he was not acquainted with any forms for the establishment of such a foundation but cited decisions from the court reports of Massachusetts, New York, and Ohio, holding that any instrument purporting to donate funds as a public benefaction would be liberally construed.

Acting on this suggestion, and with no precedents of any kind, I drew up the charter and in the hurry of more pressing matters, laid it aside until November 17, 1950, when, without further study or consideration, I called in the trustees and made the first payment on the endowment.

As the whole subject had been exhaustively investigated and the instrument written a year earlier I neglected to give it any further attention and completely overlooked the amendment to the Internal Revenue Code in the act of September 25, 1950, which in the meantime had been enacted just a couple of months before, providing specific language for the purpose, "religious, charitable, scientific, literary, and educational purposes."

This was in 1950. Late in September 1955, 5 years later, the Bureau of Internal Revenue notified me that the instrument failed to comply with the language of the statutes.

Coming at this late date the effect was to destroy the foundation.

I consulted with the head of the legal advisory staff of the Treasury Department who drew up the bill which was enacted as follows:

Be it enacted, etc., That the Cannon Foundation which was created on November 17, 1950, by a trust instrument executed by Clarence Cannon and Ida W. Cannon, of Elsberry, Mo., the principal office of which is at Elsberry, Mo., and the management and property of which is vested in and under the direction and control of a board of trustees consisting of the mayor of said city, the superintendent of schools, and others, and the beneficiaries of which consist of five churches situated in said city, and other beneficiaries, shall be deemed to be an organization (a) exempt from tax under section 101 (6) of the Internal Revenue Code of 1939 and section 501 (c) (3) of the Internal Revenue Code of 1954, and (b) to which section 3813 (a) of the 1939 code and section 503 (b) of the Internal Revenue Code of 1954 is inapplicable.

SEC. 2. Contributions to the Cannon Foundation, referred to in section 1, shall be considered charitable contributions for purposes of section 23 (o) and (q) of the Internal Revenue Code of 1939 and section 170 of the Internal Revenue Code of 1954.

SEC. 3. Sections 1 and 2 shall be effective for the taxable years beginning after December 31, 1949, and prior to January 1, 1956.

Approved August 12, 1955.

The bill was twice before the House and was amended in the Senate and signed by the President. Both Houses had opportunity to stop or further modify it had it been objectionable in any way.

It is a perpetual, irrevocable, charitable, educational trust and no one has received a penny from it, or can receive a penny from it, even for personal services, except high-school graduates unable to finance a college course.

The essential provisions of the charter are as follows:

Know all men by these presents that we hereby create and establish a permanent, perpetual, irrevocable trust to be known as the Cannon Foundation and endow it with the sum of $1,000 with the intention of adding to that sum in the future; the income from which said sum and from all accretions thereto to be employed in our native city of Elsberry and vicinity for certain religious, charitable, scientific, literary, and educational purposes hereinafter set forth.

The management and property of the said foundation shall be vested in and shall be under the direction and control of a board of trustees consisting of the mayor of the city, the superintendent of schools, the editor of any Elsberry newspaper published continuously the preceding calendar year, the worshipful master of New Hope Lodge No. 199, A. F. & A. M., the noble grand of Elsberry Lodge, No. 382, I. O. O. F., the president of AI Chapter of P. E. O., the pastor of the Associate Reformed Presbyterian Church, the pastor of the First Baptist Church, the pastor of the Sacred Heart Catholic Church, the pastor of the First Christian Church, the pastor of the First Methodist Church, and the members and secretary of the board of directors of the Bank of Lincoln County, all of Elsberry, Mo., of whom the eldest in years of age shall serve as president of the board of trustees of the foundation, the next eldest as vice president and the president of AI Chapter of P. E. O., ex officio, as secretary. The said officials shall serve as members of the board of trustees of the foundation during their official terms as current, inaugurated, and acting officers of their respective organizations as above designated. At the expiration of such term of office the incumbency of such member on the board of the foundation shall automatically and simultaneously terminate and the duly elected or appointed, and qualified, successor of such member to the position above designated shall simultaneously and auto-

matically succeed to such membership on the board of trustees of the foundation, incumbency on the board of trustees of the foundation to be coincident with their service in their said official capacity and not otherwise.

In the event of the discontinuance of any of the above designated constituent organizations, through extinction, merger, inactivity, or otherwise, representation of such organization on the board of trustees of the foundation shall cease and the membership of the board shall be correspondingly reduced. Such vacancy may be filled by the election of a similar and kindred organization to membership by the unanimous vote of all members of the board of trustees of the foundation by secret ballot but such vote shall not be taken in the absence of any member of the board of trustees and such election shall not be held in the absence of a vacancy.

A three-fourths majority of the members of the board of trustees of the foundation shall constitute a quorum for the transaction of business and the decisions and acts of a quorum of the trustees of the foundation shall be and constitute a valid exercise of the authorities, trust powers and discretions hereby conferred on said trustees, and while proxies shall not be recognized, the decisions and acts of a quorum of said board of trustees shall constitute and be taken as the acts and decisions of the entire board of trustees.

The finance committee of the board of trustees of the foundation, which shall have immediate charge of all fiscal transactions of the foundation, subject to the approval and ratification of the board of trustees, and which shall make a stated report of the financial condition of the foundation to the board of trustees annually, or at any other time requested on petition signed by 25 citizens of the city of Elsberry, Mo., shall consist of the members and secretary of the board of directors of the Bank of Lincoln County, a banking corporation with offices at Elsberry, Mo., of whom the president of the bank and the secretary of the bank board shall serve as chairman and secretary respectively.

The members of the board of trustees of the foundation shall serve without remuneration, expense allowance or other compensation or emolument and, with the exception of the treasurer and assistant treasurer, no trustee shall be required to give bond or other security for the faithful performance of his or her duties.

No salary, fee or compensation shall be paid to anyone associated with the foundation or anyone else for any service, executive, clerical, or advisory, and if such service cannot be provided without expense to the foundation, such service shall be dispensed with. The thanks of all those interested is extended in appreciation of such public spirited service as may be rendered the foundation throughout its existence.

We hereby give to the said board of trustees full power and authority to manage, control, protect, sell, invest, reinvest and keep invested all monies, securities and other property it shall at any time receive under this trust, but such power shall be restricted at all times to such investments as are permitted by the laws of the State of Missouri for the investment of trust funds with the further restriction that the amount of the returns on an investment shall be subject and subordinate to the security of the investment. However, the board of trustees may purchase from the Bank of Lincoln County notes fully secured and of undoubted solvency but no loans shall be made, directly or indirectly, from the funds of the foundation to its officers or trustees or relatives thereof.

No portion of the principal funds of the foundation shall be expended for any purpose except for investment. The income realized from the investments of the foundation, shall be dispensed annually as herein provided. Should the principal funds of the foundation become impaired through losses, then no disbursements of any kind shall be made from income until the principal fund has been restored through addition of such income to the amount from which the loss was incurred.

The investment funds of the foundation shall be invested in unimpeachable real estate mortgages secured by deeds of trust accompanied by abstracts and insurance policies. No loans shall be made and no bonds, securities, notes or other investments shall be purchased for the foundation which have not first been submitted for examination to the cashier of the Bank of Lincoln County and after approval by him, approved by the unanimous vote of all members of the finance committee of the foundation. Lack of approval by any member of the finance committee shall serve to reject the proposed investment.

If any person, persons, organization or agency tender gifts or bequests to the foundation, power and authority is hereby conferred on the board of trustees to receive such bequests or gifts and apply them and the income therefrom to the purposes of this trust under the powers, authorities and discretions herein conferred and the income derived from such gift or legacy shall be administered and expended annually as herein provided.

A formal list of such donations, requests and contributions shall be maintained and the accumulated list of all contributions, with the names of the trustees of the foundation and other pertinent information, shall be printed and distributed every 10 years in pamphlet form, the cost of such publication to be defrayed by the sale of advertising space in such pamphlet.

The principal office of the foundation shall be at Elsberry, Mo. Stated meetings of the board of trustees of the foundation shall be held in January and May of each year, and special meetings shall be held on the call of the president or any 3 members of the board of trustees, on at least 5 days notice by the secretary, to all members. Meetings shall be held at such specific time and place in Elsberry, Mo., as shall be specified in the call for the meeting. In absence of such specification, the meeting shall be held on the first Thursday of the month and in the board room of the banking house of the Bank of Lincoln County. Meetings of the finance committee shall be held at the call of the chairman or at the request of any member of the committee following any regular meeting of the board of directors of the Bank of Lincoln County.

The agenda of the annual January meeting of the board of trustees shall include:

* * * * *

The agenda of the May meeting shall include:

* * * * *

Annual committees consisting of not less than three members each shall be appointed, and chairmen of such committees designated, by the president of the board of trustees at the annual January meeting as follows:

1. Committee on allocation which shall determine the amount, if any, to be allotted to the undetermined purpose award.

2. Committee on student award which shall recommend to the board of trustees three students who qualify for selection from which three the board of trustees shall designate by secret ballot the recipient of the student award.

3. Committee on distinguished citizen award. (This committee is not announced and its personnel is known only to the president who makes the appointment. If no award is recommended the identity of the committee is not made public. If an award is approved the names of the committee are announced simultaneously with that of the distinguished citizen receiving the award.)

4. Committee on undetermined purpose award which shall recommend to the board for its approval the religious, charitable, scientific, literary or educational purpose, project or program to which any income in excess of $500 shall be applied.

5. Finance committee which shall include the secretary and members of the board of directors of the Bank of Lincoln County.

At the annual May meeting of the board of trustees the total income from all investments of the foundation for the preceding calendar year, ending on the last 31st day of December, shall be computed and not to exceed $500 of the amount shall be allotted to a graduate of the Elsberry High School for the current year who agrees to matriculate at an approved college or university for a 4-year course the following September and to use the said $500 exclusively for educational purposes, to be selected by the board of trustees, designation to be announced at the annual commencement when other class awards are made.

The foundation may at such annual meeting designate the resident or former resident of Elsberry, Mo., or vicinity, who in the judgment of the board of trustees shall have rendered the greatest public service during the past year, provided such service is outstanding to be awarded at the annual homecoming or on other public occasion as may be determined by the board.

The remainder of the annual income of the foundation above and in excess of the $500, if any, shall be allocated to some religious, charitable, scientific, literary, or educational purpose to be determined by the board of trustees but not to be added to the foregoing allocation and not to be devoted to the same purpose any 2 years in succession.

If any beneficiary shall not be in position to accept an allotment, or if in the judgment of the board of trustees no beneficiary qualifies for any particular year, or if the amount of the allotment shall be insufficient to adequately provide for an award in any particular year, then by direction of the board of trustees such allotment shall be held over for a year to supplement the amount of the allotment available for that purpose the succeeding year.

The allotments to high school graduates should be by check and the awards to distinguished citizens should be in the form of a citation by written or printed certificate which shall be provided without expense to or expenditure by the foundation. Such distinguished service may be contributed directly to the community or may be rendered through personal achievement in any field of endeavor which reflects credit on the community. It is not sufficient that it be good; it should be outstanding and the committee shall at the time the award is announced submit a written statement setting forth its reasons for making the award to the one selected.

Funds of the foundation shall be deposited in the Bank of Lincoln County, and its securities and other assets, and evidences of assets, shall be placed with the Bank of Lincoln County for safe keeping, without charge or expense to the foundation, and subject to the order of the treasurer and assistant treasurer who shall give personal bond in appropriate amount.

Funds of the foundation shall be disbursed only on check signed by the treasurer and assistant treasurer and countersigned by the three other officers of the foundation.

A written report shall be submitted by the treasurer at each stated meeting showing the investments, income therefrom and funds on deposit or in transit and such reports shall be entered on the minutes of the foundation.

A consolidated statement showing total receipts, total expenditures, total balances and total assets, signed by all members of the board of trustees, shall be published annually in a local newspaper provided such newspaper is in position to publish the statement as a matter of public interest. If any expense would be involved in the publication, then the statement shall be typewritten and displayed in the Bank of Lincoln County or other public place.

All books and records of the foundation shall be subject to inspection by any member of the board of trustees for any proper purpose at any reasonable time.

* * * * *

Communities do not stand still. They progress or deteriorate. Progress requires organized programs, organized approach to basic community problems. There must be means of focusing general attention and effort on questions of community welfare. Any common purpose and interest such as that contemplated by the service herein provided should serve to crystallize community spirit and encourage community cooperation and secure benefits which cannot be measured in material values. To that hope this enterprise is dedicated.

If any legal question be raised at any time which results in invalidation of the trust herein proposed to be created or prevention of operation of the foundation hereby sought to be established, or diversion of funds and assets of the foundation, or other interference with its maintenance and operation for the purpose and in the manner herein provided, then and in such event, it is our will and desire that the entire amount of the assets of the proposed foundation and trust be delivered to the public library of Elsberry, Mo., and we thereupon, by testamentary disposition, give, devise, convey, and bequeath all sums, funds, properties, securities, investments, and assets herein mentioned or affected, to the governing board of the Elsberry Public Library, for the use of said library, in fee simple and forever.

In witness whereof we have hereunto signed our names and affixed our seals this 17th day of November 1950.

The names and addresses of the trustees of the foundation are:

Mayor of the city, Wayne Werges.

Superintendent of schools, Herman Purdin.

Editor of the Democrat, Sam Howard.

Worshipful Master of Lodge No. 199, A. F. & A. M., Stanley West.

Noble Grand of I. O. O. F. Lodge No. 382, Richard Husgen.

President of AI Chapter of P. E. O., Mrs. Eugene Duncan.

Pastor of Presbyterian Church, Rev. James Cannon.

Pastor of Baptist Church, Rev. D. R. Pickern.

Pastor of Sacred Heart Catholic Church, Reverend Father A. F. Wilmes.

Pastor of Christian Church, Rev. Oscar P. Campbell.

Pastor of Methodist Church, Rev. Orville Johnson.

Members of the board of directors of the Bank of Lincoln County, of Elsberry, Mo.

W. B. Ellis, J. B. Ellis, Clarence Cannon, Ida W. Cannon, A. L. Gladney, Charles W. Lahr.

J. Omohundro, J. B. Cannon, Dr. E. R. Whiteside, all of Elsberry, Mo.

Inquiries addressed to any member of the board of trustees will be welcomed.

GENERAL SUBCOMMITTEE ON EDUCATION

Mr. BAILEY. Mr. Speaker, I ask unanimous consent that the general subcommittee on education be permitted to sit today during general debate.

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

There was no objection.

BAGHDAD PACT NATIONS

Mr. McGOVERN. 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 South Dakota?

There was no objection.

Mr. McGOVERN. Mr. Speaker, today's New York Times carries an account of the Secretary of State's speech of yesterday to the Baghdad Pact nations. Excerpts from the Times article follow:

Secretary of State Dulles promised the Baghdad Pact nations today that "mobile power of great force" would be supplied by the United States in case of Communist attack.

He spoke as the Baghdad Pact nations opened the fourth ministerial meeting with appeals for more economic aid.

The Secretary of State did not answer the general Middle East demand to know whether the pact nations could hope in peacetime for further economic aid from the United States. * * *

The Moslem members of the alliance insist that more economic aid is vital.

Firoz Khan Noon, Prime Minister of Pakistan, summed up the views of the Moslem nations on the need for more economic aid today in these words:

"By launching its program of economic aid for underdeveloped countries, the Communist world has thrown a new challenge to the democracies and posed yet another problem. It is our hope that this challenge will be accepted so that it may be proved to the world that progress and development can be achieved within the framework of freedom instead of at the cost of freedom."

Mr. Speaker, the widespread poverty of the Moslem world is well known. Why, then, do we perpetuate the futile effort to pile up military arms on a foundation of economic misery? Will such an approach effectively counter the accelerated economic offers of the Soviet Union? Will such a lopsided arms program go to the heart of the real problems that afflict the people of the Middle East? Is the image of fortress America the image that we want to hold up to nations who are hungry for the spirit of Jefferson and Lincoln?

PROGRAM FOR TOMORROW

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 as to the program for tomorrow?

Mr. McCORMACK. If the House Committee on Administration reports out resolutions by the full committee allocating funds for different committees of the House, those resolutions will come up. I am informed that the subcommittees of the Committee on House Administration have acted upon and recommended to the full committee, which will be brought up tomorrow, the following resolutions: Whether or not all of them can be acted upon in the full committee I am unable to say. However, each of the following that I can enumerate or such of them as are reported out by the full committee will be brought up tomorrow:

House Resolution 423, relating to the Government Operations Committee.

House Resolution 426, relating to the Un-American Activities Committee.

House Resolution 432, relating to the Judiciary Committee.

House Resolution 434, relating to the Select Committee on Small Business.

House Resolution 438, relating to the Committee on Veterans' Affairs.

House Resolution 443, relating to the Committee on Banking and Currency.

Mr. MARTIN. I thank the gentleman.

AMENDING THE INTERNAL REVENUE CODE OF 1954

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 447 and ask for its immediate consideration.

The Clerk read the resolution as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 8381) to amend the Internal Revenue Code of 1954 to correct unintended benefits and hardships and to make technical amendments, and for other purposes, and all points of order against the bill are hereby waived. That after general debate, which shall be confined to the bill, and shall continue not to exceed three hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered as having been read for amendment. No amendment shall be in order to said bill except amendments offered by direction of the Committee on Ways and Means, and said amendments shall be in order, any rule of the House to the contrary notwithstanding. Amendments offered by direction of the Committee on Ways and Means may be offered to any section of the bill at the conclusion of the general debate, but said amendments shall not be subject to amendment. At the conclusion of the consideration of the bill for amendment, the committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit.

Mr. MADDEN. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. BROWN] and pending that yield myself such time as I may require.

Mr. Speaker, House Resolution 447 makes in order the consideration of H. R. 8381, a bill to amend the Internal Revenue Code of 1954.

The resolution provides for a closed rule, waiving points of order and 3 hours of general debate. The only amendments that may be offered are those amendments offered by direction of the Committee on Ways and Means, but such amendments will not be subject to amendment.

Last July the Rules Committee granted a rule on H. R. 8381 which provided for one exception to the usual closed rule. The exception permitted the offering of a motion to strike section 56 of the bill. Inasmuch as the Committee on Ways and Means has agreed to offer as a committee amendment a motion to strike this section, the Rules Committee has granted another rule, embodied in this resolution, which contains no exceptions to the usual closed rule ordinarily used in the consideration of revenue bills.

The bill contains 81 sections, most of which deal with the correction of inadvertent errors in the internal-revenue laws. The most significant changes in the bill are those concerned with correcting "unintended benefits and unintended hardships."

It is impossible to state what effect the bill will have on revenues. However, it is indicated that one-third of the sections of the bill will result in either current or eventual revenue increases and less than one-sixth are expected to result in revenue losses.

I urge the adoption of House Resolutiton 447 so the House may proceed to a full discussion of this measure for which ample time has been provided.

Mr. Speaker, I reserve the balance of my time.

Mr. BROWN of Ohio. Mr. Speaker, the gentleman from Indiana [Mr. MADDEN], has thoroughly explained this rule and its purposes. I do not believe it is necessary for me to take much time on it except to say this is a very technical bill to correct certain inequities in our present tax laws, to give tax relief where it is necessary and advisable and also to plug certain tax loopholes, as well as to make some technical amendments.

The rule is an open one and provides for 3 hours of general debate during which time the measure will be explained thoroughly.

Mr. Speaker, I have no requests for time and I yield back the balance of my time.

Mr. MADDEN. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

House Resolution 314 was laid on the table.

Mr. MILLS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 8381) to amend the Internal Revenue Code of 1954 to correct unintended benefits and hardships and to make technical amendments, 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 consideration of the bill H. R. 8381, with Mr. NATCHER in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. MILLS. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, as its name, the technical amendments bill of 1958, implies, this bill is a technical bill. It is concerned with unintended benefits and hardships in the income-estate, and gift tax laws. It also contains numerous highly technical provisions designed to clarify the statute, and remove obvious minor errors in the statute. The bill does not deal with tax-rate changes, and it is not concerned with excise taxes.

This bill was reported out late in the last session of this Congress but there was not an opportunity to consider the bill at that time. Work toward this bill was begun in July of 1956, when the Committee on Ways and Means established the Subcommittee on Internal Revenue Taxation, of which I served as chairman. This subcommittee was established to review existing income, estate, and gift tax provisions and to determine the substantive unintended benefits and hardships and technical problems needing correction. The subcommittee held public hearings in November of 1956. The hearings have been published and cover some 500 pages of testimony and statements. In addition, both the subcommittee and the Committee on Ways and Means have spent many days in executive session studying these problems before reporting out H. R. 8381.

This bill contains 81 sections. More than half of these sections deal with the correction of inadvertent errors in the internal revenue laws. These include inconsistencies in the statute as well as instances in which the language in the statute does not carry out the intention of Congress as clearly expressed in committee reports.

The more significant changes in the bill, however, are those concerned with unintended benefits and hardships. These relate to problems of revenue significance which have developed over a considerable period of time. I want to make it perfectly clear, however, that your committee recognizes that this bill by no means deals with all the unintended benefits and hardships in the tax laws needing attention. Reaching satisfactory solutions for some of these problems is a most difficult and complicated task and requires far more detailed consideration than it has as yet been possible to devote to them. The committee will continue to study these problems and as satisfactory solutions are found will report out legislation dealing with various inequities in the tax laws. In fact, the committee currently is receiving testimony in public hearings on revisions which may be needed in the tax laws. I should also mention that in three of the more complex areas, namely, the taxation of corporate distributions and adjustments, the income taxation of estates and trusts and the taxation of partners and partnerships, advisory groups of outside experts in these fields were appointed. These groups have quite recently submitted comprehensive reports for the study by the Committee on Ways and Means. The committee has asked for the views of the public and especially of those of the various professional groups on these advisory reports. Another advisory group made a report on tax administration which was considered at length by the subcommittee and will receive further attention by the full committee. Accordingly, this bill does not attempt to deal with the subject matter in the advisory group reports. Despite the limitations on the tax areas with which this bill is concerned, I believe that its enactment will represent a significant contribution toward the improvement of the internal revenue laws.

Although this bill is not designed as a revenue raising measure, it is expected that it will increase revenues somewhat. The relatively technical nature of most of the provisions, however, make it impossible to give any meaningful total revenue estimate. Moreover, a more important aspect of this bill is that it blocks incipient tax avoidance devices which, although not resulting in substantial revenue losses today, could in the absence of this bill be expected to account for a significant decline in future tax receipts.

Slightly more than half of the 81 provisions of this bill can be classified as technical adjustments. Of the remainder, approximately two-thirds represent provisions designed to foreclose substantive unintended benefits in present law. The other third are concerned with provisions which will be of benefit to taxpayers, most of them representing unintended hardships which this bill would remove from present law.

Among the more important unintended benefits which this bill will remove are:

First, the special benefits derived by holding various types of stock for only short periods of time around dividend dates.

Second, the double benefit from making gifts in trust to charity where remainders go to closely related persons.

Third, the special advantages from writing off bond premiums over relatively short periods where the bonds have early call dates.

Fourth, the advantages derived by part-time employees of exempt organizations from deferring tax on their salaries by taking it in the form of annuity contracts.

Fifth, the contention that the present definition of a dependent includes those living in the household of the taxpayer even though the relationship to the taxpayer is an illegal one.

Sixth, the conversion of ordinary income into capital gain income by purchasing bonds with coupons detached.

Seventh, the omission from taxable income of pre-1954 adjustments attributable to changes in methods of accounting initiated by the taxpayers, and

Eighth, double interest and charitable deductions with respect to the same amounts.

The provisions of benefit to taxpayers include:

First, the right to deduct as taxes amounts paid for municipal services in atomic energy communities.

Second, the revision of the prohibited transaction provisions as they relate to debentures of employer corporations held by pension trusts.

Third, the reconciliation of the provisions of the code with respect to fiscal-year taxpayers in transition years from the 1939 code to the 1954 code.

Fourth, the restoration of rights taxpayers had under the 1939 code with respect to the definition of mineral property, to the extent these rights were taken away from them under the 1954 code.

Fifth, the extension of the period of time for taking credit for State death taxes where the liability under the estate tax is not disputed and where reversionary interests are involved.

Sixth, provision for a 2-year carryback and 5-year carryforward of foreign income taxes which have not been credited again United States income taxes.

Seventh, the extension of the application of the pre-1952 rule in certain cases to prevent the pyramiding of taxes where lessees are required to pay the lessor's taxes.

I believe that something should be said about the effective dates of the provisions in this bill. In the case of amendments designed to correct technical errors and ambiguities, the effective dates generally refer back to the effective dates for the 1954 code. Those of a more substantive character, however, including even those of a technical nature, have been made effective as of November 7, 1956, or in some cases, as of some more recent date. November 7, 1956, was selected as the effective date for many of these provisions because this was the date when the Subcommittee on Internal Revenue Taxation first announced that many of these problem areas were under consideration. I recognize, however, that in view of the fact that this bill was not acted upon last year, some of these effective dates need to be reconsidered. I anticipate that this will be a matter to which the Senate Finance Committee will devote its attention.

At this point I should like to insert into the RECORD a brief explanation of each of the provisions of the bill. For those who are interested in more comprehensive explanations, I would like to refer you to our committee report. In the listing below I have grouped the provisions according to whether they appear to me to be substantive unintended benefits in present law which this bill would remove, or whether they are provisions designed to benefit taxpayers—primarily unintended hardships—or whether they are technical adjustments.

The substantive unintended benefits which this bill would remove are discussed below.

Section 2 of the bill merely provides that the same treatment is to be provided with respect to the retirement income credit in community-property and noncommunity-property States. This was intended in 1954, when this provision was adopted, as is indicated by the 1954 committee report which likens this provision to the social-security program. In this connection, it should be noted that the social-security programs do not distinguish between community-property and noncommunity-property States in the case of either the taxes to be paid or the benefits to be received. In defining earnings from self-employment, for example, the code provides that community income from business under community-property laws is to be attributed to the spouse exercising operation and control over the business, the same rule which, in effect, normally applies in common-law States.

The intent to follow social-security rules for the retirement income credit is shown by the general purpose statement in the report of your committee in 1954 on the retirement-income provision. This, in part, states:

> Under existing law benefits under the social-security program and certain other retirement programs of the Federal Government are exempt from income tax. Your committee believes that the tax-exempt status of such benefits discriminates against persons receiving retirement pensions under other publicly administered programs, such as teachers, as well as against persons who receive industrial pensions or who provide independently for their old age. Your committee has sought to adjust this differential tax treatment by extending a limited exemption, by means of a tax credit, to all forms of retirement income. In a number of respects, the exemption provision parallels the provisions applicable to benefits paid under the social-security program.

Other references in the committee report also add to this opinion that I have expressed, namely, that the retirement income credit was based upon the social security laws and therefore did not intend to distinguish between community property and noncommunity property States.

There are three principal areas of inequality in the case of the retirement income credit under present law. One of these is the earning test which must be met before retirement. The bill removes this inequality by making the retirement credit available only to spouses who were actually employed.

The second inequality of present law arises from the fact that pension income of the husband in community property States may in part be attributed to the wife. As a result, it is possible for both spouses to claim a credit each based upon $1,200 of retirement income. In a noncommunity property State the husband cannot attribute a work-connected pension to his spouse and as a result in such cases only one retirement income credit may be claimed. The bill provides for this problem by permitting work-connected pension or annuity income to be attributed only to the spouse who was actually employed.

Another area of inequality between community property and noncommunity properties States arises in the case of the application of the work test under the retirement income credit. This test requires the retirement credit to be reduced by the earned income in excess of $1,200 or $900 in the case of those qualifying under age 65 or no reduction in the case of those aged 72 or more. In community property States the earned income of the husband is divided equally between the two spouses while in noncommunity property States these earnings are attributed only to the husband. This variation in many cases works to the detriment of couples in community property States and in other cases to those in noncommunity property States. The bill meets this problem by attributing this work income only to the person actually employed and who renders the services.

Section 3: Dealers in tax-exempt securities presently in effect are writing off premiums on these securities against ordinary income even though not being subject to tax on the income from these securities where they dispose of the bonds within 30 days of acquisition and where the bonds do not mature until 5 years from the date of acquisition. The bill removes this treatment by deleting the 30-day and 5-year rules.

Section 4: The bill removes a provision whereby police officials may in effect exclude a subsistence allowance of up to $5 a day from their taxable income.

Section 5: The bill defines a dependent in such a manner as to give assurance that both a spouse's and a dependent's exemption may not be claimed for a wife. It also excludes from the definition of a dependent those living in the household of the taxpayer if their relationship to the taxpayer is an illegal one.

Section 9: Present law provides that both a charitable contribution deduction and an exclusion may not be claimed if the corpus of a charitable trust reverts to the grantor. The bill makes it impossible to avoid this provision merely by having the corpus revert to a person who is closely related to the taxpayer.

Section 10: Present law provides for a 2-year charitable contribution carryover, and a net operating loss carryback of 2 years and carryforward of 5 years. The bill makes its impossible for these two carryovers to interact in such a way as to give rise to a double deduction with respect to the same amount.

Section 11: The bill makes it impossible to claim both an interest and a charitable contribution deduction with respect to prepaid interest where property is donated to a charity. It also makes it impossible for a taxpayer to receive an interest deduction with respect to money borrowed to purchase bonds which in turn are donated to charity.

Section 12: Under present law premiums on bonds which are callable prior to maturity can be written off ratably against ordinary income over the period up to the earliest call date if this date is more than 3 years from the date the bonds were issued. If these bonds are not actually called at this early call date they can subsequently be sold and any gain realized treated as a capital gain even though deductions with respect to the same amounts have already been taken against ordinary income. The bill stops this avoidance device.

Section 14: Where a lessee makes improvements on property he has rented he generally can write off the cost of this improvement over the initial period of the lease, even though the life of the improvement may be substantially longer than this and although he may have the option to renew the lease. The bill in such a case requires the cost of the improvement to be spread over all of the periods for which the lessee can renew the lease, unless the life of the asset is less than this or unless the lessee can establish that it is more probable that the lease will not be renewed than that it will. An associated problem relating to leases between related parties is also dealt with in the bill.

Section 16: Under present law it is possible for corporations to buy and sell stock in periods around dividend dates and claim an 85-percent intercorporate dividend-received deduction with respect to the dividend income while deducting in full against taxable income corresponding loss on the sale of the stock. The bill eliminates this special advantage by denying a dividends-received deduction for dividend income where the stock is held for only 10 or fewer days; a 90-day rule is provided for cumulative preferred dividends. Also, this provision stops a similar avoidance device involving the 85-percent dividend-received credit where simultaneous long and short positions are maintained over a dividend date.

Section 19: It has been reported that certain tax-exempt institutions are paying some of their part-time employees all or almost all of their compensation in the form of annuities. This gives these employees a special advantage since the tax on this full amount can be deferred until they begin receiving their pensions. The bill limits to 20 percent the portion of the compensation, which, for tax purposes, can be treated as deferred income. It also deals with a similar problem relating to forfeitable annuities of tax-exempt organizations where the employee at some later time prior to retirement obtains a nonforfeitable right to these amounts.

Section 22: Present law provides capital-gains treatment for tax deferment for employees restricted stock options where the option price is within 85 percent—or 95 percent—of the value of the stock at the time the option is granted. So-called variable price options have unintentionally been given more favorable treatment. The bill restricts this capital gains and deferred tax treatment in the case of variable price options to those where the option price meets the so-called 85-percent test based upon the average price in the month in which the option is exercised. This limitation applies only where the option price is determined with respect to the value of the stock at any time before the option is exercised.

Section 23: Under present law income from installment obligations generally may be deferred for tax purposes until the obligations are collected. Usually where these installment obligations are transferred before collection, the unpaid balance is taxable at the time of this transfer. However, in limited situations, such as where these obligations are transferred to corporations controlled by the person making the transfer, the tax is further postponed until the transferee collects the installment obligations. Where the transferee is a life-insurance company no tax is collected because this is a type of income not taxable to life-insurance companies. The bill removes this unintended benefit by providing that where installment obligations are transferred to life-insurance companies, gain on the obligations is to be recognized. Related problems are also dealt with involving transfers of these obligations to partnerships of which a life-insurance company is a member and involving their transfer to companies which in the next year become life-insurance companies.

Section 24: If taxpayers change their method of accounting present law generally provides that certain adjustments must be made in the year of transition to prevent certain income from being taxed twice and other income from being omitted from tax entirely. However, it appears that under the 1954 code, to the extent these adjustments relate back to years before 1954, these adjustments are not to be made. The bill requires these adjustments, attributable to years before 1954, to be made if the change in method of accounting is initiated by the taxpayer. However, these adjustments if they require an increase in income may, for tax purposes, be spread out over a period of as much as 10 years.

Section 34: Because capital gain income of regulated investment companies can be passed on down to the stockholders and taxed only to them, it is possible for dealers in these securities to purchase stock of regulated investment companies just before a capital gain dividend becomes payable. They then may treat the dividend received as a capital gain while receiving ordinary loss treatment on any loss resulting from the sale of this stock. The bill provides that where a taxpayer holds such stock for no more than 30 days, instead of receiving ordinary loss treatment in the case of the sale of the stock, such a loss is to be treated as a long-term capital loss. A somewhat similar problem is also dealt with in the case of taxpayers other than dealers.

Section 41: Present law accords involuntary conversion treatment where the sale of broadcasting property is certified by the Federal Communications Commission as being necessary or appropriate to carry out its policies. On occasion, taxpayers have purchased additional facilities in anticipation of an FCC order to dispose of other facilities they already held. By so doing it was possible for them to obtain a tax deferment on the sale of the old facility. FCC by administrative action taken in 1956 restricted its certifications to those cases where the disposition of the property is required because of a change in FCC policy or rules. The bill changes the involuntary conversion treatment in present law to accord with this administrative action taken by FCC.

Section 42: Where bonds are issued with an artificially large discount and then redeemed at par, or a call price before their maturity date, the entire difference between the issue price and redemption price can be claimed by the corporation issuing the bond as a deduction against ordinary income, although the bondholder obtains capital gains treatment with respect to his gain in excess of the portion of the discount attributable to the period up to the time of the redemption—or sale prior to redemption. Since one taxpayer in this case receives a deduction against ordinary income, the bill provides that any gain, to the extent of the original issue discount, is to be treated as ordinary income at the time of the sale or redemption of such a bond.

Section 43: It has come to the attention of your committee that some taxpayers are creating artificial capital gains by buying bonds with detached interest coupons which are payable within 12 months from the date of purchase. Present law in such cases provides capital gains treatment with respect to the rise in the value of the bond which is caused by the passing of the period to which the detached interest coupons relate. The bill prevents this conversion of ordinary income treatment for gains attributable discounts arising from detached interest coupons whether or not the detached coupons are attributable to the period of 12 months or less after purchase of the bond.

Section 46: Present law provides capital gains treatment for an inventor who sells his patent to a corporation, if he—or a closely related person—does not own more than 50 percent of the stock of the corporation and otherwise qualifies for the special capital gains treatment for patents. The bill reduces the area in which the capital gains treatment is to be available by restricting it to those cases where the inventor sells his rights to a patent to a corporation in which he does not own as much as 25 percent of the stock. Other technical changes are also made in this provision.

Section 51: Present law provides that where taxpayers have received amounts from the United States with respect to claims against the Government which have remained unpaid for more than 15 years and which involve acquisitions of property by the Government, the tax is not to exceed 30 percent of the amount received. The bill makes this provision inapplicable with respect to claims filed after December 31, 1956, and makes the 30-percent limitation apply only in the case of the surtax with respect to amounts paid by the Government in 1957 and future years with respect to claims filed before 1957.

Section 52: Present law provides proprietorships and partnerships under certain conditions with the option to be taxed as corporations. Because of administrative problems the bill repeals this provision. It also provides flexible rules to provide that elections under this provision will not be binding for past periods.

Section 61: The bill, in order to obtain better reporting of taxable income with respect to income earned abroad, requires that in determining whether a

taxpayer has the $600 or more of gross income which would necessitate his filing a return, income earned abroad is to be taken into account, even though this income may be excludable income for tax purposes. It is expected that this, together with an expansion of the Treasury's information requirements with respect to income earned abroad, will lead to the more full disclosure of such income for tax purposes.

Section 64: This provision in general provides that more of the information which is presently filed with the Government by tax-exempt organizations is to be made available for public inspection. Subject to limitations as to the disclosure of information which might be harmful to the organization or national defense, the bill provides that the applications for exemption of educational, charitable, and religious organizations and other exempt organizations described in section 501 (c) and (d) are to be made available for public inspection along with supporting data presented by the organizations. The bill also provides that the annual information returns now filed by certain educational and charitable organizations, in the portion available for public inspection, the organizations are to show the total contributions and gifts they received during the year.

It should be made clear that this bill is not exclusively a revenue tightening measure. It also contains a substantial number of provisions designed to remove hardships or otherwise benefit taxpayers. The provisions which have this effect are described below:

Section 6: In Oak Ridge, Tenn., and Richland, Wash., where practically all of the real estate was either purchased or leased from the Atomic Energy Commission, the persons so acquiring real estate are required to pay the Commission or its agent for services usually rendered by a municipality. These payments are not taxes, however, and, therefore, are not deductible for income tax purposes by the persons living in these communities. The bill treats payments of this type as if they were taxes and thus makes it possible for the residents of these communities to deduct these amounts in computing their income taxes.

Section 13: The net operating loss deduction under the 1954 code more nearly follows what has been referred to as the statute income concept rather than the economic income concept of the 1939 code. Present law provides that where a year begins in 1953 and ends in 1954 the allowable loss consists of a portion of a loss computed under the 1939 code rules, and a portion computed under the 1954 code rules, depending on the portion of the fiscal year falling in each of these 2 calendar years. This rule of proportion works under present law where the loss originates in 1 of these 1953–54 years, but it does not provide for a proportioning between the 1939 code and 1954 code rules where a loss is carried to, or through, 1 of these 1953–54 fiscal years. The bill extends this treatment to losses carried to, or through, these years.

Section 25: Present law provides that where a pension trust and certain other tax-exempt organizations makes loans without adequate security to the creator of the organization, such as an employer corporation, a prohibited transaction is deemed to have occurred and the organization loses its tax-exempt status. The proposed regulations have held that the purchase of debentures of an employer organization on an open market constitute a prohibited transaction because there is no collateral and, therefore, that there is not adequate security. The bill provides that the purchase of a debenture of an employer corporation by a pension trust is not to be deemed to be a prohibited transaction if certain specified conditions are met. These conditions are designed to give assurance that the purchase was made in an arm's length transaction at a fair market price; that not more than a quarter of the assets of the pension trust are invested in the bonds of the employer; that the trust purchases not more than 25 percent of any debenture issue of the employer; and that loans subsequently made by the employer will not be given more favorable treatment from the standpoint of collateral.

Section 31: Changes made in percentage depletion rates by the 1954 code were effective as of January 1, 1954, for calendar taxpayers, but in the case of fiscal year taxpayers they were effective only with respect to years beginning after that date. The bill equates the treatment of fiscal year and calendar year taxpayers by permitting the fiscal year taxpayer to apply the percentage depletion rates specified in the 1954 code to that portion of a fiscal year 1953–54 which follows December 31, 1953.

Section 32: The 1954 code defines the word "property" for purposes of computing the percentage depletion allowance in the case of coal and other mineral resources. This definition in the 1954 code was intended to be more liberal than the definition of property followed by the courts under the 1939 code. However, in certain respects it has not proved to be so. The bill, therefore, provides that a taxpayer may, if he chooses, elect to determine what constitutes a "property" as if the 1954 code definition had not been enacted and as if the 1939 code rules still applied.

Section 37: Present law limits the credit which may be claimed for foreign taxes to the same proportion of the United States tax—before the credit—which the income in the foreign country represents of the total income from all sources. This has not worked satisfactorily, however, where the same income is reported in different years for purposes of the United States and the foreign country's taxes. The bill therefore provides a 2-year carryback and 5-year carryforward for foreign taxes which cannot be claimed as credits against the United States tax because of the limitation.

Section 53: Under present law the time allowed for claiming a credit against the Federal estate tax for death taxes paid to States varies in certain cases according to whether a disputed amount was initially claimed, and then a claim for refund filed, or whether the case was taken directly to the courts without paying the disputed amount. The bill amends the statute to provide that credits for State death taxes can still be claimed if these taxes are paid within 60 days after the Treasury has notified the taxpayer of the disallowance of his claim for refund or within 60 days after a final decision by the court acting on such a claim.

Section 54: Present law provides for the postponement of the payment of Federal estate tax on reversionary or remainder interests until 6 months after the termination of any prior interest. State and foreign death taxes in such cases are allowed as credits if they are paid and credits are claimed for them within 60 days after the termination of the prior interest in the property. The bill permits the Secretary of the Treasury to extend these 6-month and 60-day periods for as much as 2 additional years.

Section 57: The bill provides that the mere designation of a survivor beneficiary in the case of qualified pension, profit-sharing, and stock bonus plans is not to result in the imposition of a gift tax if the survivor benefits are of such a nature as not to be includible in the employee's gross estate for estate tax purposes. Thus, the gift tax will not apply in such cases to the extent an annuity or pension under a qualified plan is attributable to contributions made by the employer. It will continue to apply, however, to the extent the annuity is attributable to contributions of the employee.

Section 72: Under present law situations can arise where, even though underpayments and overpayments of tax offset each other, the Internal Revenue Service collects more interest than it pays, or vice versa. With appropriate limitations where no interest is payable, the bill eliminates these erratic differences by terminating interest both as to overpayments and underpayments during any period of time to the extent these payments offset each other. This provision also provides for similar situations arising with respect to net operating loss carrybacks in transition years affected by the 1954 code.

Section 76: Existing law provides that no alien may leave the United States until he has procured a certificate indicating that he has complied with all the obligations imposed upon him by the income-tax laws. The bill provides that the Treasury Department may by regulations make exceptions to this rule. In addition, the bill provides that the payment of taxes not yet due, or furnishing of a bond with respect to these taxes, by a departing alien will not be required if the Treasury Department determines that the collection of tax is not jeopardized.

Section 81: For taxable years prior to 1952, the Internal Revenue Service provided that where lessees contracted to pay a rental to a lessor, plus any Federal income taxes of the lessor attributable to this rental income, any additional tax of the lessor paid by the lessee was not to be included in the lessor's income. However, for the period from

1952 until the adoption of the 1954 code, a pyramiding of the lessor's taxes was required in such cases. The 1954 code provided a new rule to the effect that the lessor is not to include in his income any income taxes paid on his behalf by the lessee but that these taxes also are not to be deductible to the lessee. The bill does not affect 1954 code rule but extends the pre-1952 rule to all years coming under the 1939 code; that is, it extends it to the years 1952 and 1953.

The technical provisions of the bill I shall refer to still more briefly. They are listed below.

Section 7: This provision deals with worthless securities and affiliated corporations and corrects a grammatical error.

Section 8: This provision deals with nonbusiness bad debts. It makes it clear that a business bad-debt deduction cannot be claimed for a debt which was not originally created or acquired in connection with a trade or business of anyone other than the taxpayer claiming the deduction.

Section 15: This provision relates to the income-tax deduction for medical, dental, and so forth, expenses of a decedent which are paid out of his estate in the year following death. However, to obtain this deduction a statement must be filed indicating that this amount was neither claimed nor allowed as a deduction for estate-tax purposes. The bill allows the income-tax deduction for these expenses so long as the statement filed indicates the deduction was not allowed for estate-tax purposes regardless of whether such a deduction was claimed.

Section 17: This provision relates to property received in a transaction described in section 358 where the transaction may be regarded as two separate exchanges. The bill provides that in such cases there is to be a reduction in the basis of the property received, to the extent of the amount of any loss recognized to the taxpayer upon the exchange.

Section 18: This section deals with the 1954 code rules relating to sales of stock to related corporations. These rules became effective as of June 22, 1954. The bill makes it clear that the 1939 code provisions are applicable in determining the extent to which property received on an acquisition of stock is to be treated as a dividend in the case of any acquisition of stock involving redemption through the use of related corporations if this occurred before June 22, 1954. The 1939 code provisions are also to apply to acquisitions of stock which occurred between June 22, 1954, and December 31, 1957, if the taxpayer was under a contract entered into before June 22, 1954.

Section 20: This provision relates to contributions of employers to employees' trusts or annuity plan, and corrects an error in punctuation.

Section 21: This relates to employee stock options granted by parent or subsidiary corporations. It provides that for the purpose of determining whether an individual is, or has been, an employee of a parent or subsidiary corporation of the corporation which granted an option—or issued or assumed such an option—the term "employer corporation" is to be treated as if it were the "grantor corporation"—or corporation issuing or assuming the stock option.

Section 26: This provision relates to the tax on corporations improperly accumulating surplus. It eliminates the possibility of any charitable contribution carryover above the 5-percent limit for purposes of the accumulated earnings tax, and also eliminates the possibility of any excessive deduction with respect to capital gains and the taxes on these gains.

Section 27: This section relates to the tax on personal holding companies. It makes it clear that for purposes of the personal holding company tax no carryover of charitable contributions is to be allowed. It also provides that the net operating loss deduction for personal holding companies is not to take into account the dividends received deduction and other deductions provided for corporations generally but not allowed in computing personal holding company income.

Section 28: This provision makes three changes in the tax on foreign personal holding companies. In general, foreign personal holding company income is included in the gross income of the United States stockholders. This provision, first, makes it clear that in computing this income no carryover of charitable contributions is to be allowed; second, prevents a double deduction for partially tax-exempt interest; and third, provides that the net operating loss deduction available in the case of foreign personal holding company income is not to take into account the dividends received deduction and other special deductions which are allowed in computing foreign personal holding company income.

Section 29: This provision relates to losses of banks with respect to bonds. It corrects an inadvertent error in the 1954 code by which bonds may be denied ordinary loss treatment with respect to retirements on mortgages and other evidences of indebtedness issued by corporations or governmental units without interest coupons and not in registered form.

Section 30: This provision relates to the depletion allowance in the case of estates and corrects the misspelling of the word "devisees."

Section 33: This section is concerned with the qualifications which must be met by investment companies furnishing capital to development corporations if these investment companies are to obtain regulated investment company treatment. This provision corrects a reference in the present code to "not earlier than 60 days" to "not less than 60 days." This language restores the 1939 code language which was inadvertently changed. A typographical error is also corrected in this provision.

Section 35: Under present law lump sum distributions under "trusteed" employee pension plans are subject to a 30-percent tax when received by a nonresident alien not engaged in a trade or business within the United States. Such payments also are subject to a withholding tax at their source. However, neither the 30-percent tax nor the withholding at source are applicable if the lump-sum payments are made under an "insured" employee pension plan. The bill provides the same treatment for payments made under an "insured" employee pension plan, as present law already provides in the case of lump-sum payments made under "trusteed" employee pension plans.

Section 36: Section 871 (a) of the code imposes a tax of 30 percent of the gross amount of certain items of income received by nonresident aliens not engaged in trade or business in the United States. However, if the individual's income from these sources exceeds $15,400, section 871 (b) provides that the alien is to pay the regular income tax if this is more than 30 percent of the gross amount received from the specified income sources. However, the 30 percent tax imposed by section 871 (a) is not reduced by the 4 percent dividends received credit or the $50 dividend exclusion, but this credit and exclusion are available where a 30-percent tax is applicable under section 871 (b). Thus, a lower tax may be achieved under subsection (b) than under subsection (a). The bill conforms the credits and exclusions available in the case of subsection (b) with those presently available in the case of the 30-percent tax under subsection (a). An amendment is also made to conform the tax treatment of partially tax-exempt interest for the taxes imposed under sections 871 (a) and 871 (b).

Section 38: In connection with an exchange of property described in section 1031—property held for productive use—section 1035—insurance policies—or section 1036—stock for stock of the same corporations—a taxpayer in addition to transferring property of the type permitted to be exchanged free of tax, may also exchange other property with respect to which the taxpayer will be able to claim a loss. The bill makes it clear that there is to be a decrease in the basis of the property received to reflect any such loss.

Section 39: In connection with the involuntary conversion provision, reference is made to the acquisition of control of a corporation holding property similar to that which was compulsorily or involuntarily converted into money. The 1954 code contains no definition of control of a corporation for this purpose. The bill restores the 1939 code definition which defines control as the ownership of stock possessing at least 80 percent of the total combined voting power of all classes of stock entitled to vote and at least 80 percent of the total number of shares of all other classes of stock of the corporation.

Section 40: The section of present law providing that property acquired before March 1, 1913, is to have a basis at least equal to its fair market value as of March 1, 1913, inadvertently refers to only one part in subtitle relating to income taxes. The bill corrects this reference so that it refers to the entire income-tax subtitle.

Section 44: Section 1233 (a) of the 1954 code provides that a short sale is to result in a capital gain or loss only if

the property used to close the short sale is a capital asset in the taxpayer's hands. The rules in subsections (b) and (d) of this section which relate to the postponement of the beginning of the holding period and long-term capital loss treatment apply only if the short sale results in a capital gain or loss. The bill makes it clear that a dealer in securities may not avoid this holding period rule and long-term capital loss treatment by closing a short sale with property held for sale to customers instead of property held in his investment account. The bill also adds a new subsection to exclude hedging operations in commodity futures from the operation of the short sales provision.

Section 45: This provision rearranges and clarifies the existing tax treatment provided with respect to options to buy or sell. The bill provides that the gain or loss arising from an option to buy or sell property is to be considered gain or loss arising from property which has the same character as the property underlying the option. The section also adds certain clarifying exceptions with respect to the general rule for options: First, it is made clear that capital gains treatment will not apply to dealers in options where the options are a part of their inventory; second, it is made clear that the section does not apply to gains on the sale of an option in any case in which the income derived in connection with the option would, without regard to this section, be treated as ordinary income; and, third, it is made clear that the section does not apply to gain attributable to the sale of options acquired before March 1, 1954.

Section 47: Present law provides that under certain conditions real property which has been subdivided in order to be sold in separate tracts will not be considered property held for sale to customers, with the result that these sales will be eligible for capital-gains treatment. The bill makes it clear that this treatment is not to be available in the case of property previously held for sale to customers by the taxpayer nor is it to apply in the case of property sold in the same year in which the taxpayer is a dealer in real estate, whether or not the particular property in question was held for sale to customers.

Section 48: Under the 1939 code the provision relating to gains from the sales of certain property between spouses or between an individual and a controlled corporation did not apply to sales or exchanges made on or before May 3, 1951. This date which was unintentionally omitted from the 1954 code is restored by the bill.

Section 49: This section relates to certain adjustments to be made for closed taxable years. The bill makes it clear that in computing a refund or deficiency with respect to an adjustment in a closed year where the same item has been adjusted by agreement between the Government and the taxpayer in an open year, neither the Government nor the taxpayer may raise the unrelated adjustment in the closed year.

Section 50: In connection with the provision of present law relating to the computation of tax where a taxpayer restores a substantial amount held under claim of right it is not clear that if the tax for the year of restoration is computed by reducing it by the tax attributable to the item in a prior year, the deduction, which is not taken into account, is not to have any effect for purposes of the net operating loss carryback or carryforward. The bill makes it clear that the deduction is not to be taken into account in computing income except for the computations under the claim of right provision itself.

Section 55: This section relates to the exemption under the estate tax for the value of an annuity or other payment receivable by a beneficiary under an employee's trust or a retirement annuity contract. In the case of retirement annuity contracts reference is made only to those purchased by an employer under a nontrusted plan which "meet the requirements of section 401 (a) (3)." However, a qualified nontrusteed employee annuity plan must for income-tax purposes also meet the requirements of section 401 (a) (4), (5), and (6). The bill makes these qualifications also applicable in the case of section 2039 (c).

Section 58: This section relates to agreements entered into by domestic corporations for the purpose of extending old-age and survivors insurance coverage to service performed for certain employees of foreign subsidiaries. The bill corrects a typographical error in the heading of this provision.

Section 59: This section relates to the collection and payment of employment taxes with respect to Coast Guard exchanges. The bill corrects an erroneous reference.

Section 60: This section relates to acts to be performed by agents in the case of employment taxes. The bill corrects an erroneous reference.

Section 62: This provision relates to the limitation on the election to make a joint return after filing a separate return. The bill corrects an erroneous cross-reference.

Section 63: Present law provides that if an individual files his tax return on January 31—or February 15 in the case of farmers—of the succeeding taxable year the return will serve as a substitute for a declaration or an amended declaration required to be filed on January 15. The bill makes it clear that where the individual makes his return on a fiscal-year basis, appropriate dates having the same relationship to his taxable year are to be substituted for the reference to January 31, or February 15, as the case may be.

Section 65: This provision relates to address for notice of deficiency in the case of income and gift taxes. The bill corrects an erroneous reference.

Section 66: This provision amends the code to make it clear that the Secretary or his delegate may release property subject to special liens for estate and gift tax purposes if the liability with respect to these taxes has been fully provided for. This restores the 1939 code rule which was inadvertently omitted from the 1954 code.

Section 67: This provision corrects certain sections of the code by changing reference to "United States district attorney" to "United States attorney" to conform with presently established nomenclature.

Section 68: This provision amends a section of the code relating to the conveyance of title to correct a grammatical error in the heading of the provision.

Section 69: Present law provides that executors and corporations contemplating dissolution may request prompt assessment of any income tax due from a decedent or the corporation. Such assessment must be made within 18 months except in case of fraud, willful evasion, or failure to file a return. The bill also permits a later assessment where the assessment is based upon the omission of amounts representing 25 percent or more of gross income or upon a failure to file a personal holding company information schedule. The bill also makes it clear that a request for prompt assessment may be made not only by a corporation contemplating dissolution, but also by one in the process of dissolution or one which is already dissolved.

Section 70: The bill makes it clear that, where an organization in good faith determines that it is an exempt organization and files an information return, this return is to be deemed its return for purposes of the running of the period of limitation on assessments and collections not only where the organization is technically a corporation but also where it is a trust. This section of the bill also amends the code to assure the continuation of the 1939 code rule that a tax deficiency attributable to the application of a net operating loss carryback may be issued at any time prior to expiration of the assessment period for the year in which the loss was sustained.

Section 71: This section provides that the period for filing a claim for refund is to be 3 years from the time the return was actually filed rather than 3 years from the due date of the return, as presently provided. This section also provides that, where a return was filed after the due date, under an extension of time for filing, and a claim is filed within 3 years after the return was filed, amounts to be refunded include not only payments made within the 3 years preceding the date of the claim but also those made within 3 years plus the period of extension for filing the return. This section further provides that the special period of limitation for filing a claim for credit or refund with respect to net operating loss carrybacks in the case of individuals is to be extended from the 15th day of the 39th month after the end of the loss year to the 15th day of the 40th month after the end of such year.

Section 73: This section provides expressly that interest may be assessed and collected at any time during the period within which the tax to which it relates may be collected. This removes any basis for contending that interest, to be collectible, must be assessed within the limitation period for the assessment of the tax on which the interest has accrued.

Section 74: This provision amends the code to remove any basis for contending that the penalty for failure to file infor-

mation returns can be avoided by filing these returns after the due date. The application of this section has been limited to information returns for which a fixed due date is prescribed by regulations.

Section 75: This section makes it clear that in the case of income, estate, and gift taxes, for purposes of measuring a deficiency in tax, the tax shown on a return is to be taken into account if the return was filed on the last day prescribed for filing, as well as in cases where it was filed before such date.

Section 77: This section makes it clear that the Government may make immediate assesment of a deficiency upon the filing of a petition by the taxpayer in a proceeding under the Bankruptcy Act even though approval of the petition is not required by that act. This provision also makes it clear that a petition for redetermination of a deficiency by the Tax Court is not to be filed after the filing of a petition by the taxpayer in a proceeding under the Bankruptcy Act where approval of the petition is not required by the act.

Section 78: This section amends the code to provide that wherever the use of registered mail is presently required, either certified or registered mail may be used. In addition, the Treasury Department is authorized to prescribe by regulations the extent to which the provisions of the code requiring prima facie evidence of delivery and regarding the postmark date, now applicable to registered mail, are also to apply in the case of certified mail.

Section 79: This section grants the Treasury Department the authority to utilize the service of Federal agencies and commercial organizations for the processing of microfilm and other reproducing materials. The actual photographing of the returns and other records will be performed only by Government employees. The Secretary of the Treasury in this connection will be required to issue regulations providing safeguards against unauthorized use of microfilm or other reproductions and unauthorized disclosure of information contained in these films or reproductions. The provision also provides that the microfilm and other reproductions are to have the same legal status as the original documents, and if properly authenticated are to be admissible in evidence as if they were in originals.

Section 80: The bill adds a new section to the code authoriizng the Secretary of the Treasury to prescribe individual seals for district directors of internal revenue and for other officers and employees of the Department to whom functions of the Secretary are delegated. It also provides that judicial notice is to be taken of these seals if facsimiles are published in the Federal Register.

As time passes we feel certain that we will have further legislation of a corrective nature before the Congress and that we can offer solutions to some of the problems that presently exist and which are not dealt with in this bill.

Now I will be glad to yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman from Arkansas for yielding. I would like to know what is meant by foreign personal holding companies.

Mr. MILLS. The gentleman has the report there?

Mr. GROSS. Yes.

Mr. MILLS. What page are you reading from?

Mr. GROSS. Page 75.

Mr. MILLS. And the gentleman wants to know what a foreign personal holding company is?

Mr. GROSS. That is right; will the gentleman explain the provision to be found on page 49 of the bill dealing with that subject?

Mr. MILLS. Let me explain section 28 of the bill first, then go back to the definition of personal holding companies.

Section 28: In general, the income of foreign personal holding companies is included in the gross income of the United States stockholders. Section 28 makes it clear that the adjustments to be made in computing undistributed foreign personal holding company income do not include a carryover for unused charitable contributions and prevents a deduction for partially tax-exempt interest from being taken once in computing the amount of foreign personal holding company income and again as a credit against tax by the domestic stockholder on his pro rata share of undistributed foreign personal holding company income.

A foreign personal holding company is the foreign equivalent of the domestic holding company with which I am sure the gentleman is quite familiar.

Mr. GROSS. No; I confess to the gentleman, I do not know what a foreign personal holding company is.

Mr. MILLS. A personal holding company is any corperation, with few exceptions, at least 80 percent of whose gross income consists of dividends, interest, gains from the sale of capital assets and similar investment income, and the stock of which is owned to the extent of 50 percent or more by 5 or less individuals.

A domestic holding company is so far as the personal holding company tax is concerned, is an incorporated pocketbook. So that it would be a foreign corporation incorporating the pocketbook of United States stockholders.

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

Mr. MILLS. Mr. Chairman, I yield myself 3 additional minutes.

Mr. GROSS. Are these foreign individuals?

Mr. MILLS. No. These are United States stockholders of foreign personal holding companies.

Mr. GROSS. The holding company exists in this country?

Mr. MILLS. No. It is a foreign holding company. It could exist in England, it could exist in France, but it has American stockholders in this country. We are trying to guard against a double deduction with respect to both a charitable deduction and a deduction for credit against the tax of the domestic shareholder. It is an incorporated pocketbook. That is just about the best definition I have ever heard of a personal holding company.

Mr. GROSS. Is there anything in this bill which would give employees of the United Nations or any similar organization preferential tax treatment?

Mr. MILLS. No; in this bill we try to stay as far away from the United Nations as we can.

Mr. GROSS. I am glad you did.

Mr. MILLS. If there is anything in here that has anything to do with the United Nations, it is there without my knowledge. I know of nothing in it that has anything to do with employees of the United Nations, the United Nations itself or even the principals of the United Nations.

Mr. GROSS. This is a complex bill and I wanted to be sure international organizations are not given more preferential tax treatment.

Mr. MILLS. I assure the gentleman there is nothing in here of a preferential nature for anyone.

Mrs. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentlewoman from Illinois.

Mrs. CHURCH. I would like to ask the gentleman briefly about section 3 of the bill, a section which I understand requires holders to amortize municipal bonds, and so forth. It is my understanding after talking to committee counsel, that this section was meant to close a loophole.

Mr. MILLS. That is right.

Mrs. CHURCH. There are a considerable number in the Chicago area who feel that this new provision may impose a hardship on the entire industry. Can the gentleman inform me about that?

Mr. MILLS. In committee we became concerned about this matter, so by committee action a few days ago we adopted an amendment changing the provisions of section 3. That amendment will be offered as a committee amendment, which I think perhaps will be far more acceptable to those to whom the gentlewoman refers than the language in the bill and actually not bring about any unintended hardship, but will still close the loophole.

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

Mr. MILLS. I yield to the gentleman from Ohio.

Mr. AYRES. The gentleman is familiar with the situation that has arisen in connection with the Akron, Canton & Youngstown Railroad. The amendment the gentleman proposes will still leave them in a position where they will be forced to pay about $100,000 should this bill be enacted into law.

Mr. MILLS. They are included under the provisions of the amendment we will offer as a committee amendment under section 2 of that amendment which is not elective but compulsory.

Mr. AYRES. Even though they have sought relief in the courts, and the courts have ruled in their favor, they still will be forced to pay the $100,000, which it is estimated they would owe?

Mr. MILLS. They will be required to be treated as any other railroad will be

treated under the provision if they elect to come in under section 1.

Mr. AYRES. Under the provisions of that amendment, there is no way possible to exclude them? That would have to be done in the other body?

Mr. MILLS. It will have to be done in the other body, and while the gentleman is on his feet let me say that I hope the constituent to whom he refers will take advantage of an opportunity of stating its case when the matter is taken up in the committee of another body. Frankly, I was not in a position to go along with the case they presented, but upon consideration by another body there is always the possibility, of course, that the other body might find itself amenable to going along. Whether it will, I do not know, of course.

Mr. AYRES. I know the high esteem in which we hold the chairman of the Committee on Ways and Means.

Mr. MILLS. I thank the gentleman.

Mr. AYRES. And I appreciate his comments here today and I want to make clear then that in your judgment it would be possible for the other body to give the Akron, Canton & Youngstown Railroad relief in this particular instance.

Mr. MILLS. I cannot go that far. I do not speak for the other body. I am suggesting that your constituents go to the committee in the other body and state your constituent's case to the other body so that it can be again considered over there in connection with this bill.

Mr. AYRES. I thank the gentleman.

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

Mr. MILLS. I yield to the gentleman from Ohio.

Mr. VANIK. I would like to inquire, on page 82 of the report, dealing with the per country limitation on foreign tax credits, which are eliminated, apparently, by this change in the law, would that elimination of the per country limitation increase or decrease taxable revenues?

Mr. MILLS. I would have to say that the provision in the bill would decrease revenue in that particular instance, but only in a very limited way.

Mr. VANIK. What effect will it have on a company like the Saudi-Arabian Oil Co. with operations in Saudi Arabia?

Mr. MILLS. I do not think it has any effect. I know, in fact, that it has no effect.

I will say this, that those who proposed the amendment when it was offered in the Committee on Ways and Means, made a very, very strong case for this particular section. It does not in any way affect the matter that the gentleman is referring to.

Mr. GROSS. Mr. Chairman, if the gentleman will yield further, I call his attention to page 99 of the report and page 75 of the bill with respect to publicity of exempt organizations information. Would this restrict publicity with respect to tax exempt organizations, or would it provide for more publicity?

Mr. MILLS. No. The purpose is to provide for more publicity, I will say to the gentleman, and it came to us from other subcommittees of the House that had conducted studies of this matter such as the select committee which my friend, the gentleman from Rhode Island [Mr. FORAND], was on, the gentleman from Pennsylvania [Mr. SIMPSON], and I believe the gentleman from Ohio [Mr. HAYS]. There have been studies made by either the standing committees of the House or select committees, and all of them have pointed in the direction of more publicity to these matters, and we are endeavoring to carry out that objective here.

Mr. GROSS. I am glad to have the gentleman's statement in that regard.

Mr. MILLS. I hope the House will see fit to adopt the bill and the committee amendments which will be offered.

Mr. REED. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman and distinguished members of this august Committee, I support the favorable consideration by the House of Representatives of H. R. 8381. This legislation is designed to enact meritorious amendments in our Federal tax structure. The substantive amendments for the most part relate to the removal of either unintended benefits or unintended hardships with respect to taxpayers.

At the outset of the debate on this legislation I would like to call attention to the fact that some individuals because of misguided and unwarranted political motivations have asserted that the need for H. R. 8381 has been occasioned by the alleged existence of tax loopholes created by the 1954 code. I will categorically assert that nothing could be farther from the true facts in the matter. Of the 23 substantive unintended benefits that are corrected by this legislation only 4 of them had their genesis in the 1954 code. The remaining 19 tax loopholes originally became a part of our Federal tax structure through the 1939 code. Instead of the Internal Revenue Code of 1954 creating tax loopholes the real fact is that one of the very significant improvements the 1954 code made over the 1939 code is that more than 50 tax loopholes existing in the 1939 code were corrected with the enactment of the 1954 code. I would call the attention of those persons who are interested in examining the record on this matter to my remarks in the House of Representatives on March 17, 1954, CONGRESSIONAL RECORD, volume 100, part 3, page 3425, wherein I list the more than 50 ways in which H. R. 8300 eliminated the opportunity for tax avoidance that was possible under the 1939 code. But, Mr. Chairman, regardless of the source of such tax loopholes, it is important that the existence of any loopholes be removed. This is important not only from the standpoint of preserving current revenues but also it is important to prevent the cumulative and growing exploitation of a loophole with even greater revenue consequences in the future.

The legislation, H. R. 8381, also would remove unintended hardships that were inadvertently imposed on our taxpayers. It is appropriate that such hardships also be corrected so as to avoid making the onerous character of our high tax rate structure even more of a burden on our American citizens.

In addition to the substantive changes that H. R. 8381 would make in our Federal tax structure, the bill also would make a number of technical and clerical changes. The legislation is before this distinguished committee today as the result of the very capable and conscientious efforts on the part of the tax staff of the Treasury Department and the staff of the Joint Committee on Internal Revenue Taxation, working under the direction of the Committee on Ways and Means.

Mr. Chairman, I am of the view that H. R. 8381 should receive the favorable consideration of the Congress so as to strengthen our Federal tax structure.

Mr. Chairman, I yield 10 minutes to the gentleman from Tennessee [Mr. BAKER].

Mr. BAKER. Mr. Chairman, I favor the enactment of H. R. 8381, the Technical Amendments Act of 1957.

I was a member of the subcommittee, which, under the chairmanship of the gentleman from Arkansas who is now chairman of the full Committee on Ways and Means, held public hearings on these matters in November of 1956, which have been published and which cover 500 pages of testimony and statements. In addition to the public hearings, the subcommittee and the full committee have spent many days in executive session studying these problems before reporting H. R. 8381.

As indicated in the title, the bill is intended to correct unintended benefits and hardships and to make technical amendments, and for other purposes.

One of the unintended hardships corrected by this bill, and which is illustrative of the purposes of the bill, affects several thousand persons in Oak Ridge, Tenn., whom I have the honor to represent in this body.

I quote from the committee report:

SECTION 6—PAYMENTS FOR MUNICIPAL SERVICES IN ATOMIC ENERGY COMMUNITIES

The attention of your committee has been directed to a problem relating to persons in Oak Ridge, Tenn., and Richland, Wash., who have acquired real estate from the Atomic Energy Commission. In these communities persons acquiring or leasing real estate from the AEC are required to pay the Commission (or its agents) for services usually rendered by a municipality and usually paid for by taxes. These payments would be deductible if they were paid as taxes to a municipality but are not deductible when paid to the AEC (or its agent). Since as a result of legislation passed by Congress (Public Law 221, 84th Cong.) these communities are likely to become municipalities within a period of 5 years, your committee sees no reason, during the transition period, why the residents of these communities should not receive deductions for income-tax purposes for amounts which generally are deductible as taxes in other communities.

Therefore, your committee's bill amends section 164 of the code by adding a new subsection (f) permitting the deduction for income-tax purposes for amounts paid AEC for municipal-type services by owners of real property within a community qualifying under section 21b of the Atomic Energy Community Act of 1955. An owner, for this purpose, is to include a person who holds property under a lease of 40 years or more from the AEC because prior to the passage of the Atomic Energy Community Act of 1955, AEC entered into long-term lease arrangements with some of the families in

these communities, but required payments for municipal-type services from them at least equal to the payments required by those purchasing property. The term "owner" also is to include persons who have entered into contracts to purchase property under section 61 of the Atomic Energy Community Act of 1955.

This provision is to apply to taxable years beginning on or after January 1, 1957.

This provision is expected to result in a negligible revenue loss.

A provision of this bill of considerable importance to the mining industry is section 32.

SECTION 32—RETENTION OF 1939 CODE RIGHTS WITH RESPECT TO TREATMENT OF MINERAL INTERESTS

Section 614 of the 1954 code defines property for purposes of computing the percentage-depletion allowance in the case of mineral resources. This section permits a taxpayer owning interests in mineral resources to aggregate part or all of his operating mineral interests within an operating unit and permits him to treat such aggregation as one property. It also allows the taxpayer owning nonoperating interests in a single tract or in contiguous tracts, in hardship cases, to treat such nonoperating interests as one property. These combined interests are considered as one property for purposes of computing depletion, gain or loss on sale, etc.

Section 614 of the 1954 code was intended to liberalize the provisions of the 1939 code with respect to the definition of property. Some taxpayers have contended that the 1954 code section has deprived them of rights they previously had under the 1939 law, regulations, court decisions, or practices. Since, under the 1954 code, there was no intention to remove any rights which the taxpayers had, the bill restores such rights as taxpayers had under the 1939 code.

The bill accomplishes this by adding a new subsection to section 614 dealing with the definition of property. This subsection in effect provides that a taxpayer may elect to treat any property as if the present 1954 code definition of property had not been enacted and as if the 1939 code rules still apply. Thus, with respect to a property for 1954 and subsequent years, a taxpayer has two choices: he can apply the 1954 code rules, or he can adopt the 1939 code rules.

This provision is expected to result in a negligible revenue loss.

There are other inequities in the Internal Revenue Code which need and will receive attention by the committee. We are engaged now in rather extensive public hearings on many of these subjects.

Mr. Chairman, I assume the gentleman from Arkansas, when submitting committee amendments will either insert in the RECORD a statement or explain fully in detail the effect of the committee amendments.

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

Mr. BAKER. I yield.

Mr. MILLS. It is my intention to either explain the committee amendments or to insert in the RECORD an explanation of each committee amendment.

Mr. BAKER. I have had prepared by a member of our staff a very brief explanation of those committee amendments and their effect, which I have not had an opportunity to present to the chairman. I shall insert them or not as the chairman feels is advisable. If the gentleman will fully cover them, there is no point in my doing it.

Mr. MILLS. Of course the gentleman from Tennessee [Mr. BAKER] can insert anything in the RECORD he wants to insert in connection with the committee amendments. I shall put in the RECORD an explanation of each of those amendments, which has been carefully analyzed by our staff, for accuracy.

Mr. BAKER. Under those circumstances, I think it would be a duplication for me to do so.

Mr. Chairman, I urge the enactment of this bill as a step in the right direction. We will continue to study this most complicated and important problem of removing unintended hardships and benefits and to make the internal revenue laws of the United States more fair and equitable to all taxpayers.

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

Mr. BAKER. I yield.

Mr. THOMSON of Wyoming. I would like to find out if one thing is clarified in this bill. Under section 481 of the of the 1954 law there are 3,000 applications now pending for a change in the accounting methods, which the Secretary of the Treasury has seen fit to take no action on because of uncertainty. I notice that this bill has amended that section to provide that they cannot take into account the taxable years preceding the enactment of the 1954 code if the request is initiated by the taxpayer. Would this enable the Secretary of the Treasury to go ahead and consider and grant those applications, many of which are very meritorious?

Mr. BAKER. My answer is that it definitely would. If there is any doubt about it I would like to ask the chairman of our committee to state it.

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

Mr. BAKER. I yield.

Mr. MILLS. The purpose of the amendment is to create a situation wherein the Secretary will go ahead and grant these requests for changes in accounting methods.

Mr. BAKER. And very expeditiously, I might add. I thank the gentleman.

Mr. THOMSON of Wyoming. I thank the gentleman.

The CHAIRMAN. The time of the gentleman from Tennessee [Mr. BAKER] has expired.

Mr. SIMPSON of Pennsylvania. Mr. Chairman, I ask unanimous consent that the gentleman from Ohio [Mr. JENKINS] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. JENKINS. Mr. Chairman, I support the enactment of the legislation that is before this distinguished Committee today, H. R. 8381. This legislation as the distinguished members of the Committee on Ways and Means who have preceded me in this debate have explained has as its principal purpose the elimination of existing loopholes in our Federal tax structure and the meritorious removal of inequities in our tax laws that would have the effect of working an unintended hardship on certain of our taxpayers.

Because of our onerous tax rate structure, it is extremely important that no taxpayer have the tax rates applicable to his income made easier on him as a consequence of a loophole or more demanding of him as the consequence of an inequity. This bill will help to give effect to a philosophy that I have always had that no taxpayer should pay more tax or pay less tax than a fair and equitable application of the substantive provisions of the law requires.

I know that the membership of the House is aware of the tremendous difficulties that are encountered in developing tax laws that are relatively easy of understanding and totally equitable in their application. We still have a long way to go in achieving simplicity and there is also considerable room for improvement in achieving equity. By closing tax loopholes this legislation will have the effect of contributing to the day when tax reduction for all our citizens will be possible. This contribution comes from the fact that by closing these loopholes we are in effect safeguarding the Federal revenues.

I would like to commend the Treasury Department tax staff and Mr. Stam and his joint committee staff for the very able work they have done on this legislation. The bill has received careful consideration by the Committee on Ways and Means, and it is presented to the membership of this body for consideration at this time. In my opinion that consideration should be favorable, and I urge my colleagues to vote for its passage when the occasion arises.

Mr. SIMPSON of Pennsylvania. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, from time to time each of us may serve a subcommittee. I am sure that we all have experienced that with respect to certain types of legislation there are those individuals who do more than their share of the work and are really expert in their field. I take this time only with respect to this extraordinary technical bill—a bill that is admittedly difficult to understand, a bill that has required a great deal of research work in order to bring an answer to extremely difficult problems—I do want to commend from my side of the committee the gentleman from Tennessee [Mr. BAKER] for the extreme devotion and effort and skill that he exerted toward helping prepare this highly meritorious bill. I do not disparage the work done by others on my side of the committee, but I do give particular emphasis to the work done by the gentleman from Tennessee [Mr. BAKER].

Having no other requests for time, Mr. Chairman, I yield back the balance of my time.

Mr. MILLS. Mr. Chairman, I yield myself 2 minutes in order that the gentleman from Iowa [Mr. GROSS] may ask a question.

Mr. GROSS. Is the Committee on Ways and Means taking any action to block the 27½-percent depletion allowance for the oil people?

Mr. MILLS. Not in this bill. I may advise my friend from Iowa that depletion and all other matters contained in

the Internal Revenue Code are constantly under study by the staff of our own committee and the staff of the Joint Committee on Internal Revenue Taxation.

There is no plan presently before the committee to conduct hearings on that particular subject. Some references have been made to it, I may say, during the course of the hearings we are now conducting, but there is no intention at this time on the part of the Chair to go into that subject this year.

Mr. GROSS. If the gentleman will yield further, I hope the committee will not study the depletion allowance for the oil men so long that it becomes merely a mirage in the eyes of the committee. I hope something will be brought out soon.

Mr. MILLS. It has been under study for a long time.

Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. IKARD].

Mr. IKARD. Mr. Chairman, before launching into a discussion of some of the provisions of H. R. 8381, I think that the Members of this House would be interested in knowing something of the bill's history. It is the product of the work of the Subcommittee on Internal Revenue Taxation on which I have the honor of serving, which is chaired by the Honorable WILBUR D. MILLS of Arkansas. The subcommittee was organized by a motion and approved by the Committee on Ways and Means in the last days of the 84th Congress, with the broad purpose of investigating and studying the operation and effects of the internal revenue laws of the United States as to substantive policy, technical adequacy, and administration, and making recommendations with respect thereto. It was early decided that the subcommittee's work would have two major aspects, one involving an investigation of the technical adequacy and substantive sufficiency of our internal revenue laws, and the other concerned with the administration and enforcement of those laws.

The subcommittee decided in the fall of 1956 to limit its objectives to short-run accomplishments within the policy framework laid down by the framers of the 1954 code and in anticipation of the fact that the full committee would eventually hold general revenue revision hearings looking toward a major policy review of the whole Federal tax complex. With these limited objectives in view, the subcommittee released two documents in the fall of 1956 for public reaction and comment. The first was the so-called Subcommittee Print No. 1 released on October 24, 1956, which contained legislative proposals designed to correct a series of clerical and technical errors in the 1954 code. The other document released on November 7, 1956, contained a list of 28 substantive unintended benefits or hardships, some of which were important from a revenue point of view and presented a large litigation potential for the future unless corrected. Those proposals contained in Subcommittee Print No. 1 were classified as unimportant in revenue consequences, however, they covered errors which had become a source of irritation to both taxpayers and the Internal Revenue Service.

On November 9, an advisory group was appointed for the purpose of assisting the subcommittee in its appraisal of the administration and reorganization of the Internal Revenue Service. Three other advisory groups, having jurisdiction over subchapters C, J, and K of the Internal Revenue Code, were appointed shortly thereafter.

Beginning in November, the subcommittee conducted public hearings on Subcommittee Print No. 1 and the November 7 list of unintended benefits and hardships. During the course of these hearings the interested public was given an opportunity to express opinions and make suggestions concerning the proposed legislative solutions contained in Subcommittee Print No. 1 and the list of unintended benefits and hardships. Immediately after the close of public hearings, the subcommittee began to meet in executive session for the purpose of laying down the policy guidelines necessary for the staff of the committee to predicate a draftsmanship upon, and the staff was instructed to prepare a bill incorporating the subcommittee's decisions and a report explaining the decisions for submission to the Committee on Ways and Means. Thus, when the 85th Congress convened, the Committee on Ways and Means had pending for its consideration a number of highly developed proposals for amending the internal revenue laws of the United States, and these proposals ultimately gave rise to H. R. 8381. It will be a monument of achievement to the subcommittee for years to come.

The Committee on Ways and Means considered the report and legislative drafts of the Subcommittee on Internal Revenue Taxation for 4 weeks and ordered H. R. 8381 favorably reported. The bill contains 81 sections which, in general, are applicable to taxable years beginning after December 31, 1953, and ending after August 16, 1954, the effective date of the 1954 code. However, many of these sections carry their own effective dates.

Because of limitations of time, I shall not endeavor to discuss more than a few of the more important sections of the bill. One of them is particularly interesting to Members of Congress from the West and Southwest who represent community property States.

Section 2 of H. R. 8381 should be of particular interest to all residents of community-property States, not so much because of revenue impact but because of the precedential character of its provisions, for this section of the bill, for the first time, differentiates between the treatment of residents of community-property States and residents of common-law States, specifically. The section deals with the computation of the retirement income credit under section 37 of the Internal Revenue Code and applies only to retirement income derived from a work pension or annuity resulting from the employment of one of the members of the marriage community. The section affects the computation of the retirement income credit in three major respects: First, qualification for the 10-year earned income test, second, application of the earned income limitation, and third, the number of credits which may be claimed on the basis of the same income. If the bill is enacted, with section 2 still in it, each spouse of the marriage community will have to qualify for the allowance of a retirement income credit by showing that he or she has received earned income of $600 per year for at least 10 calendar years preceding the taxable year for which the earned income credit is claimed, and will be required to apply the earned income limitation without regard to the amount of his or her earnings which, under community property laws, are attributable to the other spouse. For example, if the husband earns $2,400 of earned income, no retirement income credit will be allowable in his case since the $1,200 retirement income maximum must be reduced dollar by dollar by the amount of income earned by him in excess of $1,200. Under existing law no reduction is necessary because one-half of the husband's earned income, or $1,200, is attributable to his wife under community property laws. And, of course, under section 2 of the bill each spouse must qualify independently for the retirement income credit without benefit of the earnings of the other. That is, both the husband and the wife must have received retirement income in the taxable year as a result of services performed by each individually in order to qualify for retirement income credit.

As you in this House are aware, representatives of the community-property States are a minority in the House and in the Committee on Ways and Means. This fact alone lends special significance to the provisions of section 2 of the bill for, as I have said, it is indicative of things to come in the area of tax legislation which should cause all of you concern. Tomorrow your own institutions may be found in the minority. I was joined in separate views concerning section 2 by the Honorable CECIL KING, of California; the Honorable HALE BOGGS, of Louisiana; and the Honorable HAL HOLMES, of Washington. I can assure you that no matter what happens on this provision here or in the other body, where I shall continue to work for its defeat, we will continue to work for an understanding of the problems of the community-property States and of their institutions of law, for I am sure that a proper understanding in the minds of our colleagues from common-law States will prevent further encroachments along the lines of section 2 of the bill.

To turn to other sections of the bill, all of you will remember the accolades with which section 1361 of the 1954 code was hailed. As you recall, section 1361 permits proprietorships and partnerships to elect to be taxed as corporations. Section 52 of H. R. 8381 repeals section 1361, effective with respect to taxable years beginning after December 31, 1957. Our investigation in the subcommittee led us to believe that section 1361 serves no useful purpose and is, in fact, no more than a trap for the unwary. The regulations under this section have not been promulgated and in all probability never will be. Without the essential guidance

which taxpayers have a right to expect from the regulations, the section is no more than a breeding ground for litigation and dispute between the Internal Revenue Service and those taxpayers unfortunate enough to have elected to be treated under its provisions. In addition to repealing the section, effective for taxable years beginning after December 31, 1957, section 52 also gives validity to the Treasury's temporary rules by, in effect, making what the statute now states to be an irrevocable election revocable, by providing for the making of an election within the period ending before the last day of the 3-month period following the month in which regulations on section 1361 are prescribed and published in the Federal Register.

Three sections of the bill relate to the estate tax provisions of the Internal Revenue Code. Section 53 extends the period of limitations for filing claims for credit for State death taxes. Under existing law a credit is allowed for State death taxes which are paid within 4 years after the estate tax return is filed, but if an extension of time is granted in which to pay Federal estate taxes, the State death taxes need not be paid until after the period of extension. Similarly, in the case of a deficiency, State death taxes need not be paid until 60 days after the tax court's decision becomes final to be eligible for credit. However, if the estate tax is paid and then a refund claim is subsequently filed, no extension of time is now available for the payment of State death taxes. Section 53 of the bill would extend the time for payment of State death taxes so that, in the case of timely claims for refund or credit, State death taxes may be claimed if these taxes are paid within 60 days after the Treasury Department has notified the taxpayer of the disallowance of part or all of his claim or within 60 days after a final decision of a court on this claim.

Section 56 is of particular interest to tax practitioners because of the insight that it provides in judging the effectiveness of proposals to prevent abuses of the tax system. As you will recall, the Treasury Department appeared before the Ways and Means Committee during the consideration of H. R. 8300, the bill which became the Internal Revenue Code of 1954, and advocated the repeal of the so-called premium payment test, under which life-insurance proceeds had been subjected to tax in the estate of the insured, even though he had given away all of the incidents of ownership but had continued to pay the premium. In the Senate Finance Committee, officials of the Treasury Department, with revenue considerations foremost in their minds, had a change of heart and asked that the premium payment test be left unchanged. H. R. 8300, as it went to conference between the two Houses and as it was enacted, provided for the repeal of the premium payment test. Since the enactment of the 1954 code, the Treasury Department has consistently advocated the reimposition of the premium payment test in its entirety. However, in the release of November 7, 1956—the list of unintended benefits and hardships—the Treasury suggested the "inclusion in the decedent's estate of the difference of the proceeds received upon death and the reserve at the time of death or possibly the cash surrender value at the time of death." This proposal was opposed in the public hearings conducted in November of 1956 by representatives of the life insurance industry, who pointed out that life insurance was, in fact, no different from any other property and should be the subject of an inter vivos gift, just as any other property is, without the imposition of estate tax. However, the Committee on Ways and Means, evidently because it feared the abuse of the existing provision, in section 56 of the bill, originally provided for partial restoration of the premium payment test, but limited the inclusion in the gross estate of the deceased, to the proceeds attributable to the premiums paid within the 5 years immediately preceding the decedent's death. This rule would have applied only to policies purchased within 5 years of the decedent's death, and those cases where the decedent owned the policy or had other incidents of ownership within 5 years prior to his death which within the 5-year period were transferred to other beneficiaries. The section would have been effective only with respect to life-insurance policies purchased after June 26, 1957. Wisely, I believe, the Committee on Ways and Means has here today offered a committee amendment striking section 56 from the bill. The section satisfied neither the proponents of the Treasury point of view nor those who believed the estate-tax treatment of life-insurance proceeds should remain in the posture provided by existing provisions of the Internal Revenue Code of 1954. The provisions of section 56 were at best a compromise, the effectiveness of which were open to doubt from their inception. It should now be possible for the Committee on Ways and Means to take up the problem again with objectivity, and to ascertain the course of action which would be best pursued.

I could go on at length concerning the many other interesting provisions of the bill. However, limitations in time preclude a more detailed discussion of its provisions. I commend to you House Report 775, which contains an excellent explanation, both general and technical, of each of the provisions of the bill, and to the excellent summary of the bill's provisions made here on the floor today by my esteemed chairman, the Honorable WILBUR D. MILLS. This report has been reprinted in full by most of the tax services.

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

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

Mr. THORNBERRY. I want to express appreciation to my distinguished colleague for the splendid explanation of the sections of this bill covered in his discussion.

I am disturbed, of course, as the gentleman is, by section 2 of this bill, which, as he has pointed out, is an encroachment on the laws and institutions of the community property States. Section 2 does not belong in a bill of this nature.

I associate myself with my distinguished colleague from Texas in his opposition here to this section and with him and those who joined with him in filing separate views in the committee report, expressing valid reasons why section 2 should not be enacted. It should be eliminated from the bill before the bill is finally passed by this Congress.

Mr. IKARD. I thank the gentleman.

Mr. MILLS. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois [Mr. YATES].

Mr. YATES. Mr. Chairman, the first paragraph on page 83 contains the sentence:

> Under present law a taxpayer may choose to use the taxes paid a foreign country as either a credit against his tax or as a deduction in computing taxable income.

Hearings before the other body last year disclosed that several of the American oil companies who were developing the oil resources for certain foreign governments in the Middle East persuaded such governments to designate royalty payments made by the companies to such foreign governments as taxes. For that reason, the companies were permitted to deduct the amount paid to such foreign governments from taxes due the American Government. Because of such deductions, as well as the use of the oil-depletion allowance upon their earnings in such foreign countries, there was no tax paid to the American Government covering such operations, even though the gross earnings were substantial.

I ask the chairman whether this is not the type of loophole that should be closed. Today, in this bill, the committee seeks to close a number of loopholes, yet this very flagrant loophole is not covered. I am sure the chairman has in mind the situation to which I refer.

Mr. MILLS. The gentleman is referring specifically to the Aramco case?

Mr. YATES. That is correct.

Mr. MILLS. Actually I have not had the opportunity yet to know all the facts regarding the tax status of that taxpayer. The gentleman from Illinois, I am sure, knows that the Joint Committee on Internal Revenue Taxation instructed the staff of that committee to make a study of this situation and report back to the Joint Committee on Internal Revenue Taxation with respect to the facts so that, since the Joint Committee is made up of the ranking members of the Committee on Ways and Means and members of the committee of the other body—so that the legislative committees could have an opportunity of determining whether or not legislation is needed. Frankly, I do not know what the facts are. I am awaiting the report of this staff and when it is given to us, so far as I am personally concerned, I shall go into it to determine whether, in my opinion, legislation is needed.

Mr. YATES. The hearings in the other body indicated that payments were being made to the foreign government as royalties. The next year, as a result of this amendment having been made to the tax law, the word "royalties" was taken out and the word "taxes" was substituted. As a result they were permitted

or the company was permitted a deduction of its tax. I think that is a grossly unfair situation. I hope the chairman will go into that matter.

Mr. MILLS. I assure the gentleman that when this report comes in, as an individual Member of Congress, I am going to look into it to see whether or not, in my opinion, any legislation is needed.

Mr. YATES. I hope the gentleman will go into it as chairman of the committee as well.

Mr. MILLS. It is hard to escape that situation.

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

Mr. MILLS. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia [Mr. DAVIS].

Mr. DAVIS of Georgia. Mr. Chairman, I want to protest as vigorously as I can the provision which repeals section 120 of the 1954 Code. That is the provision which permits police officials of State and local governments to exclude from taxable income subsistence allowances not in excess of $5 a day.

This provision was enacted just 4 years ago. I notice in the report on page 7 that this section is now being repealed because they say it is inequitable. I fail to see how the same reasoning which induced the enactment of this provision in 1954 is not applicable today to the circumstances and conditions as they now exist. This report says that while only two States, Georgia and Indiana, now have laws that enable police to obtain the benefit of this provision, that if all the other States adopted similar legislation it would amount to as much as $50 million a year. I think that is bad reasoning. If it was just in 1954, I think it is just today and the criteria and standards should not be how much money it is going to cost the Revenue Department, but rather whether the provision is just and equitable. I think it is just and equitable, and I would ask the committee, who under the rule can only offer amendments, to offer an amendment and strike out this section repealing section 120 of the Code of 1954.

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

Mr. DAVIS of Georgia. I yield.

Mr. BROWN of Georgia. Mr. Chairman, I join in the request of the gentleman from Georgia to the committee. I agree with the gentleman from Georgia there was good reason for passage of this bill at the time, and there is no change in conditions since then.

Mr. MILLS. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. ROOSEVELT].

Mr. ROOSEVELT. Mr. Chairman, it is always a little difficult, I believe, to plead a special case, but I believe that a case can be made in opposition to both section 2 and section 14. Section 2, if the views as filed by members of the committee are valid, as I believe them to be, is rank discrimination. If our rules prevent, as they do, an attempt to alter this provision, I hope the other body will do so. Section 14 has to do with the depreciation of improvements on leased property in growing areas or areas of a very fast growing nature such as California. Future experience may show the difficulty of applying this provision, so I will ask in the House, which I believe is the proper procedure, to include the arguments made by the Los Angeles Chamber of Commerce, respecting both sections 2 and 14, at the conclusion of my remarks at this time. I thank the chairman for yielding to me.

The following is the statement of the Los Angeles Chamber of Commerce on sections 2 and 14:

STATEMENT ON SECTION 2

The Federal affairs and life insurance committees are concerned that Federal legislation should again attempt to dictate what is community income and what is not. This is clearly an invasion of the rights of the community property States which over the years have sustained their contention that half of community income belongs to the husband and half to the wife. Community property is an incident of the marital relation. It originates in and is regulated by State law. The extent of the interests in community property are determined only by State law. This is a fact which should not be ignored by the Congress for the purpose of levying taxes.

Under the change proposed, the Federal Government would attribute a fictional status to the interest of a husband and wife in community property and, in so doing, attempt to give legislative sanction to an unrealistic view of the community property system—a system which was old before Congress came into being. California's system is largely the result of Spanish law which governed the State before it was admitted to the Union.

When so-called individual income tax inequities between the community and noncommunity property States troubled the Federal tax levying authorities more than a decade ago, community property States strongly resisted the attempts of Congress to deny the tax advantages which resulted from their system of property ownership. The problem was solved through extension by Federal law (1948) to the noncommunity property States of the income-splitting privilege enjoyed by recipients of community income in community property States under their own laws.

When the Federal Government sought to tax all property in community property States to the estate of the husband upon his death, as was the practice in noncommunity property States, the compromise effected which arose from objections of the community property States, was the enactment in 1948 of marital deduction provisions to be applicable to property of married persons which is not community property.

If anything needs to be done about this problem, a better solution would be to extend the split-income advantage to the noncommunity property States rather than attempt to over-ride the settled law of the community property States.

A real danger in the present proposal is that the estimated loss to community property States is relatively small, and the provision is a part of an extensive bill devoted to a great many subjects—all important but few attracting much public attention—with the result that it may be difficult to enlist sufficient opposition to this section to prevent the establishment of a precedent endangering the whole community property concept as to rights in property. A breakthrough of the principle which the community property States have managed to keep intact until now could conceivably open the door to the destruction of all the tax advantages under the community property laws, leaving only the disadvantages.

The core of the problem is clearly expressed in the following statement contained in an amici curiae brief of the attorneys general of the community property States, filed with the Supreme Court of the United States (October term, 1945) in the case of *Joachim O. Fernandez, United States Collector of Internal Revenue, Appellant* v. *Samuel G. Wiener, William B. Wiener and Jacques L. Wiener, Appellees* (on appeal from the District Court of the United States for the Eastern District of Louisiana, New Orleans Division) relating to the estate tax controversy:

"We revert to the Congressional concept * * * to the effect that in noncommunity property States, property acquired by the husband after marriage 'through his own efforts' is regarded as belonging to the husband. Translated, this means that the husband is the beneficiary of his wife's 'efforts' as well as of his own. Manifestly, such a system has its advantages—to the male population. Since the converts to the community property system have been few, it seems that those advantages are deemed to outweigh certain differences between community and noncommunity property States in respect of taxation. All the States can obtain the advantages, if any, of the community property system by adopting it. The remedy is in their hands, and the price is willingness to forego the advantages which the common law gives the sex which, if allowance is made for obstinate self-deception, is master only when its opinions are concurred in, and obeying, believes that it commands. In the absence of willingness to pay that price, it comes with ill grace for the noncommunity States, the majority through their lawmaking power, to enact legislation impairing the operation of the older and more equitable system.

"If Congress can validly enact such legislation, a long step has been taken toward obliteration of the autonomy of the States, and towards Congressional control over their institutions, customs, laws."

STATEMENT ON SECTION 14

The Federal Affairs Committee of the Los Angeles Chamber of Commerce contends that the proposed change is not realistic and could work a substantial hardship on commercial enterprises and industries in fast-growing areas such as southern California, where there have been and are likely to be rapid changes in the character of suburban areas in which they may locate. For example, assume that a businessman enters into a lease with a 20-year primary term with an option to renew for an additional 20-year period. Subsequent thereto he proceeds to construct substantial improvements on the leased property with the usual requirement that the leasehold improvements will become the property of the lessor at the termination of the lease. Under the proposed amendment to the 1954 code, the lessee will be required to amortize the cost of the improvements over a 40-year period, unless it can be shown that it is more likely than not that the lease will be terminated at the close of the first 20-year period. Of course, if the useful life of the improvements is less than the full term of the lease, depreciation can be computed by using the shorter period in determining the rate. If, at the end of the 20-year primary term, the lease is terminated, the lessee will be allowed to write off his unamortized cost at that time. However, he may not be able to obtain a full tax benefit at that time because of a reduced level of income. Moreover, he would have paid higher income taxes in the first 20-year period because of lower amortization allowances.

The committee is advised that there is a good deal of sentiment among members of the accounting profession that the proposed new subsection would be most difficult to comply with and could have many unfair effects upon business taxpayers.

This proposed addition to the Internal Revenue Code is a part of the "technical amendments" bill which has been reported by the House Ways and Means Committee and is on the House Calendar under a peculiar rule.

In clearing the bill for House action, the Rules Committee issued a rule that amendments to the bill on the floor would be barred with one exception: Representative CURTIS, Republican, Missouri, would be permitted to offer an amendment to delete from the measure a section which would tighten the estate tax treatment on certain life insurance policies. However, there are other parts of the bill to which objections have been voiced by several members of the House Ways and Means Committee, such as the proposed change affecting retirement income credits in community property States which is the subject of a separate report to the Board of Directors. Accordingly, efforts are being made to persuade the Rules Committee to reverse itself, and in the meantime, the measure remains on the House Calendar.

Financial writers have called attention to the far-reaching impact of this entire measure on a large number of taxpayers, stating that because of its technical provisions, it has attracted little public attention, being devoted to closing alleged tax loopholes and providing for the easing of a few tax hardships not intended by the Congress. The bill contains scores of items and covers such subjects as the tax treatment of bonds, pensions, annuities, partnership earnings, mineral properties and many other types of income and investments.

Mr. MILLS. Mr. Chairman, I yield 1 minute to the gentleman from Ohio [Mr. VANIK].

Mr. VANIK. Mr. Chairman, may I say at the outset that I appreciate the intensive work and attention the Committee on Ways and Means has given the measure under consideration.

For want of information and in fear of the potential effect of the carryback and carryover of foreign tax credit provided by new section C of subsection 37 of the bill or section 904 of the internal revenue laws of 1954, I am constrained to oppose this section of the bill which provides for a carryback and carryover of excess tax paid to any foreign country by an American taxpayer.

In reading over the testimony before the subcommittee, I find no impelling reason why the foreign tax carryback and carryover privilege should be extended to the special group of taxpayers who are in a position to use it in their tax avoidance plans. It will result in a considerable loss to the Treasury.

I am particularly concerned that this section may have wider application and result in an even greater loss of tax dollars than we can today estimate.

It is my fear that somehow or another this section may prove extremely useful to American companies engaged in foreign oil development, such as the Arabian American Oil Co. operations in the Middle East.

Mr. MILLS. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, let us get the record straight. The gentleman was talking about section 37. We do not, in connection with section 37, repeal the per country limitation by any means. It is still in the law. That section does not affect that situation.

Mr. Chairman, I now yield 2 minutes to the gentleman from North Carolina [Mr. WHITENER].

Mr. WHITENER. Mr. Chairman, with reference to section 4 about which the gentleman from Georgia [Mr. DAVIS] spoke, I rise in opposition to that provision. I would like to point out some of the inequities which I believe the enactment of this provision would bring. In my own State of North Carolina at the last session of the General Assembly, the members of the State Highway Patrol were granted a subsistence allowance of $40 per month which under existing law would not be subject to taxation. In my own community, and in other communities throughout the country, I am advised that governing bodies of municipalities and other local and State agencies have enacted ordinances and regulations which put the police officers on a subsistence basis for a certain portion of their income. This was done by these agencies pursuant to the advice of competent counsel. The League of Municipalities, I am advised, in the State of North Carolina recommended it to the local governing bodies. As a result of that, I am told that the individual officers are now called upon to pay taxes upon subsistence money which they received from their employers. That was not because the police officer was trying to evade taxes, but because higher authorities of the community so decreed.

If we cannot eliminate section 4 from the bill as it is now written, I certainly hope and suggest that we make the effective date some date in the future in order that the police people in the Nation will not be penalized by any action that we take here. I urge that section 4 be deleted. If that is not deemed feasible the bill should be amended to extend the effective date until the end of the current year in order that hardship upon the individual police officers may be avoided.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. MILLS. Mr. Chairman, I yield 1 minute to the gentleman from Georgia [Mr. PRESTON].

Mr. PRESTON. Mr. Chairman, I wish to subscribe wholeheartedly to the statement made by my distinguished colleague from Georgia [Mr. DAVIS] with reference to the elimination of section 120 of the Revenue Code of 1954.

I realize it is futile to undertake to do anything about it on the floor. The gentleman from Arkansas [Mr. MILLS] I think would concede that the Georgia delegation has been diligent in putting forward its position in this matter.

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

Mr. PRESTON. I yield.

Mr. MILLS. The Georgia delegation has been most diligent in making known its position on this matter to the chairman of the committee and other members of the committee. Everything that could have been done has been done by the Georgia delegation to enlighten us on this subject.

Mr. PRESTON. I thank the gentleman.

We recognize that quite a hardship will be worked on many members of the Georgia State Patrol and other peace officers. There are many cases pending that will require many of those officers to readjust returns over a period of years and pay quite large sums of interest.

I regret very much that the committee has seen fit to do this.

The CHAIRMAN. The time of the gentleman from Georgia [Mr. PRESTON] has expired.

Mr. MILLS. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Chairman, of course no bill could come out of this committee which would meet with the approval of everybody. It is like your first visit to the dentist. You do not like it, but on the other hand it is as good a bill as anyone could draw, applying to all the public. The committee is to be commended. However, it seems to me there are two or three questions that might be answered.

Last week a Member of the other body went to Detroit and a Detroit paper, the Detroit Free Press, says he threw around several brickbats. Then a gentleman named Reuther, who acts for the UAW-CIO, handed back a like number of bricks and just as vigorously.

The editorial from the Monday, January 27, Detroit Free Press, captioned "Goldwater Versus Reuther," reads as follows:

GOLDWATER VERSUS REUTHER—LOUD AND LIVELY BUT LITTLE ELSE

If they grow, seeds planted here last week could give Michigan's 1958 political campaign its distinguishing characteristic—and an unfortunate one it would be.

Should it happen that way, voters will mostly hear about who runs the Republicans and who runs the Democrats, and is this good.

At the Wayne County Republicans' fund-raising dinner, Senator BARRY GOLDWATER stressed the theme that it takes an extremely strong light to discern where Walter Reuther leaves off and Michigan's Democratic Party begins.

Mr. Reuther countered swiftly.

He declared that in Michigan the Republican Party is run by the big auto companies. This thesis he embroidered with several assertions represented as fact which are no more susceptible to proof than some of what Senator GOLDWATER offered as gospel.

Mr. Reuther delivered this up-the-Democrats, death-to-Republicans speech at the UAW special convention called to discuss matters of high-priority union interest. Conceivably a carper might say that, of itself, this platform's use for a strictly partisan outpouring confirmed what Senator GOLDWATER said about where the Democrats are run from.

Nor was anything taken away from this line of argument when Governor Williams came before the convention Friday to deliver a half-hour echo to Mr. Reuther's salvos at the Senator.

None of this detracts from Mr. Reuther's accuracy when he said that the auto makers have taken a role in the affairs of Michigan's GOP.

Whether they have had on its steering wheel the influencing hand which Mr. Reuther claims might be another matter. Not that perhaps they wouldn't like to, but on some days we get the feeling that this State's GOP has no steering wheel.

Nevertheless, it is not out of business. Mr. Reuther erred when he said that in Michigan the Republican Party has been repudiated. He can confirm his mistake in this respect by asking Governor Williams which party sends a majority to the legislature. Mr. Williams has that answer down by heart.

But whether one subscribes to Senator GOLDWATER or to Mr. Reuther, the fact is that last week neither of them produced anything but brickbats. Brickbat throwing makes a lively spectacle, but isn't the substance of which a political campaign should be made.

True, the extent to which a party is subject to some special control deserves more than passing mention. But in the last analysis the voter usually has to decide the truth in this respect by observation and his own perspicacity rather than by what he is told.

And, barring partisans with a high degree of emotional involvement, Senator GOLDWATER and Mr. Reuther are likely to find themselves boring people with their charges.

Mainly that is likely to be so because the average individual questions whether either big business or big labor should run the show in this country. Either way there is a concentration of power, and a too concentrated power no matter where it rests isn't good. That is coming to be increasingly understood.

If Michigan is to have a meaningful campaign it is up to both parties to spell out exactly how they see the problems and what they propose to do toward solving them.

Republicans and Democrats alike will betray the voter if in these times they give him no better material for his decision than emotionalist vilification.

We hope those seeds planted last week don't send up shoots. Should they produce the principal campaign crop, Michigan voters are going to be badly handicapped in trying to make any sort of intelligent verdict about the governing of their State.

Among other things, the Free Press states that—

Barring partisans with a high degree of emotional involvement, Senator GOLDWATER and Mr. Reuther are likely to find themselves boring people with their charges.

That may be true, but if it be equally true, as stated by the press, that every eighth individual in Detroit is on unemployment compensation, and if unemployment is to continue and the burden upon out-State taxpayers grows heavier, it is quite probable that citizens generally will be deeply interested in whether the charges made by the Senator are based upon fact, whether the policies suggested by Mr. Reuther to govern the motor industry be helpful or just another impracticable suggestion.

Note the paragraph from the editorial:

Republicans and Democrats alike will betray the voter if in these times they give him no better material for his decision than emotionalist vilification.

Certainly every sensible individual will admit that emotional vilification is entitled to but little, if any, weight. But how about the facts?

When opportunity offers, there will be presented to the House a factual statement of at least some of Mr. Reuther's activities, and, from that statement, it is my hope that at least the Members of the House who care to listen or to read it will be able to form an accurate judgment as to Mr. Reuther's record and the result of his past activities and of the present time.

Regardless of Mr. Reuther's beliefs, he is, like everyone else, responsible for what he does, and when the record is made clear it is just possible that some, at least, will concede that he does not possess a sound solution of the present economic depression.

But, for the present, skipping Mr. Reuther's record, will the chairman of the committee advise the House—if he has the information—whether it is better from a tax standpoint to go along with Mr. Reuther, the UAW-CIO, and the remedies suggested by Mr. Reuther as to how management should be exercised, a business operated, profits, if any, divided, or should the voters pin their faith to private enterprise, as carried on by the motor and other industries in Detroit.

Will the chairman advise as to the amount of tax paid by the UAW-CIO?

Mr. MILLS. Let me observe to the gentleman from Michigan that the members of the Ways and Means Committee always try to write tax proposals as far removed from brickbats as possible.

Mr. HOFFMAN. And no taxpayer thinks you make them small enough or few enough.

Mr. MILLS. I am certain most any taxpayer would welcome a reduction in his own tax.

Mr. HOFFMAN. Beyond doubt.

My question was: How much tax does the UAW-CIO pay? It is exempt; is it not?

Mr. MILLS. Unless they are engaged in some related activity, it is exempt.

Mr. HOFFMAN. As far as I know, they do not manufacture automobiles. They do not create jobs. How much does the motor industry in Michigan pay by way of taxes, just approximately?

Mr. MILLS. I have forgotten the last figure or the year to which it was applicable, but it seems to me it would be in the nature of a billion dollars.

Mr. HOFFMAN. Then it would appear—and I do not ask for any reply from the chairman of the committee—it would appear as though it would be better for Michigan and the taxpayers generally to go along with industry even if it be the motor industry rather than with Mr. Reuther and the UAW-CIO—that is with Mr. Reuther's recent suggestion as to how the so-called big three should carry on their businesses. That is their way of creating and maintaining jobs and meeting payrolls, is it not? You need not answer. The answer, of course, is obvious to the worker who wants employment.

Sometimes when the President tells us that we are at the crossroads, that our future welfare and security is at stake, that a crisis or a great emergency exists, Mr. Reuther comes up with a solution. He has had several. Let me refer to just one before this last one. In his letter of July 15, 1950, to President Truman, while the program was then labeled one to stop aggression throughout the world, he suggested, and I quote:

For the next hundred years (1950–2050) the people of the United States through their Government pledge themselves to make available through the United Nations an annual sum of $13 billion.

In that statement he was a little kinder than usual to industry in that he did not suggest that it contribute the $13 billion per year. His thought then was to put the burden upon all of us.

It is just possible that the doubling of the number of foreign cars sold in this country during the past year may shake Mr. Reuther's confidence in some of his programs, that is, if he really has in mind the welfare of the automobile workers of this country.

The truth of the matter is that cars have grown so large and the price has gone so high that the motor industry, perhaps like the farmer, has created a surplus—today people either do not have the money to purchase the present output of the factories or they prefer a smaller car which can be operated at less cost.

Whatever may be the cause, the market for autos and kindred products seems no longer to be a seller's market.

If that be true, then it would seem to follow that neither the big three nor any other segment of the motor industry can, or will, be able to comply with Mr. Reuther's present demands.

In the past, many an independent citizen has not felt kindly toward the motor industry because he thought it was perfectly willing to meet any demand of organized labor so long as it could sell its product. Now it is just possible that the car market is saturated and, if that be true, turning management over to Mr. Reuther and his staff of experts will not solve or tend to solve the problem. We will all just have to sweat it out until acceptable cars can be manufactured and sold at a price which will at least pay operating expenses and some slight returns on the capital invested.

Have often wondered why it is that some of the people who, like Mr. Reuther, are in a position to collect through dues not only a $25-million strike fund, but, no doubt, a $50-million strike fund, and who have control of additional millions, do not establish an industrial plant—just one—and give us all a demonstration of how industry should operate successfully and at the same time meet demands similar to those made by Mr. Reuther. He always seems able to write a prescription but he has not, as yet, given us a practical demonstration of the effect of the use of his remedy.

Mr. MILLS. Mr. Chairman, I yield 1 minute to the gentleman from Indiana [Mr. WILSON].

Mr. WILSON of Indiana. Mr. Chairman, I want to thank the gentleman for giving me this time. I wish to speak briefly in regard to section 31 of this technical amendments bill.

Section 31, page 42, represents 3 years of hard, tedious effort on my part to obtain for all producers of limestone and other minerals the same advantage of depletion allowances for income tax purposes. Heretofore, those paying taxes on a calendar year beginning late in the year have lost much advantage for tax purposes to those with taxable years beginning early in the year. This

amendment enables them all to receive the same benefits for mineral depletion.

I am happy, Mr. Chairman, that the great Committee on Ways and Means saw fit to include section 31 in this bill. I feel I should inform the House that this particular section was included in a previous bill which passed both the House and Senate. However, at that time it was in a bill containing many objectionable provisions with the resulting effect that no conference was ever called and, therefore, the bill died.

This bill is made up of highly desirable corrections and clarifications. I am sure that if it does not become cluttered up with a lot of undesirable amendments in the Senate, it will be signed by the President and become law. I hope every Member of this House will prevail upon their Senators to see that this bill is kept free of undesirable amendments which might bring about its death in the Senate or in conference or by a veto.

Mr. MILLS. Mr. Chairman, we have no further requests for time.

The CHAIRMAN. There being no further requests for time, under the rule the bill is considered as having been read for amendment. No amendment to the bill is in order except amendments offered by the Committee on Ways and Means. Are there any committee amendments?

Mr. MILLS. Mr. Chairman, there are committee amendments.

Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. MILLS: Page 4, strike out line 9, and insert: "from gross income; but such term does not include such an obligation if—

"'(A) it is sold or otherwise disposed of by the taxpayer within 30 days after the date of its acquisition by him, and

"'(B) in the case of a sale, the amount realized (or in the case of any other disposition, the fair market value of the obligation at the time of such disposition) is higher than its adjusted basis (computed without regard to this section). Determinations under subparagraph (B) shall be exclusive of interest.'; and."

Mr. MILLS. Mr. Chairman, this is the committee amendment to which I referred in response to the question raised by the gentlewoman from Illinois [Mrs. CHURCH]. I have a rather detailed explanation of the committee amendment which I do not think necessary to take the time of the Committee to go through. I ask unanimous consent that I may extend my remarks at this point in the RECORD in explanation of the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

(The statement referred to follows:)

PROPOSED AMENDMENT OF SECTION 3

Section 3 deals with the amortization, by dealers in municipal bonds, of premiums on such bonds during the period during which they are held.

The premium on the bond is usually an offset to an excessive interest rate. If a municipal bond paying 6 percent matures in 1 year and if the ordinary rate of interest on such a bond is 3 percent the purchaser will pay about $1,030. If he holds it for a year he will receive $60 in tax-exempt interest and have what appears to be a loss of $30. Actually, of course, there is no real loss; he will have received a net $30 of tax-exempt interest. To prevent the deduction of such unreal losses section 171 (with respect to investors) and section 75 (with respect to dealers in such bonds) require, in general, that the premium be amortized ratably over the period held so that the basis at the time of sale or maturity will reflect the reduced premium and there will not be a loss to be deducted.

Section 75 of present law, however, provides that dealers are not required to amortize premiums on tax-exempt bonds if they are held less than 30 days. This exception was deemed necessary to eliminate excessive bookkeeping costs where the bonds were held (as is usually the case) for only a short period before they were sold. Also, under present section 75 amortization by dealers is not required where the maturity or earliest call date of the bond is more than 5 years later than its acquisition date. This exception was deemed reasonable because at that time most high-interest municipal bonds had short maturities of from 1 to 5 years.

Certain dealers in tax-exempt bonds have been taking advantage of these exceptions. They have been making a regular practice of holding high-interest exempt bonds for a little less than 30 days and then transferring them to other dealers who similarly hold them for a little less than the 30 days. Thus, each of the dealers involved in this practice reduces his tax by deducting the loss which results from the reduction of the premium during the short period held. Also, some of these high-interest municipal bonds have a maturity date of more than 5 years, and dealers are holding these bonds and deducting the artificial losses with respect to the reduced premiums.

To eliminate these evils section 3 of the bill eliminates both exceptions, so that with respect to all tax-exempt bonds, whether or not they were held for only a short period and whether or not the maturity date was more than 5 years later, dealers would be required to amortize the premium. Many dealers have objected, however, to the elimination of the 30-day rule, on the grounds that this will require a disproportionate expense for bookkeeping and recording of the amortization of the premiums on bonds held for a very short period of time. It was suggested that the exception be applied to a reduced holding period of, say, 10 days; but this would have merely mitigated and not eliminated the evil involved in the ring-around-the-rosie practice.

To eliminate the evil and yet not require an inordinate amount of bookkeeping expense by dealers who are not practicing tax avoidance it is proposed not to require amortization of the premium by dealers where the bonds are disposed of within 30 days at a gain; but to require the amortization where the bonds are disposed of within the 30-day period at a loss. A legitimate dealer who is not engaged in the tax-avoidance practice will, of course, ordinarily obtain a dealer's profit upon the sale of these municipal bonds. This profit would ordinarily be considerably greater than the artificial loss during a period of less than 30 days resulting from a decrease in the premium. Thus, under the suggested amendment the legitimate dealer would not ordinarily be required to amortize the premium. On the other hand, those dealers who are engaged in the ring-around-the-rosie procedure and are selling their bonds to other dealers would not, of course, obtain from those dealers the ordinary commercial profit. They would normally sell the bonds to the other dealer at a loss measured by the decline in the premium during the period of time that they held the bonds. By making it necessary to amortize the premium where the bond was not sold at a gain it is believed that this ring-around-the-rosie practice will be stopped.

There was no great objection to the elimination of the 5-year rule in section 75. Therefore, the proposed amendment to section 3 eliminates this 5-year exception, as does section 3 as it is in the bill.

Mr. MILLS. I wish to assure the Committee that it is the feeling of the Ways and Means Committee that in the closing of this unintended benefit we are proceeding along the lines which were pointed out to us by the organization known as the Investment Bankers' Association of America.

The committee amendment was agreed to.

Mr. MILLS. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. MILLS: Page 29, line 13, strike out "paragraph" and insert "paragraphs."

Page 29, strike out line 15 and insert "ments generally.—Except as provided in paragraph (5)—."

Page 31, line 20, strike out the quotation marks, and after line 20 insert:

"(5) Special rule for pre-1955 adjustments in case of certain decedents.—A change from the cash receipts and disbursements method to the accural method in any case involving the use of inventories, made on or after August 16, 1954, and before November 7, 1956, for a taxable year to which this section applies, by the executor or administrator of a decedent's estate in the first return filed by such executor or administrator on behalf of the decedent, shall be given effect in determining taxable income (other than for the purpose of computing a net operating loss carryback to any prior taxable year of the decedent), and, if the net amount of any adjustments required by subsection (a) in respect of taxable years to which this section does not apply would increase the taxable income of the decedent by more than $3,000, then the tax attributable to such net adjustments shall not exceed an amount equal to the tax that would have been payable on the cash receipts and disbursements method for the years for which the executor or administrator filed returns on behalf of the decedent, computed for each such year as though a ratable portion of the taxable income for such year had been received in each of 10 taxable years beginning and ending on the same dates as the taxable year for which the tax is being computed."

Page 32, line 2, after "paragraph (4)", insert "or (5)."

Mr. MILLS (interrupting the reading of the amendment). Mr. Chairman, I ask unanimous consent that further reading of the amendment be dispensed with, the amendment to be printed at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MILLS. Mr. Chairman, this section has to do with this matter which was also discussed in general debate. Section 24 amends section 481 of the code to make it possible for the Secretary of the Treasury or his delegate to approve requests of taxpayers for a change from a cash to an accrual basis in computing income for taxation purposes.

Mr. Chairman, I ask unanimous consent to extend at this point in the RECORD an explanation of this section.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The explanation follows:

The proposed amendment would add an additional special rule to section 24 of H. R. 8381. Section 24 is an amendment to section 481 of the Internal Revenue Code of 1954, relating to adjustments required by changes in method of accounting. The proposed amendment is applicable to situations in which a change from the cash to the accrual method of accounting was made in returns filed on behalf of decedents by executors or administrators of decedents' estates on or after the enactment of the 1954 code and prior to November 7, 1956, if the change was made because the decedent's business involved the use of inventories. Under the amendment, such a change will be given effect in the computation of taxable income. In addition, a transitional adjustment in computing the taxpayer's taxable income will be required to be made under section 481, as it would be amended by section 24, but this adjustment will be limited under the special rule to be added by this proposed amendment if the net amount of the adjustment would increase the decedent's taxable income by more than $3,000. This limitation is based upon the tax that would have been payable on the cash method of accounting for the years for which the executor or administrator filed returns on behalf of the decedent, and the tax is computed in a manner to avoid excessive rates as a result of distortion of income due to death and the change in method of accounting. The date November 7, 1956, is the date taxpayers were put on notice by public announcement that changes in section 481 were under consideration by a subcommittee of the Committee on Ways and Means.

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

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Chairman, the proposed amendment relates to the application of section 481 of the code, as amended by section 24 of the bill, in situations in which a change from the cash to the accrual method of accounting was made in returns filed on behalf of decedents by executors or administrators of decedents' estates prior to November 7, 1956, because the decedent's business involved the use of inventories. Ever since the Revenue Act of 1918 the income-tax regulations had provided, as did the proposed regulations issued under the 1954 code on December 21, 1956, that in inventory cases the only proper method of accounting was the accrual method. Under the amendment, such changes will be given effect in the computation of taxable income and a limitation is placed upon the amount of tax attributable to the transitional adjustment. This limitation is based upon the decedent's cash basis income, and the tax is computed in a manner to avoid excessive rates as a result of distortion of income due to death. The date November 7, 1956, is the date taxpayers were put on notice that changes in section 481 were under consideration.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. MILLS. Mr. Chairman, I offer another committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. MILLS of Arkansas: Page 53, strike out line 20 and all that follows through line 23 on page 55, and insert:

"(a) Short sales made by dealers in securities: Section 1233 (relating to gains and losses in case of short sales) is amended by adding at the end of subsection (e) thereof the following new paragraph:

"'(4) In the case of a taxpayer who is a dealer in securities—

"'(A) if, on the date of a short sale of a security, substantially identical property which is a capital asset in the hands of the taxpayer has been held for not more than 6 months, and

"'(B) if such short sale is closed more than 20 days after the date on which it was made,

subsection (b) (2) shall apply in respect of the holding period of such substantially identical property. For purposes of this paragraph, the last sentence of subsection (b) applies and the term "security" has the meaning assigned to such term in section 1236 (c).'"

Page 55, line 24, strike out "(c)" and insert: "(b)."

Page 56, beginning in line 7, strike out "(d) Effective date: The amendments made by subsections (a) and (b)" and insert:

"(c) Effective date: The amendment made by subsection (a)."

Mr. MILLS. Mr. Chairman, this amendment has to do with the question of short sales made by dealers in securities.

Section 44 of the bill is concerned with the short-sales provision of existing law. Under existing law a short sale of property generally results in a capital gain or loss if the property used to close the sale is a capital asset. Moreover, if at the time of the short sale the taxpayer held substantially identical property to that sold short which he had held for less than 6 months, any gain from the short sale would be considered a short-term capital gain subject to the regular income-tax rates. In addition, the holding period of the substantially identical property he already held, would start anew generally at the time the short sale was closed. On the other hand if the substantially identical securities had already been held for more than 6 months at the time of the short sale and if the short sale results in a loss, present law provides that the loss is to be a long-term capital loss.

It has been possible for dealers in securities to avoid the ordinary income treatment of this short-sales provision by making and closing the short sale from their inventory accounts even though they held substantially identical property in their investment account at the time of the short sale. Since the short sale in this case does not involve capital assets, the holding period of the stock in the investment account is not terminated by the short sale. Thus, a short-term investment is converted into a long-term capital gain taxed at no greater rate than 25 percent.

Section 44 of the bill, as it is now, would stop the circumvention of section 1233 by dealers by making the provisions of that section apply to all short sales of "substantially identical" stocks and bonds whether or not such short sales were closed by the delivery of capital assets.

We have learned, however, that many legitimate and necessary short sales are made by dealers in securities in the ordinary course of their business. Odd-lot dealers of stocks sold on the stock exchanges, for example, frequently end the day short in many stocks which may be substantially identical to stocks also held by these dealers as investments. Also, dealers in the United States bonds, including some of the largest banks, indicate that they may make thousands of short sales of a particular issue in order to maintain a market, at the same time these dealers or banks have large investment holdings of these bonds.

As a result of this information which we have recently obtained, it is clear that, if section 44 were enacted in its present form, serious increases in tax might result to many firms as a result of their ordinary and necessary business activities. Each time any such firm made a short sale of bonds or stocks when it had held similar bonds or stocks as investments for 6 months or less, the previously accumulated holding period of the investment securities would be wiped out. If there were a number of related short sales, any gain on the ultimate disposition of the investment securities would as a result be a short-term rather than a long-term capital gain, even though the securities had been held for many years.

On the other hand, a problem would also arise where the investment securities were held for more than 6 months if the short sale resulted in a loss. Such a loss would be classified as a long-term capital loss which could not even be offset against gains resulting from similar short sales since these gains would result in ordinary income.

Since dealers in securities sell bonds and stocks worth many billions of dollars during the course of a year, if only a small fraction of the sales constituted short sales, the detrimental tax effects on the dealers would appear to outweigh the benefits accruing from the passage of section 44 in its present form.

The proposed amendment would make subsection (b) of section 1233, relating to the holding period for the property already held, apply where the short sale was made when the similar investment securities had been held less than 6 months, but only if the short sale was closed more than 20 days after it was made. It is believed that this will prevent section 44 from applying in the case of normal business transactions since the short sales in such cases are likely to be covered within the 20-day period.

It seems unnecessary to make subsection (d) of section 1233 apply to any short sales made by dealers in the ordinary course of their business. That subsection applies only to short sales made when the related investment securities have already been held more than 6 months. The proposed amendment

therefore makes subsection (d) inapplicable to such short sales.

Mr. MILLS. Mr. Chairman, I ask unanimous consent to extend my remarks and include an explanation of the last amendment.

The CHAIRMAN. Is there objection to the request of the gentlman from Arkansas?

There was no objection.

Mr. REED. Mr. Chairman, we concur.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. MILLS. Mr. Chairman, I offer another committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. MILLS: On page 68, line 1, strike out section 56 of the bill, and renumber the remaining sections of the bill accordingly.

Mr. MILLS. Mr. Chairman, the next amendment deals with the section of the bill to which the gentleman from Texas referred in his remarks that has to do with the treatment of the proceeds of life insurance for estate tax purposes. Under the Code of 1939 the proceeds of that life insurance were included in the estate of the deceased even though the right to the insurance had been irrevocably transferred to some person and so long as the deceased had paid the premiums on that life insurance.

In 1954 we enacted what was known as the waiver of premium payments provision in determining how the proceeds of life insurance for estate tax purposes would be treated and we said that so long as there was an irrevocable transfer of the right to the policy to some designated person, it would not be included generally in the estate of the decedent for estate tax purposes.

The Treasury in its appearance before the committee in connection with the hearings of 1953, as I recall, recommended the provision which is now in the law, but by the time the matter had gotten to the Finance Committee of the Senate, the Treasury had changed its position and opposed that provision. It was included in the list of items submitted to the late Chairman of the Ways and Means Committee in 1956 by the Secretary of the Treasury and he asked that we do something about it.

The subcommittee labored with this matter for many days and the Committee on Ways and Means also labored with it for many days. We came up not with what the staff people had suggested as a solution—we turned that down—but we came up with what is in the bill in section 56 as a compromise. That section now says that if an individual dies within a period of 5 years from the time he makes his designation or transfer of interest, then the proceeds will be included in his estate for estate tax purposes. If he dies longer than 5 years from that period, then it will not be included.

I have reached the conclusion myself, and the technicians with whom I have discussed the matter on my staff and the Treasury have also reached the conclusion, that this is not an adequate solution of a very complex and perplexing problem. Therefore we are suggesting, Mr. Chairman, that this section be eliminated in order that we may have further opportunity to look at it and try to develop a more satisfactory solution.

Section 2042 of the 1954 Code provides that the proceeds of life insurance policies are not includible in the decedent's estate if they are not payable to his executor, and if prior to his death the decedent had transferred to others all the incidents of ownership in the policies.

Section 56 of the bill amends section 2042 to provide that the proceeds of life insurance will be included in the decedent's estate, even if he had transferred all incidents of ownership in the policies, to the extent that the proceeds are attributable to premiums paid directly or indirectly by the decedent within the 5-year period preceding his death, if the policies were purchased, or incidents of ownership transferred, during that period.

Section 56 represents a compromise solution to a difficult problem, about which there are many conflicting opinions. It is evident that it is not a satisfactory solution. The committee therefore thought it advisable to eliminate the section at this time so as to afford the Treasury and the staff an opportunity to further study the matter with the idea of finding a better solution. The committee therefore offers this amendment striking out section 56.

Mr. REED. Mr. Chairman, we have no objection to the amendment.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. MILLS. Mr. Chairman, I offer another committee amendment.

The Clerk read, as follows:

Committee amendment: Page 95, after line 7, insert:

"SEC. 81. Change from retirement to straight line method of computing depreciation in certain cases.

"(a) Short title: This section may be cited as the "Retirement-Straight Line Adjustment Act of 1958."

"(b) Making of election: Any taxpayer who held retirement-straight line property on his 1956 adjustment date may elect to have this section apply. Such an election shall be made at such time and in such manner as the Secretary shall prescribe. Any election under this section shall be irrevocable and shall apply to all retirement-straight line property as hereinafter provided in this section (including such property for periods when held by predecessors of the taxpayer).

"(c) Retirement-straight line property defined: For purposes of this section, the term "retirement-straight line property" means any property of a kind or class with respect to which the taxpayer or a predecessor (under the terms and conditions prescribed for him by the Commissioner) for any taxable year beginning after December 31, 1940, and before January 1, 1956, changed from the retirement to the straight line method of computing the allowance of deductions for depreciation.

"(d) Basis adjustments as of 1956 adjustment date: If the taxpayer has made an election under this section, then in determining the adjusted basis of all retirement-straight line property held by the taxpayer on his 1956 adjustment date, in lieu of the adjustments for depreciation provided in section 1016 (a) (2) and (3) of the Internal Revenue Code of 1954, the following adjustments shall be made (effective as of his 1956 adjustment date) in respect of all periods before the 1956 adjustment date:

"(1) Depreciation sustained before March 1, 1913: For depreciation sustained before March 1, 1913, on retirement-straight line property held by the taxpayer or a predecessor on such date for which cost was or is claimed as a basis and which either—

"(A) Retired before changeover: Was retired by the taxpayer or a predecessor before the changeover date, but only if (i) a deduction was allowed in computing net income by reason of such retirement, and (ii) such deduction was computed on the basis of cost without adjustment for depreciation sustained before March 1, 1913. In the case of any such property retired during any taxable year beginning after December 31, 1929, the adjustment under subparagraph shall not exceed that portion of the amount attributable to depreciation sustained before March 1, 1913, which resulted (by reason of the deduction so allowed) in a reduction in taxes under the Internal Revenue Code of 1954 or prior income, war-profits or excess-profits tax laws.

"(B) Held on changeover date: Was held by the taxpayer or a predecessor on the changeover date. This subparagraph shall not apply to property to which paragraph (2) applies.

The adjustment determined under this paragraph shall be allocated (in the manner prescribed by the Secretary) among all retirement-straight line property held by the taxpayer on his 1956 adjustment date.

"(2) Properly disposed of after changeover and before 1956 adjustment date: For that portion of the reserve prescribed by the Commissioner in connection with the changeover which was applicable to property—

"(A) sold, or

"(B) with respect to which a deduction was allowed for Federal income-tax purposes by reason of casualty or "abnormal" retirement in the nature of special obsolescence,

if such sale occurred in, or such deduction was allowed for, a period on or after the changeover date and before the taxpayer's 1956 adjustment date.

"(3) Depreciation allowable from changeover to 1956 adjustment date: For depreciation allowable, under the terms and conditions prescribed by the Commissioner in connection with the changeover, for all periods on and after the changeover date and before the taxpayer's 1956 adjustment date.

This subsection shall apply only with respect to taxable years beginning after December 31, 1955.

"(e) Effect on period from changeover to 1956 adjustment date: If the taxpayer has made an election under this section, then in determining the adjusted basis of any retirement-straight line property as of any time on or after the changeover date and before the taxpayer's 1956 adjustment date, in lieu of the adjustments for depreciation provided in section 1016 (a) (2) and (3) of the Internal Revenue Code of 1954 and the corresponding provisions of prior revenue laws, the following adjustments shall be made:

"(1) For prescribed reserve: For the amount of the reserve prescribed by the Commissioner in connection with the changeover.

"(2) For allowable depreciation: For the depreciation allowable under the terms and conditions prescribed by the Commissioner in connection with the changeover.

This subsection shall not apply in determining adjusted basis for purposes of section 437 (c) of the Internal Revenue Code of 1939. This subsection shall apply only with respect to taxable years beginning on or after

the changeover date and before the taxpayer's 1956 adjustment date.

"(f) Equity invested capital, etc.: If an election is made under this section, then (notwithstanding the terms and conditions prescribed by the Commissioner in connection with the changeover)—

"(1) Equity invested capital: In determining equity invested capital under sections 458 and 718 of the Internal Revenue Code of 1939, accumulated earnings and profits as of the changeover date, and as of the beginning of each taxable year thereafter, shall be reduced by the depreciation sustained before March 1, 1913, as computed under subsection (d) (1) (B); and

"(2) Definition of equity capital: In determining the adjusted basis of assets for the purpose of section 437 (c) of the Internal Revenue Code of 1939 (and in addition to any other adjustments required by such code), the basis shall be reduced by depreciation sustained before March 1, 1913 (as computed under subsection (d)), together with any depreciation allowable under subsection (e) (2) for any period before the year for which the excess profits credit is being computed.

"(g) Definitions: For purposes of this section—

"(1) Depreciation: The term 'depreciation' means exhaustion, wear and tear, and obsolescence.

"(2) Changeover: The term 'changeover' means a change from the retirement to the straight-line method of computing the allowance of deductions for depreciation.

"(3) Changeover date: The term 'changeover date' means the first day of the first taxable year for which the changeover was effective.

"(4) 1956 adjustment date: The term '1956 adjustment date' means, in the case of any taxpayer, the first day of his first taxable year beginning after December 31, 1955.

"(5) Predecessor: The term 'predecessor' means any person from whom property of a kind or class to which this section refers was acquired, if the basis of such property is determined by reference to its basis in the hands of such person. Where a series of transfers of property has occurred and where in each instance the basis of the property was determined by reference to its basis in the hands of the prior holder, the term includes each such prior holder.

"(6) The term 'Secretary' means the Secretary of the Treasury or his delegate.

"(7) The term 'Commissioner' means the Commissioner of Internal Revenue.

"SEC. 82. Amendments to 1954 code with respect to property acquired from retirement method corporation.

"(a) General rule: Section 372 of the Internal Revenue Code of 1954 (relating to basis in connection with certain receivership and bankruptcy proceedings) is amended by redesignating subsection (b) as subsection (c) and by inserting after subsection (a) the following new subsection:

"'(b) Adjustment for depreciation sustained before March 1, 1913, in certain cases of property acquired from retirement method corporations.—

"'(1) In general: If the taxpayer has acquired property in a transaction described in section 373 (b) or 374 (b), and if any such property constitutes retirement-straight line property, then, in determining the adjusted basis of all retirement-straight line property held by the taxpayer on his adjustment date, adjustment shall be made (in lieu of the adjustment provided in section 1016 (a) (3) (A)) for depreciation sustained before March 1, 1913, on retirement-straight line property which was held on such date for which cost was or is claimed as basis, and which either—

"'(A) Retired before acquisition by taxpayer: Was retired before the acquisition of the retirement-straight line property by the taxpayer, but only if a deduction was allowed in computing net income by reason of such retirement, and such deduction was computed on the basis of cost without adjustment for depreciation sustained before March 1, 1913. In the case of any such property retired during any taxable year beginning after December 31, 1929, the adjustment under this subparagraph shall not exceed that portion of the amount attributable to depreciation sustained before March 1, 1913, which resulted (by reason of the deduction so allowed) in a reduction in taxes under the Internal Revenue Code of 1954 or prior income, war-profits, or excess-profits tax laws.

"'(B) Acquired by taxpayer: Was acquired by the taxpayer.

The adjustment determined under this paragraph shall be allocated (in the manner prescribed by the Secretary or his delegate) among all retirement-straight line property held by the taxpayer on his adjustment date. Such adjustment shall apply to all periods on and after the adjustment date.

"'(2) Retirement-straight line property defined: For purposes of this subsection, the term "retirement-straight line property" means any property of a kind or class with respect to which (A) the corporation transferring such property to the taxpayer was using (at the time of transfer) the retirement method of computing the allowance of deductions for depreciation, and (B) the acquiring corporation has adopted any other method of computing such allowance.

"'(3) Other definitions: For purposes of this subsection:

"'(A) Depreciation: The term "depreciation" means exhaustion, wear and tear, and obsolescence.

"'(B) Adjustment date: In the case of any kind or class of property, the term "adjustment date" means whichever of the following is the later:

"'(i) the first day of the taxpayer's first taxable year beginning after December 31, 1955, or

"'(ii) the first day of the first taxable year in which the taxpayer uses a method of computing the allowance of deductions for depreciation other than the retirement method.'

"(b) Effective date: The amendments made by subsection (a) shall apply only to taxable years beginning after December 31, 1955."

Mr. MILLS. Mr. Chairman, let me take just a moment to advise the membership of the Committee that this amendment is interpreted by the membership of the Committee on Ways and Means as legislating into law a settlement. Frankly, that is what I interpret it to be.

The amendment is applicable to taxpayers who have changed from the retirement to the straight-line method of computing depreciation for Federal income tax purposes for any taxable year beginning after December 31, 1940, and before January 1, 1956. It appears that the only taxpayers who made such a change during this period are certain railroad corporations.

For many years prior to 1942, class I railroads employed the retirement method of computing depreciation on their roadway assets for income-tax purposes and for Interstate Commerce Commission purposes. Roadway assets include buildings, bridges, tunnels, water towers, and the like, but do not include rolling stock or the roadbed or track. Under the retirement method, the original cost of an asset—less salvage value—is charged against income at the time of its retirement from use together with the cost of certain repairs and minor capital improvements. In 1942 the Interstate Commerce Commission ordered class I railroads to change, not later than January 1, 1943, from the retirement method of computing depreciation on roadway assets to the straight-line method. Under the straight-line method of computing depreciation the original cost of an asset is charged against income by means of annual deductions over its life.

Because of the Interstate Commerce Commission order, and because during the war these assets were needed and so would not be retired and charged against income, the railroads asked the Commissioner of Internal Revenue to permit them to change over, for Federal income-tax purposes, to the straight-line method of computing depreciation. Permission was granted, but only on the condition that the railroads establish a reserve of 30 percent of the cost of the roadway assets. The effect of requiring this reserve was to limit the remaining sum which could be recovered by depreciation to the cost of such assets reduced by the 30-percent reserve. Although the railroads objected strenuously, many of them ultimately agreed to the establishment of this reserve imposed by so-called terms letters. The changeovers to the new method of computing depreciation occurred generally in 1942 and 1943.

Since that time a number of court decisions have dealt with the tax effects of the retirement method of computing depreciation and with the tax effects in changing from this method. These decisions relate to a number of different issues. They involve widely varying factual situations and relate, of course, to a very complicated subject. In general, they have thrown doubt upon the validity of the 30-percent reserve requirement imposed upon the railroads under the terms letters. As a result of these decisions, the railroads and the Internal Revenue Service have been engaged in a continuing controversy over the tax effects of this change in method of computing depreciation. The proposed amendment is, in essence, a settlement of this controversy. We are, in effect, legislating into law this settlement.

If the Internal Revenue Service failed completely to sustain its position in court, it has been estimated that there might be a revenue loss of as much as $273 million—in refunds and interest—for the years 1943–55, and that, for the period 1956–95, there would be a total reduction in income taxes approximately $50 million greater than under the proposed amendment. If the amendment is adopted, the Government will pick up approximately $250 million which it would have lost if it failed to sustain its position in court, and, in addition, will pick up an additional $50 million by limiting the deductions for the years 1956–95.

TECHNICAL EXPLANATION

The first section of the amendment is elective. It is applicable only to taxpayers who changed from the retirement to the straight-line method for any taxable year beginning after December 31, 1940,

and before January 1, 1956. If any such taxpayer elects to be governed by this provision, the following general tax consequences result:

First, with respect to taxable years beginning after December 31, 1955, in lieu of a depreciation reserve determined under the terms letters—the 30-percent reserve—the taxpayer's reserve for depreciation will be determined by including only depreciation sustained before March 1, 1913, and by including depreciation computed on the basis of the 30-percent reserve requirement for the years after the changeover and before taxpayer's first year beginning after December 31, 1955.

The effect of this adjustment is to permit, for the future, a larger depreciation deduction than that permitted under the terms letters. However, the taxpayer is required to establish a reserve which takes into account depreciation sustained before March 1, 1913. It has been argued by the railroads that the court decisions do not even require this adjustment and, therefore, they look upon this provision as a concession upon their part.

Second, with respect to the period between the taxpayer's changeover date and the taxpayer's first year beginning after December 31, 1955, the taxpayer's depreciation reserve will be determined by the amount of the reserve prescribed by the Commissioner in connection with the changeover. The effect of this adjustment is, in general, to prevent any further dispute—in the case of an electing taxpayer—over the validity of the reserve requirement imposed by the terms letters for the period of years prior to this legislation. Accordingly, subject only to the exception mentioned next, taxpayers electing to come within this provision will not be permitted to file claims or suits for refunds for any of these years.

Third, the proposed amendment does permit a readjustment for purposes of computations under the World War II Excess-Profits Tax Act. The general effect of the adjustments permitted will be to increase the excess-profits tax credit and to decrease the income subject to the excess-profits tax.

The second section of the proposed amendment is not elective. It applies in the case of any taxpayer who has acquired property of a railroad corporation in a receivership or bankruptcy proceeding if the corporation transferring the property to the taxpayer used the retirement method of computing depreciation and the acquiring corporation—the taxpayer—adopts any other method of computing depreciation. The tax consequences of the application of this section are substantially the same as those described under the first section, except that no provision is made for refund of excess-profits taxes.

One witness before the Subcommittee on Internal Revenue Taxation represented a railroad which was not a party to the terms letters and is still on the retirement method of accounting for tax purposes. This railroad had obtained a court decision holding that it was not required to adjust the basis of its property for depreciation sustained prior to 1913. Concern was expressed that the proposed solution herein—the agreement on the part of other railroads to accept an adjustment to the basis of their property for depreciation sustained prior to 1913—would be forced upon a taxpayer by the Commissioner if that taxpayer in the future seeks to make the change from the retirement method of accounting. To avoid this result, it was suggested that the proposal be restricted to those railroads which were parties to the terms letters and, in dealing with future applications for changes in accounting method, the Commissioner be prohibited from requiring the taxpayer to make any adjustments to its property account for pre-1913 depreciation.

The Committee on Ways and Means believes that any such provision is unnecessary and that the concern of this railroad is unfounded since this section, by its terms, applies only to those taxpayers which made the accounting change between January 1, 1941, and January 1, 1956.

Your committee's amendment is not intended to supply authority to the Commissioner of Internal Revenue to impose its provisions as a condition in permitting future changes in accounting methods by railroads presently on the retirement method.

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

Mr. MILLS. I yield to the gentleman from New York.

Mr. KEOGH. Will the Chairman assure the Committee that there is still pending on this item a question with respect to the equity involved in that cutoff date?

Mr. MILLS. There very definitely is still pending the question of the equity involved in the cutoff date in the amendment; and we have instructed the staff people, as well as the Treasury staff people, to get together with the public utilities involved in an effort to try to work out a solution of the problem that faces them in the gentleman's State of New York.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. REED].

Mr. REED. Mr. Chairman, I want to commend the gentleman from Ohio [Mr. AYRES] for the diligence he has shown in pursuing the interest of his constituents in this matter.

Under the circumstances, I am going along with this amendment.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

Mr. MILLS. Mr. Chairman, this amendment is to three parts of the bill. I ask unanimous consent that these three amendments be considered en bloc.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The Clerk read as follows:

Page 1, line 5, strike out "1957" and insert "1958."

Page 86, line 7, strike out "72" and insert "71."

Page 89, line 1, strike out "registered" and insert "certified."

Mr. MILLS. Mr. Chairman, these clerical amendments speak for themselves. The first amendment is necessary to call the bill the Technical Amendments Act of 1958 instead of 1957 because it was reported in 1957 and it is being considered by the House in 1958.

The second amendment is a technical and conforming amendment made necessary by renumbering the sections of the bill following section 56.

The third amendment is a clerical change in the heading made necessary through permitting the use of certified mail as well as registered mail.

Mr. REED. Mr. Chairman, we concur on this side.

The CHAIRMAN. The question is on the committee amendments.

The committee amendments were agreed to.

The CHAIRMAN. Are there any further committee amendments?

Mr. MILLS. Mr. Chairman, there are no further committee amendments.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. NATCHER, 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. 8381) to amend the Internal Revenue Code of 1954 to correct unintended benefits and hardships and to make technical amendments, and for other purposes, pursuant to House Resolution 447, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. The question is on the Committee amendments. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

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

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL PERMISSION TO EXTEND

Mr. MILLS. Mr. Speaker, I ask unanimous consent that Members may have 5 legislative days within which to extend their remarks on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MILLER of California. Mr. Speaker, I want to join with my colleagues, the Honorable CECIL R. KING, the Honorable HALE BOGGS, the Honorable FRANK IKARD, and the Honorable HAL HOLMES, in taking exception to section 2 of H. R. 8381, and as specifically set forth by them under the separate views contained on page 108 of House Report No. 775, 85th Congress, 1st session, which accompanied the Technical

Amendments Act of 1957. These gentlemen are all members of the House Committee on Ways and Means.

The law has governed the marital relations and property rights of man and wife in the States of California, Nevada, New Mexico, Arizona, Idaho, Washington, Louisiana, and Texas since their admission to the Union, and which is derived from the Roman law thought by settlers of the named States to have been transported to our shores.

I need not belabor the fact that section 2 establishes a precedent that strikes at the heart of the community property law and I am sorry to see it incorporated in this bill.

Mr. ALEXANDER. Mr. Speaker, I regret that in the consideration of H. R. 8381, which is known as the Technical Amendments Act of 1957, we have to consider it under a closed rule, which in effect means amendments cannot be offered on the floor of the House to this important bill.

I am particularly disturbed because this bill under section 4 repeals section 120 relating to statutory subsistence allowance received by police and even makes it retroactive to taxable year beginning December 31, 1956.

This provision was originally designed to cover subsistence allowance of police only because it was thought they generally were required to make more trips away from their posts of duty than was true in other cases. I think this is particularly true of State highway patrolmen who usually have to cover 2 or 3 counties and whose posts of duty are always away from home.

Therefore, disallowance of this subsistence of $5 per day for tax purposes will work a real hardship on our State highway patrol and I only wish it were possible that an amendment could be offered which would exclude them from the effects of this bill.

In all fairness to the officers involved I feel that the effective date should not, under any circumstances, be retroactive.

I hope the committee will agree to exclude State highway patrolmen from the effects of this bill.

THE ROBINSON-PATMAN ACT

Mr. ROGERS of Colorado. 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 Colorado?

There was no objection.

Mr. ROGERS of Colorado. Mr. Speaker, I submit for consideration by this House a bill designed to clarify an issue that has arisen regarding the purpose and intent of the Robinson-Patman Act in a significant but neglected area of its operation.

As a member of the Antitrust Subcommittee of the Committee on the Judiciary, I have been privileged to hear, from time to time, from many and diverse sources, a variety of comments and observations on the operation of the anti-price-discrimination law. Along with other Members of this House, I have endeavored, in the light of the testimony adduced, to offer such remedial legislation as is deemed necessary to make effective the aims and intent of the Robinson-Patman Act.

As the Members of this House well know, the original purpose of the Robinson-Patman Act of 1936 was to protect the independent merchant in the competitive race for survival. At that time, it will be recalled, small business was in serious straits. The price concessions and favoritism afforded the large buyer threatened the survival of the smaller concern, regardless of its efficiency. This was made abundantly clear by a series of investigations into widespread practices by large distributors who extracted from manufacturers and processors substantial buying preferences in the form of rebates, discriminatory discounts, false brokerage payments and similar unearned allowances.

A sizable group of independent small-business men state that it has become a common practice for the large manufacturers and sellers of consumer commodities to sell their products not only to wholesalers and other purchasers but also to certain favored direct buying retailers, all at the same price. They add that nonfavored retailers who cannot buy direct from the manufacturers or who are denied the right of direct purchase by the manufacturer, must, perforce buy from a wholesaler or jobber. Thus, it is stated that in order for the jobber to resell to the smaller independent retailer, he must necessarily establish a price higher than the price he pays the manufacturer. As a result his customer's cost of acquisition of the merchandise is necessarily higher than the cost at which that customer's direct buying retail competitor acquires the very same merchandise directly from the manufacturer.

Critics of this practice contend that a discrimination is thus created by the manufacturer who knowingly sells to the large retailer at a price lower than the lowest price at which a nondirect buying retailer must pay for the very same merchandise irrespective of quantities purchased. They point out that the remedy for this situation is available to the manufacturers. It lies in their recognizing the value of the function contributed by the different distributive levels in our economy and according a discount to their customers based upon their status in the economy of distribution.

On the other hand, some courts and administrative agencies of our Government have indicated that functional discounts are permissive but not mandatory. The present bill crystallizes the issue by providing that a manufacturer who does not accord a functional discount, where the failure to grant such discount injures competition at any level, would be in violation of the law.

I believe that placing this matter before the House will expedite a reexamination of the efficacy of the Robinson-Patman Act in this important area and result in a fair resolution of the small business complaints upon which this bill focuses.

DETERIORATION OF INDUSTRIAL AND COMMERCIAL PROPERTIES

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

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

There was no objection.

Mr. LANE. Mr. Speaker, our approach to the problem of blighted areas, that are usually found near the center of our older cities, has been one sided.

The replacement of substandard housing necessarily came first, but, in our preoccupation with it, we have ignored an attendant problem; namely, the deterioration of industrial and commercial properties in or near the same areas. The economic decline of such properties, and the consequent shrinkage of the tax base, has posed a serious problem for many communities.

A renovation or replacement is essential to put them to work again. We cannot always depend upon private enterprise to assume the responsibility and to solve this problem.

Integrated planning and action is required, in the public interest, and for this we need some assistance from the Federal Government.

In Massachusetts, for instance, we have various groups working on the problem of industrial redevelopment at the local and State levels. The necessary legislation has been passed to authorize community, regional and State groups, within their capabilities, to work for the renewal of deteriorating commercial and industrial areas. However, the Federal Government has not as yet joined the team. It is obvious that, without Federal help, in part, these redevelopment plans will not succeed.

To correct this oversight in Federal legislation I am introducing a bill to amend title I of the Housing Act of 1949 to authorize assistance thereunder for the commercial and industrial development of nonresidential areas. This is the same as section 306 of the Housing Act of 1957 as it passed the Senate but was later dropped out of the bill in conference. As it was approved by one House of Congress, there is substantial evidence that legislation of this type is necessary.

The Commonwealth of Massachusetts has since passed legislation to permit State participation in renewal projects that will include blighted commercial and industrial areas. But this State law will be inoperative until the Federal Government authorizes grants on a matching basis for this purpose.

Until the Congress acts on this, it is impossible to make headway on renewal programs that are vital to the economic recovery and progress of many communities.

While we concentrate on measures necessary to strengthen our national security against the competition of communism, we must not do it at the expense of our internal security. The economic problems of cities with obsolescent commercial and industrial areas, cannot be postponed. We cannot build up national strength through internal decay.

Slum areas—whether residential, commercial, or industrial—are cancerous. They spread, causing deterioration in surrounding properties, gradually threatening, unless "operated upon" in time, the economic health and life of the entire community.

Redevelopment is the only cure.

And for this purpose Federal assistance is essential.

FOREIGN POLICY

Mr. LESINSKI. 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. LESINSKI. Mr. Speaker, as our Nation enters its sixth year under a Republican administration, many of us are dismayed and concerned about the position of our country in the world today. We look back upon 5 years of platitudes and inaction—years during which we have seen our Nation's prestige in a continual decline, while the Russians have gained the edge in diplomacy, in military strength and in scientific advancement. After 5 years, the administration has failed to come forward with any progressive domestic and foreign policies and programs.

Of course, it is heartening to hear that we will wage total peace against total cold war; that we will build up our defensive strength to support the peace; that we will develop and sponsor economic-aid policies to bolster our allies and the free world. But where are the actions that should follow those words?

The free world which has always looked to the United States for leadership still does so, but murmurs of doubts are beginning to be heard. While the Soviet sputniks whirl around the earth, while the administration talks in soothing terms about our position of strength, while we continue to produce bigger and better automobiles and electrical gadgets, we still cannot get a Vanguard rocket off its launching pad. I think it is time the administration got off its launching pad. Reports are that the United States could have launched an earth satellite early in 1957, and I am sure that intelligence reports indicated that the Russians were ready to send their satellite into space. Why the delay on our part? As a result, the Russians have gained a tremendous propaganda advantage and our prestige has fallen sharply.

In other fields because of the foot-dragging by the administration, we are falling behind. Something must be done to regain the esteem with which other nations have viewed us.

One step to take, and one which I am glad to note is being advocated by the administration is to induce Russia to allow the satellite countries of Eastern and Central Europe to choose in free elections the forms of government under which they wish to live.

Another move would be to modify the veto power in the United Nations, thereby making that organization a more effective instrument in bringing about and preserving peace in the world.

Let us see action not only on those two proposals but also in other fields to show the world that our way of life brings strength and security to all mankind.

THE ROBINSON-PATMAN ACT

Mr. OSMERS. 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. OSMERS. Mr. Speaker, cognizant of the need for sustaining and safeguarding the American competitive system, the Congress of the United States enacted in 1936 what has become popularly known as the Robinson-Patman Act. This law has been exposed to all sorts of examinations and subjected to judicial review. Its constitutionality was upheld by the Supreme Court of the United States, and I, for one, share the view of a large segment of the American business community that the Robinson-Patman Act has rendered an inestimable contribution to our competitive system by protecting small business.

There is no need for me to enlarge upon the role of small business in a free democracy.

Among the most crucial problems confronting small business which stem from ambiguous phraseology in the act is the clouded status of the functional discount. It is the intention of H. R. 10305, which I have introduced today, to clarify that status and remove it from contention and misunderstanding.

What is a functional discount? A functional discount is the recognition of the unique services rendered by the wholesale distributors to more than 3 million independent retail outlets throughout the Nation by providing honeycomb distribution for manufacturers' products.

Distributing goods is only one of the wholesale distributor's irreplaceable functions. He also provides merchandising aids, surveys market potentials, delivers and transports goods, receives goods, assembles orders, breaks bulk, warehouses, stores reserves at strategic locations, selects merchandise, extends credit, and provides intensified market coverage to independent merchants lacking mercantile credit ratings.

These services are imperative to manufacturers if they are to achieve and sustain employment and national availability of their products. They are indispensable to the survival of the Nation's more than 3 million independent retailers who, together with their families, typify small business in this Nation.

The numerous manufacturers whose products are the independent retailer's stock-in-trade are not equipped or geared to sell directly to them. Moreover, few, if any, of these independent retail outlets have the mercantile ratings or finances, the time, the experience, the know-how or the opportunity to buy the necessary and farflung assortment of diverse products directly from the manufacturer.

Consequently, the small merchant is denied the privilege of purchasing directly from the manufacturer and must depend upon his wholesale supplier for his economic staff-of-life.

A profusion of economic studies and intensive market analysis attest to the fact that the so-called integrated sellers who perform both wholesale-retail functions are not necessarily more efficient nor more economical in their operation than the synchronized operation of wholesaler and retailer. Our Federal laws are based upon the principle that no business entity should be allowed to take unfair advantage of any other. Competition is encouraged with the proviso that it must be fair, with all parties having equal right to the rewards stemming from their labor.

Congress, in enacting the Robinson-Patman Act—and the record so states—was influenced by the fact that many manufacturers were bullied by large buyers into giving them lower prices than were granted to independent retailers. It must be emphasized that these lower prices are not granted to the big concerns because they are more efficient but solely and exclusively because of size.

The fact that the small merchant is vital to the manufacturer is more than demonstrated by the economic facts and figures of the market place. No product can achieve real success in the market place unless it is accorded pinpoint distribution and accessibility in the largest number of retail outlets. For example, cigarettes are available in more than 1,400,000 retail outlets; grocery products in more than 400,000 such outlets; and drug and proprietary medicines in over 55,000 distinct and different retail units.

Most manufacturers know that they cannot build a nationally known brand or product without the active assistance and faithful cooperation of the independent retailer and local wholesaler. Large retail stores are disinclined to gamble with their limited shelf space on a new product or brand. As a rule, they will only accept merchandise that has already had a market created for it. The manufacturer knows that he needs marketing help from a substantial portion of the more than 3 million small retail stores throughout the country. The direct-buying retailer alone cannot and should not handle all retail sales in this country.

Most manufacturers limit their sales to wholesalers and to direct-buying retailers. The independent entrepreneur buys from the wholesaler who in turn buys from the manufacturer. Simultaneously, the manufacturer sells directly to the large retailer who competes with the independent retailer.

Granting a functional discount under the Robinson-Patman Act has been an issue of perpetual controversy by the Federal Trade Commission and by the courts of this country. Most manufacturers take the position that the law does not require them to grant functional discounts to wholesalers. To bolster their position, they advance the invalid argument that a one-price policy is, by its very nature, nondiscriminatory.

An amendment to the Robinson-Patman Act along the lines of my bill, H. R. 10305, is vital to clarify the law's present meaning and conclusively stipulate that a functional discount must be granted to the wholesaler when the manufacturer does not sell direct to the retailer.

Successive administrations, the Congress of the United States, economists, and the public at large have been and continue to be apprehensive and concerned with the survival of the small-business man. The proposed amendment will go far toward encouraging small business and, to a marked degree, assure its survival.

LABOR ARBITRATION UNDER FEDERAL LAW—A PROPOSED AMENDMENT

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 have today introduced a bill, H. R. 10308, to amend the United States Arbitration Act so as to make that act expressly applicable to arbitration of employer-employee grievance controversies which arise under collective bargaining agreements in industries affecting commerce.

My bill also safeguards the jurisdiction of State courts in those States where by statute arbitration of disputes which may arise under such agreements—so-called grievance disputes also referred to in the field of arbitration as future disputes clauses—may be specifically enforced.

The present language of section 2 of the act excludes arbitration of employer-employee controversies, but the provision of the act to such effect has been rendered substantially meaningless by the recent holding of the Supreme Court in the case of Textile Workers Union of America against Lincoln Mills of Alabama, decided June 3, 1957, reported in volume 353 of the United States Supreme Court Reports, at page 448. H. R. 10308 is designed to make the holding of the Supreme Court more effective; at the same time, H. R. 10308 proposes that State courts shall continue to exercise their jurisdiction to enforce labor arbitration agreements, at least in those States where by statute specific enforcement of future disputes clauses in such agreements is authorized.

The Supreme Court held in the Lincoln Mills case that a Federal court suit may be brought under section 301 of the Taft-Hartley Act to enforce arbitration of grievance disputes under a collective bargaining agreement covering an industry affecting commerce. The Court also held that Federal substantive law, not State law, governs suits to enforce such agreements under the act.

The decision came as a surprise to many members of the bar because, as pointed out by Mr. Justice Frankfurter in his dissenting opinion, employment agreements are expressly excluded from the only Federal statute which directly deals with arbitration—the United States Arbitration Act, no mention of which was made either in the opinion of the Court written by Mr. Justice Douglas or in the concurring opinion joined in by Mr. Justice Burton and Mr. Justice Harlan.

The Court's opinion would seem, however, to carry out the declared interest of Congress in promoting collective bargaining and an important adjunct of such bargaining: an agreement not to strike. In construing section 301 of the Taft-Hartley Act which provides for Federal court suits for violation of collective bargaining agreements, the Court concluded:

> Plainly the agreement to arbitrate grievance disputes is the quid pro quo for an agreement not to strike. Viewed in this light, the legislation [sec. 301] does more than confer jurisdiction in the Federal courts over labor organizations. It expresses a Federal policy that Federal courts should enforce these agreements on behalf of or against labor organizations and that industrial peace can be best obtained only in that way.

Additional support for the Court's enforcement of arbitration may be found in title II of the Taft-Hartley Act dealing with conciliation of labor disputes. Section 201 (b) of this title declares it to be the policy of the United States that the settlement of union-management disputes "may be advanced by making available full and adequate Government facilities for conciliation, mediation and voluntary arbitration."

In the circumstances, and having regard for the widespread inclusion of provisions for arbitrating grievance disputes in collective bargaining agreements, the present express exclusion of employer-employee arbitration from the scope of the United States Arbitration Act is atavistic and indefensible. And the Supreme Court in the Lincoln Mills case has deprived the exclusion of meaning. For this reason alone the act should be amended so as to make its provisions expressly applicable to arbitration of union-management grievance disputes.

But there is an additional important reason for the amendment. The suit authorized by section 301 of the Taft-Hartley Act and extended to the enforcement of arbitration agreements in the Lincoln Mills case is a plenary suit, requiring time-consuming formal pleadings, and neither section 301 nor any other provision of the act contains provisions for administering all refusals to proceed to arbitration. There is no express authorization for staying court actions brought in disregard of agreements to arbitrate, nor for appointing an arbitrator where the parties have failed to name one or to provide a method of their own for doing so, nor for compelling attendance of witnesses at arbitration hearings. All these things are provided for in the United States Arbitration Act, which also authorizes expeditious and less formal summary proceedings for enforcing arbitration.

H. R. 10308 also provides for accommodating the labor arbitration process to our system of Federal-State relations. In holding that Federal substantive law, not State law, governs actions under section 301 to enforce arbitration agreements, the Supreme Court may well have indicated that State courts have no jurisdiction to enforce these agreements if they govern employment in an industry affecting commerce, at least where the union—as distinguished from the employee—or the employer brings the action. For it is not unreasonable to apply to the situation brought about by the holding in the Lincoln Mills case, the same doctrine of Federal preemption which the Supreme Court enunciated for the unfair labor practice provisions of the Taft-Hartley Act in the Garner (346 U. S. 485) and Guss (353 U. S. 1) decisions.

A simple rule of Federal preemption is undesirable in the field of arbitration for two main reasons. In the first place, it might unfairly deprive a union of remedies where it seeks to enforce rights due employees whom it represents. In the Westinghouse case (348 U. S. 437), the Supreme Court, interpreting section 301 of the Taft-Hartley Act, held that a union could not sue an employer in the Federal court for vacation payments allegedly payable under a collective agreement to the employees whom the union represented. This presumably is a right which the employees could pursue, though they would be obliged to do so in State courts, since, under section 301 of the Taft-Hartley Act, only unions—or employers—can sue for breach of collective agreements.

H. R. 10308 would expressly safeguard the jurisdiction of State courts to enforce this right. The Lincoln Mills case read together with the Westinghouse decision probably allows recourse to State court arbitration for enforcing this right, but the matter ought not be left to surmise or implication. The States will continue to have responsibilities in labor arbitration despite the decision in the Lincoln Mills case, or under it, and if they are willing to assume them they ought to be allowed to do so.

Secondly, Federal preemption in the field of arbitration is unfair to those States which have pioneered in making labor arbitration effective and which now provide for specific enforcement of agreements to arbitrate union-management grievance disputes. Specific enforcement of future disputes clauses is now authorized by statute in 17 States: Arizona, California, Connecticut, Florida, Louisiana, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, Ohio, Oregon, Pennsylvania, Rhode Island, Washington, and Wisconsin. The statute in some of these States—Arizona, Michigan, New Hampshire, Oregon, Wisconsin, and possibly also Florida—excludes employer-employee arbitration, an exclusion which reflected early fears by union leaders that statutory provisions for enforcement of voluntary labor arbitration might lead to a system of compulsory arbitration. These fears have proven groundless; the arbitration of union-management grievance disputes has been brought about largely by union insistence, often against strong employer op-

position. Today both management and unions are generally agreed that arbitration is a desirable means for determining grievance disputes which cannot be adjusted in earlier stages of contractual grievance procedure.

Accordingly, the safeguard for the jurisdiction of State courts proposed in H. R. 10308 would apply to the following States: California, Connecticut, Louisiana, Massachusetts, Minnesota, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, and Washington. Maine, which in 1957 passed a statute providing for specific enforcement of future disputes clauses in collective bargaining agreements, would also be included. Perhaps a byproduct of H. R. 10308 would be to encourage the remaining States to forsake their attitude of indifference or antagonism to labor arbitration. The States cannot rightly complain of Federal intervention in situations where they refuse to afford adequate procedures geared to the realities of modern collective bargaining. Where, however, as in the enumerated States, they have done so it is desirable that their jurisdiction should be safeguarded.

The United States Arbitration Act, as section 2 now reads, applies to transactions "involving" commerce, whereas the Taft-Hartley Act like the original Wagner Act extends to labor disputes in industries "affecting" commerce. There is scant judicial interpretation of "involving" whereas the words "affecting" commerce have been given meaning in thousands of decisions. Conformity requires that the scope of Congressional intervention in labor arbitration should be the same as that applicable to collective bargaining under the Taft-Hartley Act generally. H. R. 10308 amends the United States Arbitration Act so as to make it applicable to arbitration of grievance disputes in any industry affecting commerce.

Whether the proceeding be in Federal or State court, H. R. 10308 contemplates, in line with the decision in the Lincoln Mills case, that Federal substantive law should apply to enforcement of agreements to arbitrate union-management grievance disputes affecting commerce. The sources of the Federal substantive law were not explicitly set forth in the court's decision. The aim apparently is to use the policies of Taft-Hartley Act in general, section 301 in particular, and any other Federal statute, as guides for building the Federal substantive law. But the court also said:

> But State law, if compatible with the purpose of section 301, may be resorted to in order to find the rule that will best effectuate the Federal policy.

There is nothing new in giving over the interpretation or enforcement of Federal law to both Federal and State courts; section 303 of the Taft-Hartley Act does so at present.

The Supreme Court in the Lincoln Mills case left open the question whether specific enforcement may be had not only of undertakings to arbitrate grievance disputes under union-management agreements but also of "executory agreements to arbitrate." The phrase is not too happy and requires clarification, since the Red Cross Line case (264 U. S. 109) cited by the Court for the phrase involved arbitration of a dispute arising out of a charter party agreement. The situation there, in other words, was similar to that existing in the Lincoln Mills case.

Four main possible situations for labor arbitration are, first, submission of an existing incidental dispute, apart from any preexisting agreement; second, the future disputes clause or "grievance dispute" under a union-management agreement; third, a reopening clause, such as a provision for periodic reopening of wages under a long-term union-management agreement; fourth, a dispute as to what the terms of the union-management agreement should be, where the parties are unable to reach an understanding. The first and second types of situation, apart from their applicability to employer-employee relations, are dealt with in the United States Arbitration Act and are covered by the Lincoln Mills decision.

Apparently the phrase "executory agreements to arbitrate" is meant to apply to the third and fourth. Both are reached by the New York Arbitration Statute, the third by an amendment adopted in 1937, the fourth by a 1952 amendment.

Whether specific enforcement may be had under section 301, of arbitration agreements in the third and fourth situations, is now pending in the courts. H. R. 10308 does not extend to these situations; their implications on a national scale need to be clarified more fully, and consideration will have to be given to conflicting views about the desirability of judicially enforcing arbitration in these situations. An estimated 90 percent of collective bargaining agreements provide for arbitration of grievance disputes, whereas agreements to arbitrate new contract terms are rare. H. R. 10308, if enacted into law, as I hope it will be, should serve as a good basic beginning in the needed task of making our Federal laws on labor arbitration consistent and effective.

AMERICANS IN NUCLEAR AGE

Mr. O'HARA of Illinois. 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 Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, I am taking the time of the House today to read to my colleagues a statement signed by 36 distinguished Americans, including Dr. Jacob Weinstein, rabbi of KAM Temple; Dr. Louis L. Mann, rabbi of Sinai Temple; Dr. Harold Fey, editor of the internationally read Christian Century; Dr. Aaron Novick, professor at the University of Chicago, and others among my constituents.

The statement described as being for Americans in a nuclear age appears in the Chicago Sun-Times of November 24, 1957, in an advertisement headed "We Are Facing a Danger Unlike Any Danger That Ever Existed."

Among other signators are Dr. Preston Bradley, the famed pastor of the People's Church in Chicago and past president of the Izaak Walton League; Leo Lerner; the Reverend Hugh S. Mackenzie; Dr. John C. Bennett, dean of the faculty of Union Theological Seminary; Eleanor Roosevelt; Bishop Charles W. Brashares; Harry A. Bullis; Patrick E. Gorman, international secretary of the Amalgamated Meat Cutters; Ed Marciniak, associate editor of the Catholic publication Work; Dr. Edward J. Sparling; and our former colleague, Jerry Voorhis.

These distinguished men and women represent the thinking of many Americans. Certainly all Americans will join them in the hope and prayer that by a redirection of our energies, a rediscovery of our moral strength and redefinition of our purpose, mankind may indeed be within reach of the greatest era of human history on earth.

In order that all my colleagues may be fully informed of the thinking of 36 Americans of prominence and distinction in many fields, and representing large segments of our people, I am reading into the RECORD their statement, as follows:

WE ARE FACING A DANGER UNLIKE ANY DANGER THAT HAS EVER EXISTED

(First of a series of statements for Americans in a nuclear age)

A deep uneasiness exists inside Americans as we look out on the world.

It is not that we have suddenly become unsure of ourselves in a world in which the Soviet Union has dramatically laid claim to scientific supremacy.

Nor that the same propulsion device that can send a manmade satellite into outer space can send a missile carrying a hydrogen bomb across the ocean in 18 minutes.

The uneasiness that exists inside Americans has to do with the fact that we are not living up to our moral capacity in the world. We have been concerned with bigger incomes, bigger television screens, and bigger cars—but not with the big ideas on which our lives and freedoms depend.

We are facing a danger unlike any danger that has ever existed. In our possession and in the possession of the Russians are more than enough nuclear explosives to put an end to the life of man on earth.

Our uneasiness is the result of the fact that our approach to the danger is unequal to the danger. Just in front of us opens a grand human adventure into outer space. But within us and all around us is the need to make this world whole before we set out for other ones. We can earn the right to explore other planets only as we make this one safe and fit for human habitation.

The sovereignty of the human community comes before all others—before the sovereignty of groups, tribes, or nations. In that community, man has natural rights. He has the right to live and to grow, to breathe unpoisoned air, to work on uncontaminated soil. He has the right to his sacred nature.

If what nations are doing has the effect of destroying these natural rights, then it becomes necessary for people to restrain and tame the nations. Indeed, the test of a nation's right to survive today is measured not by the size of its bombs or the range of its missiles, but by the size and range of its concern for the human community as a whole. There can be no true security for America unless we can exert leadership in these terms.

There is much that America has said to the world. But the world is still waiting for us to say and do the things that will represent our greatest strength. What are these things?

First, as it concerns the peace, America can say:

That we pledge ourselves to the cause of peace with justice on earth, and that there is no sacrifice that we are not prepared to make to create such just peace for all peoples;

That we are prepared to support the concept of a United Nations with adequate authority under law to prevent aggression, to compel and enforce disarmament, and to settle disputes among nations according to principles of justice.

Next, as it concerns nuclear weapons, America can say:

That the earth is too small for intercontinental ballistic missiles and nuclear bombs, and that the first order of business for the world is to bring both under control;

That the development of satellites or rocket stations and the exploration of outer space must be carried on in the interests of the entire human community through a pooling of world science.

As it concerns nuclear testing, America can say:

That because of the grave unanswered questions with respect to nuclear test explosions—especially as it concerns the contamination of air and water and food, and the injury to man himself—we are calling upon all nations to suspend such explosions at once:

That while the abolition of testing will not by itself solve the problem of peace or the problem of armaments, it enables the world to eliminate immediately at least one real and specific danger. The abolition of testing gives us a place to begin on the larger question of armaments control, for the problems in monitoring such tests are relatively uncomplicated.

As it concerns our connections to the rest of mankind, America can say:

That none of the differences separating the governments of the world are as important as the membership of all peoples in the human family;

That the big challenge of the age is to develop the concept of a higher loyalty—loyalty by man to the human community;

That the greatest era of human history on earth is within reach of all mankind. All that is required of us is to redirect our energies, rediscover our moral strength, and redefine our purposes.

SIGNERS

Dr. John C. Bennett, dean of the faculty, Union Theological Seminary.

Dr. Preston Bradley, Peoples Church of Chicago.

Bishop Charles W. Brashares, bishop, Methodist Church, Chicago.

Dr. Harrison Brown, professor of geochemistry, California Institute of Technology.

Harry A. Bullis, chairman of the board, General Mills Corp.

Norman Cousins, editor, the Saturday Review.

Dr. Paul Doty, chairman, Federation of American Scientists.

Rev. Harry Emerson Fosdick, pastor emeritus, Riverside Church, New York.

Clark Eichelberger, director, American Association for the United Nations.

Harold Fey, editor, the Christian Century, Chicago.

Dr. Erich Fromm, psychoanalyst, author.

Clinton Golden, labor official.

Patrick E. Gorman, international secretary-treasurer, Amalgamated Meat Cutters Union, Chicago.

Oscar Hammerstein II, playwright.

John Hersey, author, Hiroshima and the Wall.

Brig. Gen. Hugh B. Hester.

Gene Kelly, actor and dancer.

Leo Lerner, editor Myers Neighborhood Publications, Chicago.

Richard J. Livingston, Biehl-Livingston Bakery, Chicago.

Rev. Hugh S. Mackenzie, Congregational clergyman, Chicago.

Dr. Louis L. Mann, rabbi, Sinai Temple, Chicago.

Ed Marciniak, associate editor of Work, Chicago.

Arnold Maremont, civic leader, Chicago.

Lewis Mumford, author, The Condition of Man, etc.

Robert R. Nathan, national chairman, Americans for Democratic Action.

Dr. Aaron Novick, associate professor, Committee on Biophysics, University of Chicago.

James G. Patton, president, National Farmers Union.

Clarence Pickett, executive secretary emeritus, American Friends Service Committee.

Eleanor Roosevelt.

Elmo Roper, marketing consultant and public opinion analyst.

James T. Shotwell, president emeritus, Carnegie Endowment for International Peace.

Dr. Edward J. Sparling, president, Roosevelt University, Chicago.

Norman Thomas.

Dr. Paul J. Tillich, university professor, Harvard University.

Jerry Voorhis, executive director, Cooperative League of America, Chicago.

Dr. Jacob Weinstein, rabbi, KAM Temple, Chicago.

(The signers of this statement are acting in their individual capacity and not as representatives of organizations or as members of the Committee for a Sane Nuclear Policy.)

NEED FOR REGULATING USE OF SUBLIMINAL PERCEPTION TELEVISION ADVERTISING

Mr. DAWSON of Utah. 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 Utah?

There was no objection.

Mr. DAWSON of Utah. Mr. Speaker, I hate to add to the current troubles of the Federal Communications Commission. But I feel that it is my duty to inform the Members of the House of my to-date unsuccessful campaign to get the Commission to take action to protect the public from a new television-advertising technique, at least until such time as it can definitely be determined whether the technique is effective.

I refer to the so-called subliminal projection advertising, or sneak pitch, as I prefer to regard it. Using this technique, a television station flashes a slogan or advertising message on the television screen so instantaneously that the viewer cannot see it. The promoters of this technique, however, maintain that the message infiltrates the viewer's subconscious and is all the more effective because the viewer does not realize that he has been subjected to salesmanship or propaganda.

This technique should not be used until it is definitely determined by a controlled experiment whether or not it works. If it does not work, television stations should be so informed. If it does work, it should be strictly regulated, if permitted at all. Heaven knows, the blandishments of visible advertising are hard enough to resist. Contemplate, if you will, the effect of an invisible but effective appeal to drink more beer being poured into the subconsciousness of teen-age television viewers.

I first called this matter to the attention of the FCC in early October. At that time and again on November 5 and still again on December 17, I asked the Commission to advise stations against using this SP advertising technique until its effectiveness could be determined.

As I said in my most recent letter—as yet unanswered—the Commission should make its position clear.

I wrote—

In the present limbo, television stations are not sure whether they can use subliminal advertising, but the public is not sure they cannot. I see no reason for extending this ambiguous situation when most of the television industry itself agrees that the process should not be used until it has been fully evaluated.

In defense of the FCC's inaction, I can say that the Commission has received assurance that it will not be used over the major networks. It does not have the assurance, however, that SP will not be used by independent stations. And because of the nature of the advertising, the viewer himself does not know when he is being subjected to it.

Now, apparently emboldened by the FCC's inaction, at least one independent station is going for sneak pitch propaganda. I submit for the RECORD a copy of an Associated Press story which appeared in the Alexandria, Va., Gazette, January 24.

Once again, I urge Members of the House and particularly those of the Interstate and Foreign Commerce Committee to join me in getting the FCC to take a definite position on subliminal perception advertising.

For the information of the House I also am submitting a chronological copy of my letters to the FCC and replies thereto.

[From the Alexandria (Va.) Gazette of January 24, 1958]

SUBLIMINAL PERCEPTION: LATEST METHOD OF COMMUNICATION

HOLLYWOOD.—Let's suppose, now, that in a couple of months some strapping young chap springs from his chair in front of the TV, grabs his coat and streaks downtown to join the Army—without knowing why.

Well, some people might say it was a simple case of subliminal perception.

This hard-to-pronounce combination is actually nothing more than a somewhat creepy device for sneaking things into your head without your conscious knowledge.

Television station KTLA here says that in 60 days or so it will become the first station in the country to undertake a planned program of subliminal communication.

To pull the trick off, the station will employ special transmitting equipment that will flash an image or a message across the screen. It will be on and off so fast that the home viewer won't consciously know he's seen anything. But, if it works, the flash will leave an impression in his mind.

Lew Arnold, KTLA's general manager, said the gimmick will be used at first only for public service messages. He elaborated:

"We'll flash on something like 'Join the Army' or 'Give to the March of Dimes.'

"The next step would be to promote our own shows. Then—and I have a feeling this is a long way off—we might go into the commercial end of it."

HOUSE OF REPRESENTATIVES,
Washington, D. C., October 5, 1957.

JOHN C. DOERFER,
Chairman, Federal Communications Commission, Washington, D. C.

DEAR CHAIRMAN DOERFER: Publicity has been given recently to a new device in television advertising—the so-called subliminal perception, usually referred to as SP, for brevity's sake.

Secret pitch perhaps would be more meaningful to the uninitiated. An advertising symbol or slogan is flashed on the television screen so instantaneously that the viewer cannot see it. Allegedly, however, the message infiltrates the viewer's subconscious, all the more effectively because the viewer does not realize he has been subjected to salesmanship.

A call to your Commission has disclosed that the Commission has no official knowledge of this new process and that there is some doubt whether the Commission would have the authority to regulate or supervise such advertising methods.

The purpose of this letter is to request that you look officially into the entire proposal under your general regulatory powers, determining whether controls are necessary and whether additional legislation would be required to provide such controls, if needed.

If this revolutionary advertising means is as effective as claimed, it offers some worrisome, if not frightening, aspects. Put to political propaganda purposes SP would be made to order for the establishment and maintenance of a totalitarian government. Even in the commercial usage for which it is intended, surely the potential customer has the right to know he is being advertised at. His prerogative of exercising buyer's resistance is as much an American tradition as the advertising industry itself.

Sincerely yours,

WILLIAM A. DAWSON,
Member of Congress.

FEDERAL COMMUNICATIONS COMMISSION,
Washington, D. C., October 10, 1957.

Hon. WILLIAM A. DAWSON,
House of Representatives, Washington, D. C.

DEAR CONGRESSMAN DAWSON: This is with reference to your letter of October 5, 1957, concerning subliminal perception advertising. You request information concerning this matter.

You may be interested to know that I have referred this matter to the staff to determine whether this method of advertising may be adapted for use on television under our present rules and, if so, what further action on the part of the Commission may be necessary or advisable in handling this problem. I will advise you of the developments in this matter.

Sincerely yours,

JOHN C. DOERFER,
Chairman.

FEDERAL COMMUNICATIONS COMMISSION,
Washington, D. C., November 1, 1957.

Hon. WILLIAM A. DAWSON,
House of Representatives, Washington, D. C.

DEAR CONGRESSMAN DAWSON: This is with further reference to your letter of October 5, 1957, concerning subliminal perception advertising, and to the telephone conversations between your staff and the Commission's staff concerning this subject.

Subliminal perception advertising appears to be a new technique concerning which the Commission has little information and no experience. According to the trade press, subliminal perception is described as "the faculty of absorbing fleeting visual information without being consciously aware of it." It is stated that the technique was tested by having the symbols of a nationally known soft drink flashed for one three-thousandths of a second once every 5 seconds during a dramatic film presentation in a theater. At this writing, there is some indication in the trade press that the above technique may have been used on television.

The Commission is, of course, interested in the above matter and its staff is accumulating pertinent available information on the subject. When sufficient data has been acquired, it will be studied by the Commission. Please be assured that the matter will receive the Commission's most careful consideration, consistent with its authority under the Communications Act of 1934, as amended. As you may know, under existing law, the Commission does not determine the particular programs or types of programs to be presented over the air, the content of advertising copy, or the manner of its presentation. Indeed, under the provisions of section 326 of the Communications Act, the Commission is prohibited from exercising the power of censorship over broadcast material. Accordingly, the selection and presentation of program material, including advertising, is the responsibility of the individual station licensees. However, such licensees are required to operate in the public interest and periodically, usually upon application for renewal of license, the Commission reviews the overall operation of station licensees to determine whether their obligation to operate in the public interest has been met. If, for example, it were determined that a particular station had knowingly and deliberately engaged in fraudulent or deceptive advertising, or permitted its facilities to be so used, or to be used for some other unlawful purpose, a substantial question would be raised as to the station's continuing ability to serve the public interest. The Commission would consider such activities in the course of its licensing proceedings involving the station.

As we have indicated above, this problem is so new that specific data is not readily available and no conclusive information has been received upon which we can predicate an informed opinion. At the present time, we are unable to state whether controls over subliminal projection are necessary or whether additional legislation may be required in the event controls are needed. I am sure you will understand that, as additional facts are made known to us, we will be in a position further to evaluate the situation and to arrive at a definitive position. You may be sure that you will be advised of our ultimate determination.

Sincerely yours,

JOHN C. DOERFER,
Chairman.

HOUSE OF REPRESENTATIVES,
Washington, D. C., November 5, 1957.

Mr. JOHN C. DOERFER,
Chairman, Federal Communications Commission, Washington, D. C.

DEAR MR. DOERFER: Thank you for your letter of November 1 (reference 8420) advising me of the present status of your staff's investigation into the new television advertising technique, subliminal perception.

I can appreciate the difficulties of compiling substantial information about such a new and little-known process, and I commend you for the progress made so far.

However, I am concerned—as I am sure you are—at your finding that SP may already have been used on television. Reports reaching me indicate that the device is being perfected and actively promoted by at least two commercial firms. It would certainly seem anomalous to permit random usage of this device during the very time a study is being made to determine whether the public interest requires its regulation.

For that reason I strongly urge the Commission to protect the buying public against any possible advertising abuses by advising all television stations and networks that subliminal perception is under investigation and requesting them to forego its usage until a determination has been made. I am sure the stations would lend their cooperation in the public interest upon which their licenses are based.

The bulk of the mail which I have received has been in definite opposition to this type of invisible selling. I am convinced that the general public feels it is entitled to know when it is being subjected to advertising. If subliminal projection techniques are eventually allowed to be used at all, a minimum regulation should require prominent announcement during the program of products being so advertised.

Again let me congratulate you and the Commission staff on the energetic and direct way in which you have addressed this problem.

May I be advised whether you agree that the television stations should be asked to reject subliminal advertising pending your study?

Sincerely yours,

WILLIAM A. DAWSON,
Member of Congress.

FEDERAL COMMUNICATIONS COMMISSION,
Washington, D. C., November 12, 1957.

Hon. WILLIAM A. DAWSON,
House of Representatives, Washington, D. C.

DEAR CONGRESSMAN DAWSON: This is with reference to your letter of November 5, 1957, concerning subliminal perception advertising. In your letter you urge that, to protect the buying public from possible abuses by this advertising technique, the Commission advise all television stations and the networks that subliminal perception advertising is being investigated by the Commission and request the stations and networks to forgo its usage until a determination has been made.

As you are doubtless aware, the determination to take the action you recommend could be made only by all of the Commissioners. Accordingly, you will be interested to know that I have made arrangements to have your recommendation presented to the full Commission. I wish to assure you that the Commission will give careful consideration to the views you have expressed in your letter in arriving at a decision.

I appreciate your writing to me concerning this matter. You will, of course, be advised promptly of the disposition of this problem.

Sincerely yours,

JOHN C. DOERFER,
Chairman.

FEDERAL COMMUNICATIONS COMMISSION,
Washington, D. C., November 27, 1957.

Hon. WILLIAM A. DAWSON,
House of Representatives, Washington, D. C.

DEAR CONGRESSMAN DAWSON: This letter concerning subliminal perception advertising is with further reference to your letter of November 5, 1957, and supplements the response thereto dated November 12, 1957. In your letter, you urge that the Commission advise all television stations and the networks that subliminal perception advertising is being investigated by the Commission and request that they forgo its usage until a determination has been made.

At the outset, it should be pointed out that on November 21, 1957, the Commission was advised that one station in Bangor, Maine, had tried the technique of subliminal messages with respect to station promotional announcements and hadn't been able to make them work. The Commission knows of no other television station which has engaged in subliminal perception advertising. As you

indicate in your letter, two companies are known to be promoting the above technique. They are the Subliminal Projection Co., Inc., and Experimental Films, Inc. Since the previous letter to you, we have communicated with the first-named firm and have been advised that there has been no demonstration of the technique on a television broadcast station; that the firm has used the facilities of a private closed circuit system for testing the technical operation of its apparatus; and that the firm is prepared to demonstrate the technique on a closed circuit system should the Commission so desire. This offer is being considered by the Commission.

We have also communicated with the local representative of the second company and are awaiting a reply to specific questions submitted to him for transmittal to the company.

As you may know, on November 13, 1957, the television code board of the National Association of Radio and Television Broadcasters announced that it had recommended to its subscribers that any proposals to use the television medium in the process called subliminal perception be referred to the board immediately for review and consideration. The board stated that "experimentation or use of the process should not be permitted on the television broadcast medium pending such review and consideration." Additionally, we have communicated with representatives of each of the major television networks and have been advised that they have not used the above technique.

The Commission, at this time, with the exception of the unsuccessful attempt noted above, is not aware that subliminal perception advertising has been used by any television broadcast station. In view of this, and the fact that the Commission's consideration of this matter includes consideration of the extent of its statutory powers with respect thereto, it is believed that a caveat to the licensees may be inappropriate at this time. In this connection, we would like to point out that the Communications Act contains no provisions which deal specifically with subliminal perception. From present indications, however, it seems fair to say that reasonable protections may be available to the public under the general provisions of the act. For instance, by the Commission's licensing procedures the United States maintains control of and regulates radio transmission in the channels of interstate commerce. Various sections of the act, including section 303, make it clear that in exercising the power of control and regulation the Commission must be guided by public interest, convenience, or necessity. It would appear that the use of the subliminal perception technique may be subject to our control under such provisions of section 303 as subparagraph (b) on the nature of the service to be rendered by each station; subparagraph (e) on the type of apparatus to be used; subparagraph (g) authorizing studies of new and experimental uses; and subparagraphs (f) and (r), as well as section 4, subparagraph (i), giving the Commission wide authority to make rules and regulations in carrying out its functions and the provisions of the act.

As you may know, under existing law the Commission does not determine the particular programs or types of programs to be presented over the air, the content of advertising copy, or its presentation. Moreover, the act prohibits the Commission from exercising the power of censorship over broadcast material, which includes advertising. However, at this time it does not appear that the regulation of this particular technique would necessarily constitute censorship.

It may be pertinent to draw attention to section 317 of the Communications Act of 1934, as amended, which reads as follows:

"All matter broadcast by any radio station for which service, money, or any other valuable consideration is directly or indirectly paid, or promised to or charged or accepted by, the station so broadcasting, from any person, shall, at the time the same is so broadcast, be announced as paid for or furnished, as the case may be, by such person."

Undoubtedly section 317 would prohibit broadcasters from subjecting audiences to messages received from undisclosed sources.

We have attempted to discuss the question with you fully at this time even though the matter is in its formative stage. We are sure you will understand that as additional facts are made known to us, we will be in a position to further evaluate the situation and to arrive at a definitive position. You may be assured that you will be advised of our ultimate determination herein.

By direction of the Commission:

JOHN C. DOERFER,
Chairman.

HOUSE OF REPRESENTATIVES,
Washington, D. C., December 17, 1957.

Hon. JOHN C. DOERFER,
Chairman, Federal Communications Commission, Washington, D. C.

DEAR CHAIRMAN DOERFER: Recently I suggested that, in view of the widespread interest in, and the apparent imminence of, subliminal advertising, the Commission put the television broadcasting industry on official notice that this technique is being investigated by the Commission to determine what regulation may be needed in the public interest.

Your reply indicated that the Commission feels "a caveat to the licensees may be inappropriate at this time." You go on to say, however, that reasonable protections may be available to the public under the general provisions of the act.

It is true that a major part of the television broadcasting industry, including the major networks and the television code board, voluntarily have recognized the potential dangers of subliminal advertising. Nonetheless, my mail continues to reflect widespread public concern over this method of manipulating minds.

That these fears are not entirely baseless is implied in the enclosed article from the Wall Street Journal of December 5, 1957, concerning the reaction of one of the subliminal projection firms to the networks' ban on the secret pitch. I direct your attention to the quotation attributed to one of the company's vice presidents:

"We never tried to sell TV networks subliminal advertising. All we wanted was an industrywide test. But if they don't want to use it, we've still got plenty of interested independent stations."

In view of the concern over premature usage of this invisible selling method, it would appear timely to me for the Commission to remove the uncertainty by a definite prohibition against television use of subliminal advertising until your investigation has been completed and a final determination made.

In your letter of November 17 you point out that one of the available protections is section 303 of the Communications Act giving the Commission control over services rendered and apparatus used by stations. Another is section 317, requiring sponsor identification, which you say "undoubtedly would prohibit broadcasters from subjecting audiences to messages received from undisclosed sources."

Since the Commission does have this authority, I recommend that subliminal advertising be specifically prohibited for the duration of your present study.

In the present limbo, television stations are not sure whether they could use subliminal advertising but the public is not sure they could not. I see no reason for extending this ambiguous situation when most of the television industry itself agrees that the process should not be used until it has been fully evaluated.

May I be advised whether there is any reason why this definite prohibition should not be put into effect?

Kind regards and best wishes for a joyous holiday season.

Sincerely yours,

WILLIAM A. DAWSON,
Member of Congress.

SPECIAL POSTAGE STAMP COMMEMORATING 150TH ANNIVERSARY OF THE ANTHRACITE COAL MINING INDUSTRY

Mr. KEOGH. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point.

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

There was no objection.

Mr. FLOOD. Mr. Speaker, I have this day introduced a bill to authorize and direct the Postmaster General to issue a special postage stamp to commemorate the 150th anniversary of the beginning of the anthracite coal-mining industry, symbolized by the first successful burning of anthracite coal in an open grate by Judge Jesse Fell on February 11, 1808, in my home town of Wilkes-Barre, Pa.

My bill provides that such a stamp shall be of such denomination and design, and shall be issued for such period, as the Postmaster General may determine.

A further stipulation provides that such a stamp shall be placed on sale at the origin of this great discovery, namely, Wilkes-Barre, Pa., 1 day before it is made available to the public elsewhere.

Mr. Speaker, as you know the contributions made to this great Nation of ours by the use of anthracite coal, both in peacetime and in time of war, have been very great for the past century and one half.

In view of the historical importance and the benefits which have accrued to this country as the direct result of the discovery of anthracite coal for domestic and industrial utilization, I strongly urge that this legislation receive favorable consideration by the Congress so that such a stamp may be issued.

Moreover, Mr. Speaker, such a stamp, in addition to the above-mentioned considerations, will also serve to fittingly recognize the part played by the thousands and thousands of miners who have spent their entire careers in the development and progress of the anthracite industry.

I fully realize that requests for the issuance of commemorative stamps are continually being made on behalf of other industries, professions, and specific groups, but I strongly feel that few, if any, industries are more deserving of proper and nationwide recognition than is the anthracite industry. Its history is impressive.

BOARD OF VISITORS, UNITED STATES MILITARY ACADEMY

The SPEAKER. Pursuant to the provisions of title 10, section 4355 (a), United States Code, the Chair appoints as members of the Board of Visitors to the United States Military Academy the following Members on the part of the House: Mr. TEAGUE of Texas, Mr. RABAUT of Michigan, Mr. MILLER of Maryland, Mr. WAINWRIGHT of New York.

BOARD OF VISITORS, UNITED STATES NAVAL ACADEMY

The SPEAKER. Pursuant to the provisions of title 10, section 6968 (a), United States Code, the Chair appoints as members of the Board of Visitors to the United States Naval Academy the following Members on the part of the House: Mr. RILEY, of South Carolina; Mr. FRIEDEL, of Maryland; Mr. H. CARL ANDERSEN, of Minnesota; Mr. OSTERTAG, of New York.

BOARD OF VISITORS, UNITED STATES AIR FORCE ACADEMY

The SPEAKER. Pursuant to the provisions of title 10, section 9355 (a), United States Code, the Chair appoints as members of the Board of Visitors to the United States Air Force Academy the following Members on the part of the House: Mr. ROGERS of Colorado, Mr. MAGNUSON of Washington, Mr. CHENOWETH of Colorado, Mr. SCRIVNER of Kansas.

BOARD OF VISITORS, UNITED STATES MERCHANT MARINE ACADEMY

The SPEAKER. Pursuant to the provisions of title 46, section 1126c, United States Code, the Chair appoints as members of the Board of Visitors to the United States Merchant Marine Academy the following Members on the part of the House: Mr. YOUNG, of Texas; Mr. FINO, of New York.

BOARD OF VISITORS, UNITED STATES COAST GUARD ACADEMY

The SPEAKER. Pursuant to the provisions of title 14, section 194 (a), United States Code, the Chair appoints as members of the Board of Visitors to the United States Coast Guard Academy the following Members on the part of the House: Mr. GARY, of Virginia; Mr. WIDNALL, of New Jersey.

NATIONAL MONUMENT COMMISSION

The SPEAKER. Pursuant to the provisions of Public Law 742, 83d Congress, the Chair appoints as a member of the National Monument Commission the gentlewoman from New York [Mrs. ST. GEORGE] to fill the existing vacancy thereon.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. COFFIN, for 3 days, an account of official business of Committee on Foreign Affairs.

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. SHEEHAN, for 10 minutes, on Thursday next.

Mrs. ROGERS of Massachusetts, for 5 minutes, today.

Mr. PATMAN, for 30 minutes, on tomorrow, to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. FISHER and to include extraneous matter.

Mr. THOMPSON of Louisiana (at the request of Mr. WRIGHT).

Mr. TUCK and to include a very able and timely address by Hon. HOWARD W. SMITH, of Virginia, delivered before the General Assembly of Virginia at Williamsburg, Va., on last Saturday.

Mr. FRIEDEL and to include a telegram to the Secretary of the Navy, also a letter to Secretary Weeks.

Mr. LANE and to include extraneous matter.

Mr. H. CARL ANDERSEN and to include a telegram.

Mr. WIDNALL and to include extraneous matter.

Mr. BEAMER and to include a letter.

Mr. ANFUSO (at the request of Mr. ALBERT) and to include extraneous matter.

Mr. ZELENKO (at the request of Mr. ALBERT) and to include extraneous matter.

Mr. ROOSEVELT, his remarks in Committee of the Whole and to insert material from the Los Angeles Chamber of Commerce.

Mr. COLLIER.

Mr. MCDONOUGH.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2920. An act to provide for small-business disaster loans in areas affected by excessive rainfall; to the Committee on Banking and Currency.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 5938. An act to amend section 812 (e) (1) (D) of the Internal Revenue Code of 1939 with respect to certain decedents who were adjudged incompetent before April 2, 1948;

H. R. 7762. An act to amend section 223 of the Revenue Act of 1950 so that it will apply to taxable years ending in 1954 to which the Internal Revenue Code of 1939 applies;

H. R. 8865. An act relating to the administration of certain collected taxes; and

H. R. 9035. An act to amend the Internal Revenue Code of 1954 with respect to the basis of stock acquired by the exercise of restricted stock options after the death of the employee.

ADJOURNMENT

Mr. MCCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 4 minutes p. m.), the House adjourned until tomorrow, Wednesday, January 29, 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:

1525. A letter from the Under Secretary of the Navy, transmitting a draft of proposed legislation entitled "A bill to authorize the use of naval vessels to determine the effect of newly developed weapons upon such vessels"; to the Committee on Armed Services.

1526. A letter from the Under Secretary of the Navy, transmitting a draft of proposed legislation entitled "A bill to authorize the construction of modern naval vessels"; to the Committee on Armed Services.

1527. A letter from the Acting Executive Secretary, National Advisory Committee for Aeronautics, transmitting a report covering the contracts negotiated by the National Advisory Committee for Aeronautics for the period July 1, 1957, to December 31, 1957, pursuant to title 10, United States Code, section 2304 (a) (11) and (16); to the Committee on Armed Services.

1528. A letter from the Attorney General, transmitting a draft of proposed legislation entitled "A bill to amend section 152, title 18, United States Code, with respect to the concealment of assets in contemplation of bankruptcy"; to the Committee on the Judiciary.

1529. A letter from the Attorney General, transmitting a draft of proposed legislation entitled "A bill to provide for the acquisition of sites and the construction of buildings for a training school and other facilities for the Immigration and Naturalization Service, and for other purposes"; to the Committee on Public Works.

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. THORNBERRY: Committee on Rules. House Resolution 456. Resolution for consideration of 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. 1299). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ROGERS of Colorado:

H. R. 10304. A bill to reaffirm the national public policy and the purposes of Congress in enacting the Robinson-Patman Antiprice Discrimination Act entitled "An act to amend section 2 of the act entitled 'An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes,' approved October 15, 1914, as amended (15 U. S. C. 13), and for other purposes" and to clarify the intent and meaning of the aforesaid law by providing for the mandatory nature of functional discounts under certain circumstances; to the Committee on the Judiciary.

By Mr. OSMERS:

H. R. 10305. A bill to reaffirm the national public policy and the purposes of Congress in enacting the Robinson-Patman Antiprice Discrimination Act entitled "An act to amend section 2 of the act entitled 'An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes,' approved October 15, 1914, as amended (15 U. S. C. 13), and for other purposes" and to clarify the intent and meaning of the aforesaid law by providing for the mandatory nature of functional discounts under certain circumstances; to the Committee on the Judiciary.

By Mr. MILLS:

H. R. 10306. A bill to amend the Tariff Act of 1930 to reduce from 15 to 13 inches the minimum width of newsprint rolls which may be imported into the United States duty free; to the Committee on Ways and Means.

By Mr. BROWN of Ohio:

H. R. 10307. A bill to amend the Tariff Act of 1930 to reduce from 15 inches to 13 inches the minimum width of newsprint rolls which may be imported into the United States duty free; to the Committee on Ways and Means.

By Mr. TELLER:

H. R. 10308. A bill to extend the provisions of law relating to arbitration of contracts to labor contracts and to permit enforcement of such contracts in State courts; to the Committee on the Judiciary.

By Mr. ABERNETHY:

H. R. 10309. A bill to authorize the use of additional funds for the 1958 cotton acreage reserve program; to the Committee on Agriculture.

By Mr. ANFUSO:

H. R. 10310. A bill providing for the Surgeon General of the United States to establish a hospital in the State of New York especially equipped for the treatment of persons addicted to the use of habit-forming drugs; to the Committee on Interstate and Foreign Commerce.

By Mr. BAKER:

H. R. 10311. A bill to amend section 512 of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. CHRISTOPHER:

H. R. 10312. A bill to increase the annual-income limitations governing the payment of pension to certain veterans and their dependents; to the Committee on Veterans' Affairs.

By Mr. COLLIER:

H. R. 10313. A bill to amend section 1331 of title 10 of the United States Code to provide for granting retired pay to certain Reserves who served on active duty during World War I, World War II, and the Korean conflict; to the Committee on Armed Services.

By Mr. DEROUNIAN (by request):

H. R. 10314. A bill to amend the Trading With the Enemy Act, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. FLOOD:

H. R. 10315. A bill to provide for the issuance of a special postage stamp to commemorate the 150th anniversary of the anthracite coal mining industry; to the Committee on Post Office and Civil Service.

By Mr. FORD:

H. R. 10316. A bill to exclude Ottawa County, Mich., from the commercial corn producing area during 1958; to the Committee on Agriculture.

By Mr. GATHINGS:

H. R. 10317. A bill to authorize emergency refinancing loans to farmers in disaster areas; to the Committee on Agriculture.

By Mr. JONES of Missouri:

H. R. 10318. A bill to authorize emergency refinancing loans to farmers in disaster areas; to the Committee on Agriculture.

By Mr. GUBSER:

H. R. 10319. A bill to amend the act of May 10, 1956, relating to inspection and certification of certain passenger-carrying vessels, so as to limit the application of such act to vessels carrying more than eight passengers; to the Committee on Merchant Marine and Fisheries.

By Mr. HEMPHILL:

H. R. 10320. A bill to provide for additional charges to reflect certain costs in the acceptance of business reply cards, letters in business reply envelopes, and other matter under business reply labels for transmission in the mails without prepayment of postage, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HILL:

H. R. 10321. A bill to authorize the Secretary of Agriculture to exchange lands comprising a portion of the Estes Park administrative site, Roosevelt National Forest, Colo., and for other purposes; to the Committee on Agriculture.

By Mr. HOFFMAN:

H. R. 10322. A bill to amend the National Labor Relations Act (title 29, U. S. C.), as amended, for the purpose of prohibiting compulsory unionism, and for other purposes; to the Committee on Education and Labor.

By Mr. JOHNSON:

H. R. 10323. A bill to provide for a national dairy income improvement program and an adequate balanced and orderly flow of milk and dairy products in interstate and foreign commerce, and for other purposes; to the Committee on Agriculture.

H. R. 10324. A bill to extend and expand the special milk for children program for an additional 2-year period, to extend the program of expanded milk for Veterans' Administration facilities and Armed Forces for an additional 2-year period, and to extend the brucellosis eradication program for an additional 2-year period, and for other purposes; to the Committee on Agriculture.

By Mr. KEARNEY:

H. R. 10325. A bill to amend title II of the Social Security Act to provide a 10 percent increase in all monthly insurance benefits payable thereunder; to the Committee on Ways and Means.

By Mr. LANE:

H. R. 10326. A bill to amend title I of the Housing Act of 1949 to authorize assistance thereunder for the commercial and industrial development of nonresidential areas; to the Committee on Banking and Currency.

By Mr. McCORMACK:

H. R. 10327. A bill to amend section 39 of the Trading With the Enemy Act of October 6, 1917, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. MACK of Washington:

H. R. 10328. A bill to enable the States of Washington and Oregon to open the new interstate bridge over the Columbia River between Vancouver, Wash., and Portland, Oreg., constituting a portion of the National System of Interstate and Defense Highways, as a toll-free bridge by providing for the reimbursement of such States for the Federal share of the costs of construction of such bridge; to the Committee on Public Works.

By Mr. O'HARA of Minnesota:

H. R. 10329. A bill to make unlawful the sale of merchandise on Sunday, to regulate the same, and for other purposes; to the Committee on the District of Columbia.

By Mr. PERKINS:

H. R. 10330. A bill to encourage and stimulate the production and conservation of coal in the United States through research and development by creating a Coal Research and Development Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. RAY:

H. R. 10331. A bill to amend the Servicemen's Readjustment Act of 1944 to extend the veterans' guaranteed home-loan program for 2 years; to the Committee on Veterans' Affairs.

By Mr. SCHWENGEL:

H. R. 10332. A bill to amend section 13 of the Federal Highway Act to permit the Secretary of Commerce to reimburse the States for the United States pro rata share of the value of materials stockpiled in the vicinity of Federal-aid highway projects for use in the construction or reconstruction work involved in such projects; to the Committee on Public Works.

By Mr. SISK:

H. R. 10333. A bill to extend and liberalize the direct home-loan program for veterans, to extend the guaranteed home-loan program, to provide special assistance to paraplegic veterans under the direct home-loan program, to stimulate the making of direct farm-housing loans, and for other purposes; to the Committee on Veterans' Affairs.

H. R. 10334. A bill to make certain assistance by a State, municipality, or other public body eligible as local grants-in-aid under section 110 (d) of the Housing Act of 1949; to the Committee on Banking and Currency.

By Mr. THOMPSON of Louisiana:

H. R. 10335. A bill to provide for small-business disaster loans in areas affected by excessive rainfall; to the Committee on Banking and Currency.

By Mr. KEARNEY:

H. R. 10336. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. COLLIER:

H. J. Res. 516. Joint resolution designating the 22d day in April of each year as National Prayer for Peace Day, requesting the President to issue a proclamation setting aside a period of such day for a nationwide prayer for peace, and declaring one-half of such day to be a legal holiday; to the Committee on the Judiciary.

By Mr. DORN of New York:

H. J. Res. 517. Joint resolution to adopt a specific version of the Star-Spangled Banner as the national anthem of the United States of America; to the Committee on the Judiciary.

By Mr. VINSON:

H. Res. 457. Resolution to provide additional funds for the expenses incurred by

the House Committee on Armed Services in conducting the investigations and studies authorized by House Resolution 67; to the Committee on House Administration.

By Mr. WALTER:

H. Res. 458. Resolution providing for the printing of additional copies of the staff consultations entitled "The Ideological Fallacies of Communism"; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Arizona, memorializing the President and the Congress of the United States, requesting the maintenance of adequate tariff rates in copper; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Colorado, memorializing the President and the Congress of the United States, to consider the Brush-Fort Morgan area in the State of Colorado as the future site of the Air Training Command now located at Fort Warren in Wyoming; to the Committee on Armed Services.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COLLIER:

H. R. 10337. A bill for the relief of Leon Fernando Wing Lum; to the Committee on the Judiciary.

By Mr. COUDERT:

H. R. 10338. A bill for the relief of Michael M. Milenkovitch; to the Committee on the Judiciary.

By Mr. DEROUNIAN:

H. R. 10339. A bill for the relief of Capt. Arthur E. Buck; to the Committee on the Judiciary.

By Mr HARRIS:

H. R. 10340. A bill for the relief of Ingeborg Katharina Nachtigall Moore; to the Committee on the Judiciary.

By Mr. KING:

H. R. 10341. A bill for the relief of Donald F. Darnell; to the Committee on the Judiciary.

By Mr. MADDEN:

H. R. 10342. A bill for the relief of Suor Candida Ferrante Giuseppa; to the Committee on the Judiciary.

H. R. 10343. A bill for the relief of Napoleon Martirez, M. D.; to the Committee on the Judiciary.

By Mr. WOLVERTON:

H. R. 10344. A bill for the relief of Franja Ivanicek; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

366. The SPEAKER presented a petition of the city clerk, Englewood, N. J., requesting a constitutional amendment to prohibit the levying of income tax by one State on New Jersey residents working in New York, which was referred to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

The Louisiana Yam

EXTENSION OF REMARKS

OF

HON. T. A. THOMPSON

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 28, 1958

Mr. THOMPSON of Louisiana. Mr. Speaker, our Louisiana yam is a sweetpotato, but the appellation of yam is applied to the scientifically developed sweetpotato which can be grown to perfection only in certain soil-rich areas of our State. This variety is distinguished from other sweetpotatoes by its moist texture, deep orange flesh, and coppery skin.

Currently, the Louisiana yam stands as the fourth major cash crop in the State, with approximately 35,000 families in Louisiana producing sweetpotatoes for the commercial market.

During the last decade or so, Louisiana has more than doubled its share of national yam sales, and almost doubled the percentage of its production sold and increased the size of its canning pack by more than 400 percent.

The spectacular growth of this industry is a prime illustration of what a farm group can do for themselves through industry teamwork, with the cooperation of the State and Federal Departments of Agriculture and the agricultural colleges of our State.

First, this vegetable was the subject of an intensive research program to adapt the Louisiana yam for commercial production. Next, the growers and shippers went to work and performed an outstanding job in marketing the Louisiana yam as a commercial crop on a national basis.

The use of such promotional tools as advertising, publicity, and merchandising carried the job one step further and sold Louisiana yams to buyers all over the Nation, and to the ultimate consumers, Mrs. Homemaker and her family.

The Louisiana yam has been bred particularly for the things a good cook looks for in a sweetpotato—vitamins, good size and shape, a moist, string-free texture, and an elegant flavor, a flavor you would really appreciate if you have ever tasted a golden yam pie.

The present day Louisiana yam would not have been possible had it not been for the horticultural achievements of Dr. Julian Miller, head of Louisiana State University's Horticultural Research Department. Through years of research and experimentation with mutations and cross pollinations, Dr. Miller was able to develop this prize yam.

The largest volume of yams is grown in southwestern Louisiana in the heart of the Cajun land of Evangeline. It is there that the descendants of the Acadians have created an agricultural paradise along the bayous.

And the work is not over; research is continuing, new marketing ideas are being tested and an even more rigid quality control is being worked upon.

Louisiana's yam industry is big—and now accounts for 40 percent of the sweetpotatoes sold in the United States—we hope to make it bigger.

Federal Tax Law Amendment

EXTENSION OF REMARKS

OF

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 28, 1958

Mr. FISHER. Mr. Speaker, I recently introduced a bill (H. R. 9860) to amend our Federal tax laws to increase the amount of deduction allowed a working mother for the expenses of providing for the care of certain dependents. In addition, my bill would remove the harshly restrictive earnings limitation contained in existing law which denies or impairs the benefit of the provision if a married couple has a combined income over $4,500 per annum.

Mr. Speaker, present law permits a woman (or widower) to deduct babysitting expenses which she incurs so she can go out to work, provided that the baby is her child—or stepchild—and is either less than 12 years of age or is incapable of caring for himself, and provided that the expenses are not paid to a relative who is the dependent of the working mother. The present deduction is limited to $600 in any taxable year, and if the woman is married the deduction is allowed only if she files a joint return with her husband and is reduced by the amount by which their joint income exceeds $4,500.

My bill would more realistically increase the maximum amount of the deduction from $600 to $1,200 a year, and would eliminate the special restrictions on a married woman so that she could get the deduction regardless of whether or not she filed a joint return. In this respect she would be treated as any other taxpayer; she would have the option of filing a joint return or an individual return. The bill does not change the law in any way with regard to what constitutes a bona fide babysitter or in any other way except the ones I have mentioned. The only two changes would be to increase the $600 deduction to $1,200 and to strike out the $4,500 income limitation.

The present $4,500 limitation is, in effect, discriminatory against married women who have small children. There are few, if any, places where a working mother can hire a full-time babysitter to stay with her children 8 or 10 hours

a day without having to pay the sitter at least $100 per month. It can readily be seen that, if the husband is employed full time along with his wife, and their combined income does not exceed $4,500 per year, it would hardly pay the mother to spend $100 per month for a babysitter. There would be very little if anything gained by it.

It is in the interest, Mr. Speaker, of dealing realistically with the problem of giving fair tax treatment to deserving mothers who are forced to go out into the labor market that I have introduced this meritorious legislation. After all, it would seem that the cost of a babysitter under these circumstances is just as appropriate as any other business expense incurred by the taxpayer.

Construction Contracts Let on Shakopee Watershed Project

EXTENSION OF REMARKS

OF

HON. H. CARL ANDERSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 28, 1958

Mr. H. CARL ANDERSEN. Mr. Speaker, the following telegram which I received the other day marks the culmination of several years of combined effort on the part of a number of us who have been working on the watershed program in the Seventh District of Minnesota:

JANUARY 21, 1958.

Hon. H. CARL ANDERSEN,
House Office Building,
Washington, D. C.:

We are happy to inform you that we witnessed the letting of the contracts for the construction of the Shakopee watershed project this afternoon. Thanks for all of your assistance.

ALVIN PAYNE.
GEORGE GRUSSING.
A. I. JOHNSON.

That brief message, Mr. Speaker, told in a few words the dramatic results of these years of labor. The Chippewa River-Shakopee Creek project is under the original Andersen-Hope pilot watershed protection program which was the forerunner of the general program known as Public Law 566, and it represents the first construction beginning in my district under the pilot program.

It is difficult for anyone other than the people actually living in the Shakopee watershed to grasp fully the meaning of the announcement I received. Perhaps it would be worth a few minutes time to recount briefly the history of this community effort.

Nobody knows how much time and effort goes into the behind-the-scenes effort to get a watershed organized. Men like Alvin Payne, George Grussing, and A. I. Johnson give literally months of their time in little known and unpublicized work. When these men started on the overall Chippewa River tributaries and Hawk Creek watershed protection project there was very little public information on the subject. With portions of Swift, Chippewa, Kandiyohi, and Renville Counties involved, one can readily see what a task these men and their associates had before them in acquainting people with the provisions of the Andersen-Hope pilot watershed protection program and selling them on the benefits to be derived from a watershed.

The services of these men were uncompensated. Often at considerable personal sacrifice they traveled around the large area involved for meetings with both farm and city people to discuss plans and progress. I personally joined them when I could and we went from village to village where we met with groups of people who had gathered for the purpose of discussing the proposed watershed.

Look, for a moment, at the men who have been so directly responsible for the success of this undertaking. Alvin Payne is a farmer and businessman. He has for many years championed the cause of conservation and if there was ever any way of repaying him for his services he could no doubt retire on the proceeds. His has been a labor of love. Dedicated as he is to the interests of the land and the people on it, he has given freely of his time, genius, and effort.

George Grussing is also a businessman, farmer, and a member of the Minnesota Legislature. He has been equally generous with his time and talents, and I know that George has never failed to respond to an invitation or an opportunity to go any distance to talk watershed. It made no difference to him whether one man or a hundred would be there to hear his story—he always went.

A. I. Johnson, another businessman and member of the Minnesota Legislature, has been the third great pioneer in this effort. I have been to many meetings, both large and small, with A. I., and no man could have been more dedicated in his efforts to accomplish something for the good of his community. A busy man, speaker of the Minnesota House of Representatives, he has been unstinting in his efforts to promote this undertaking.

The association of these three men in this worthy effort tells quite a story in itself. As individuals they differ in many respects but they have one great common interest and that is the watershed and soil-conservation programs. They live in different counties and are of different political affiliation. Their mutuality of interest and their joint effort illustrate better than any words of mine the wholehearted manner in which people accept and promote a watershed undertaking.

I congratulate these men and all the people who live, farm, and do business in the Shakopee watershed. When we first started talking watersheds I told them that some day they would see and enjoy the benefits of our program. This is now assured by the letting of these contracts. This million-dollar project will still be bearing fruitful results generations from now.

It will be a monument to the labors of these men and many like them who have worked for so long on the project. Men like my good friend, Lew Tatge, who started the ball rolling on the water problems in the Chippewa River area many years ago. To my knowledge, Mr. Tatge has been working on this problem for at least 15 years and it must be a great satisfaction to him to see these contracts come into being.

Albert Gallatin

EXTENSION OF REMARKS

OF

HON. HERBERT ZELENKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 28, 1958

Mr. ZELENKO. Mr. Speaker, Albert Gallatin has won a place in the affections of the American people close to that occupied by Madison, Jefferson and Washington. We honor his memory, and his many contributions to our Nation's liberty, when we celebrate the 197th anniversary of his birthday on January 29.

A voluntary exile from the autocracies of ancient Europe, he came to our shores to imbibe new ideas from the springs of liberty. He stayed to teach us many important things about the art of turning our democratic aspirations into a system of government which can keep men eternally free.

Throughout his life he fought for the constant betterment of institutions of knowledge to serve the American people. He was among the first to urge a system of universal, free, elementary education for our children. He was in the forefront of the movement to make our colleges put training in the sciences on an equal footing with the elements of classical education.

A few of the results of Gallatin's lifelong dedication to these aims are evident today in the model system of education which he helped bring to the State of Pennsylvania, and in the excellent scientific training which he recommended for New York University. The keen foresight Gallatin employed to look far beyond his own horse-and-buggy era will stand America in good stead in our own age of missile diplomacy.

Of equal importance in its application to today's problems is the fact that Albert Gallatin was also a lifelong champion of a policy to encourage the United States to create stable commercial relations with the rest of the world.

Because he trusted foreign trade as the most durable guaranty of peace, Gallatin implemented his theories by working for lower tariffs and by helping to conclude commercial agreements with the leading nations of the world.

When we celebrate this day we are reminded that there are still important ways in which we can serve America in the tradition of Gallatin. We can work harder to improve the level of education at home; and we can extend ourselves to mend our trade relations with our friends and allies throughout the world.

Recently our Government opened a program of commercial harassment of Switzerland, birthplace of Gallatin and source of his most important democratic

ideals. By raising tariffs and by increasing the obstacles to the importation of Swiss watches, we have entered on a policy which is not merely notorious, but which has undermined the faith of many other nations in the willingness of the United States to keep faith in matters of reciprocal trade. If we want to convince the world that we are again returning to the open, liberal trade policies of Gallatin, there is today no better place to begin than with improving our trade relations with Switzerland, his native land.

Postal Pay and Rate Revisions Should Not Be Delayed

EXTENSION OF REMARKS

OF

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 28, 1958

Mr. COLLIER. Mr. Speaker, during the months I spent in my district following adjournment, I observed considerable evidence of hardship among the majority of the postal employees back home because of inadequate salaries to meet present-day costs of living. In the majority of the cases where postal employees have families to support and particularly those who are purchasing homes, they are forced to supplement the family incomes by securing employment for wives and in some cases through additional outside employment themselves.

I know from my personal experience that it is most difficult to fill vacancies which exist in post office jobs. With the present-day cost of living it becomes increasingly difficult to interest competent people in accepting the postal service as a career.

From time to time various legislation has been introduced to provide salary increases for postal employees. Furthermore, there have been repeated efforts to enact a sound personnel program for Federal service. In my opinion, such a program is a necessity to improve and maintain competent postal service, which we must all recognize as one of the most esential services which the Federal Government must offer. To achieve the maximum effect of such a program, we must analyze the basic needs of securing the type of personnel necessary, as well as maintaining the proper morale of the countless thousands of postal employees who have already devoted many years to Federal service. Notwithstanding my avowed policy of cutting Government expenditures, and the continued adoption of many of the Hoover Commission recommendations, I sincerely feel that the new proposed legislation for postal employee salary increases and postal rate increases should be expedited and enacted into law.

In addition to providing necessary relief for those presently employed in the Post Office Department, I feel that legislation that would afford postal employees a reasonable increase would improve the morale of the present employees and place the departments of many cities, towns, and villages throughout the Nation in a position to secure more competent personnel, which would result in improved postal service.

I am also of the opinion that a substantial savings can be effected in the general operation of the postal service through this program, as it would undoubtedly reduce the costly turnover of personnel leaving the postal service to secure jobs which offer more attractive salaries. Enactment into law of a bill incorporating such reasonable salary increases as present conditions deem necessary should be an early action in this session of Congress.

The Wool Industry and the Geneva Reservation

EXTENSION OF REMARKS

OF

HON. THOMAS J. LANE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 28, 1958

Mr. LANE. Mr. Speaker, under leave to extend my remarks in the RECORD, I wish to include my statement before the Trade Policy Committee, Department of Commerce, recommending continuation and strengthening of the Geneva reservation, on January 27, 1958:

STATEMENT OF HON. THOMAS J. LANE, OF MASSACHUSETTS, BEFORE THE TRADE POLICY COMMITTEE, DEPARTMENT OF COMMERCE, RECOMMENDING CONTINUATION AND STRENGTHENING OF THE GENEVA RESERVATION, JANUARY 27, 1958

Mr. Chairman, the woolen-worsted industry was fighting for its life in 1956, fighting against the steady rise of imports that threatened to price it right out of the home market.

Only the application of the tariff-rate quota under the Geneva agreement, granted it a temporary respite.

Unless this quota is continued, and strengthening, this important industry will be further undermined by unfair competition from swelling imports. As it is, this industry is barely holding its own and at a greatly reduced level of activity.

At the same time, there has been no narrowing of the vast gap between wages paid here in wool textiles, and those paid in the mills of our chief competitors, Britain, Japan, Italy, and France.

The wool manufacturers are not asking that imports be shut off completely. But they do insist that the competition they meet in the home market from goods of foreign origin, be equalized by proper tariffs. Otherwise, more mills will be forced into liquidation, with serious losses to investors, employees, and to the Nation's self-sufficiency in producing cloth for the needs of its own people.

There has been a decline of over 40 percent in our cloth production within 10 years. It cannot be forced into further contraction without very serious repercussions.

The tariff-rate quota on wool fabrics must not only be continued, but must be strictly adhered to. Under the Geneva reservation there is no elastic discretion. The language is clear. Once the decision is made, the remedy, including the breakpoint, is clearly specified. A 45-percent ad valorem duty must be assessed against woven wool fabrics entered in the calendar year in excess of 5 percent of the annual 3-year average of United States production of similar fabrics.

The trigger point is 5 percent.

The duty is 45 percent.

Not more or less.

There have been many complaints concerning the interpretation of what constitutes the United States production base.

In the wording of the reservation, there is nothing to justify the present inclusion of several classes of woven goods in the domestic production base against which the 5-percent tariff-rate quota is determined.

These are the classes of goods which should be eliminated: (1) Blankets and blanketing, (2) goods made for the Government, and (3) goods containing 25 to 50 percent wool by weight.

The imports of blanketing are presently not of significant volume. On the other hand, the inclusion of United States blanket production in the base for determination of the 5-percent breakpoint increased by about a million pounds the volume of goods that may enter at the cutrate tariff during 1957.

Goods made for the Government should be eliminated from the production base because they do not compete with imports in our civilian market.

Also, goods made here containing by weight 25 to 50 percent wool should be entirely eliminated from the United States production base because of their dissimilarity to imports.

Finally, the problem is to find a practical and realistic definition of "similar" in order that the relief clause may be invoked if particular kinds of fabrics are imported in volume greater than that contemplated. Failure to do so results in undue concentration of imports on certain categories of goods. And it drives our domestic producers out of market after market by a concentration on specific markets by the producers of low-grade foreign goods.

The administration is on record as saying that our foreign trade policy must not wreck our own enterprises or destroy the jobs of American workers.

We ask it to make good on that assurance by strengthening and extending the tariff-rate quota to save our hard-pressed wool textile industry from further losses.

Tribute to Albert Gallatin

EXTENSION OF REMARKS

OF

HON. VICTOR L. ANFUSO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 28, 1958

Mr. ANFUSO. Mr. Speaker, in offering a tribute to Albert Gallatin, we pay our respects today to the memory of a man who laid the basic framework for policies which have helped to bring the United States to a position of unchallenged preeminence in the market places of the world.

Commerce with the world, friendly commerce with other nations as an enduring promise of America's peaceful growth, was the ruling principle of the life and work of Albert Gallatin, whose birthday 197 years ago in Geneva, Switzerland, we commemorate with pride today.

Acting as a legislator, as founder of the House Ways and Means Committee,

as Secretary of the Treasury to Presidents Jefferson and Madison, and as Ambassador to Great Britain and France, Gallatin worked unceasingly to promote America's trade partnership with the nations of the world. Within our own lifetime, we have seen the guiding principles of Gallatin reembodied in the reciprocal trade program of President Roosevelt and Cordell Hull.

This facet of the career of the great Albert Gallatin is of supreme importance to the people whom I represent in the city of New York. The proud position which my city occupies today as crossroads of the commerce of the world with the United States, is in no small measure attributable to the early foresight and perseverance of Albert Gallatin.

Because Gallatin was the son of Geneva's great watchmakers, he would also be proud to know that the city of New York has now become the center and capital of the Nation's tremendous watch-assembly industry, based on the unrivaled quality of jeweled-lever watches which the United States imports from Switzerland. This industry is most important for New York's economic welfare, because today many leading American companies, employing American capital and many thousands of American workers, are busily engaged there in assembling, preparing, and finishing jeweled-lever Swiss watch imports for distribution to millions of American consumers.

To New Yorkers, therefore, the maintenance of the liberal trade policies of the United States, in the tradition of Gallatin, Cordell Hull, and Franklin D. Roosevelt, is a matter of the keenest interest and importance.

We have been dismayed and concerned by the tendency of the present administration to yield to narrow, protectionist impulses, and to erect new barriers against our trade with the world. We viewed the action which the President took to raise tariffs and approve other barriers against America's importation of Swiss watches as unworthy of the United States and of the liberal trade traditions of Gallatin.

In the present state of world affairs, we do not think that the United States can long afford to yield to such regressive and destructive impulses in the conduct of our trade and foreign relations. It is our sincere hope that this present session of Congress will witness a return, in both principle and action, to the sound, liberal trade policies which Albert Gallatin bequeathed to the beloved country of his adoption.

World Habeas Corpus

EXTENSION OF REMARKS

OF

HON. JOHN V. BEAMER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 28, 1958

Mr. BEAMER. Mr. Speaker, under unanimous consent, I wish to insert in the CONGRESSIONAL RECORD the attached copy of a letter to the editor of the New York Times.

The subject of habeas corpus has been brought to my attention and has attracted many others to its importance.

This letter was sent to the New York Times in the hope that this very estimable newspaper with its large circulation would publish it in an attempt to secure the thinking of many others in this important field:

WORLD HABEAS CORPUS

To the EDITOR OF THE NEW YORK TIMES:

Each issue of our daily press makes it more apparent that our foreign policy requires a stronger personal appeal to the masses of individual men and women in the uncommitted nations of the world. The impersonal nature of reciprocal trade, economic supports, military aid, exchange professorships, and the like simply has not aroused the personal interest and individual feelings that are necessary to win and hold the individuals who, in the aggregate, make up the uncommitted peoples whose added strength the free world needs in its offenses against communism.

A positive program has been proposed which, if adopted, would provide that appeal to every individual, giving the American foreign policy that effective touch which is now lacking. That is the proposal of Mr. Luis Kutner, a well-known Chicago attorney and authority on habeas corpus and due process of law. He proposes that all world sovereignties establish an international court of habeas corpus vested with the majestic writ of personal authority to prevent the illegal detention of persons anywhere in violation of the well-known legal principles that compose due process of law. This idea is not a recent one. It was proposed by Mr. Kutner nearly 27 years ago, prior to the Nazi slaughter campaigns, and it has worked like a ferment in the minds of responsible men since it was first proposed. Due process of law, in layman's language, is fair play toward oneself and fair play toward the other person. Any act under color of law that wrongfully deprives a person of his liberty is a violation of due process of law.

Until recently, the international personality of the individual was not accepted. States only were held to be subject to international law. This is no longer the case. The Charter of the United Nations, a legally binding international treaty, and the Universal Declaration of Human Rights, a declaration of enlarged principles of policy have moved toward vesting the human being with international personality and rights. Mr. Kutner proposes that the nations, using their respective constitutional methods, collectively establish, by a world treaty-statute, an international court of habeas corpus specifically empowered to issue its writ of freedom to insure all persons, everywhere in the world, the personal peace of personal liberty.

The law, as Judge Learned Hand has eloquently pointed out, is an evolving concept. It progresses. The bench and bar, in America and abroad, are striving to reach ever higher concepts of personal justice. The basic strength of our own Constitution is that it has application to the individual. The basic weaknesses of international concepts of justice are that they apply not to individuals but only to the states. The next logical step in the advance of world law is the protection of the individual, as a subject of international law under due process, by an effective world writ of habeas corpus.

As Prof. Marek St. Korowicz has said:

"The doctrine of international law should take into consideration the realities of international relations and should be in a precise relation to these realities. It is a well-established principle of international law that states may, by common agreement, recognize the international personality of individuals not only in their duties and responsibilities, but also in their capacity for international procedural action. The fact that the right of individuals to proceed before international bodies is almost nonexistent today in international law practice, does not exclude the creation of this right at any moment by agreement of states. Certain international duties and responsibilities of individuals have become a part of international customary law."

Mr. Kutner's proposals have enlisted the support of a great many persons of international legal authority and responsibility, including Quincy Wright, Myres S. McDougal, Telford Taylor, and Harold D. Lasswell. The great Dean Roscoe Pound of Harvard Law School has written approvingly to Mr. Kutner of his proposals:

"Your general proposition that the concept of the international personality of man is growing in acceptance and must make obsolete much of the reasoning based upon the idea of sovereignty seems to me well taken. * * * Why cannot a world law develop exactly as the common-law world has developed without any supergovernment? * * * You seem to me therefore to be moving in the right path in insisting upon a general principle of law rather than a sovereign political authority as the basis of a world legal order. Certainly not the least feature of the world legal order should be the securing of individual personality."

The promise of a totally free world and the weight of legal reasoning and logic are in support of Mr. Kutner's proposals. It is a plan which will appeal to the individuals of all nations, strengthen our own foreign policy, and will extend and strengthen the legal system of the Free World. When I was in the battle to free William N. Oatis, I welcomed the service of Mr. Kutner and became a stanch supporter when he sought to sue out the then unprecedented writ of habeas corpus in the United Nations in 1952 to free the Associated Press reporter who was wickedly and illegally imprisoned by Czechoslovakia. The proposed writ was hailed at that time on the floor of Congress as a world Magna Carta. While there was considerable debate whether the U. N. could legally entertain the action brought by Mr. Kutner, there ensued enormous pressures for its consideration. Before definitive action was taken to proceed with or dismiss Mr. Kutner's petition, Mr. Oatis was released, in my opinion, because of the gathering support for issuance of the writ.

Sooner or later, there will be other such cases. Sooner or later, the United Nations and others will have to face this issue squarely. Mr. Kutner proposes that all nations face the issue within their constitutional processes by working cooperatively to frame a world treaty statute creating an international court of habeas corpus vested with powers and authority to issue and enforce the international writ of habeas corpus.

I believe that the United States should take the leadership in stabilizing the lives of the entire human race. In my opinion this would provide the best test of our world concern and sincerity and eliminate frictions and distrust.

I hope that the great international peace societies and their committees of annual award will interest themselves in the idea of personal peace under due process of law and an international writ and court of habeas corpus. I am sure that Mr. Kutner and his colleagues would welcome the support of all men and organizations of good will in his venture to extend the majestic shield of habeas corpus over the individual person everywhere in the world.

Sincerely,

JOHN V. BEAMER,
Member of Congress.

Waste in the Award of Government Contracts

EXTENSION OF REMARKS

OF

HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 28, 1958

Mr. FRIEDEL. Mr. Speaker, I would like to call to the attention of my colleagues in the House a matter which is of very great concern to the people of the city of Baltimore and the State of Maryland, as well as to me as their elected representative.

Further, I feel that this should be a subject of concern to every Member of this House, since it certainly is not in the best interest of our country for the executive branch of the Government to deliberately waste millions of dollars of the American taxpayers' hard-earned money. This is particularly true at a time when everyone in the country should present a united front in conserving our financial resources in order to meet today's complex and costly armaments of defense.

Mr. Speaker, I refer to the recent award by the Maritime Administration of contracts for the building of four freighters to the National Steel & Shipbuilding Corp., of San Diego, Calif., and the New York Shipbuilding Corp., of Camden, N. J. These awards were made despite the fact that the low bidder for these contracts—by several million dollars—was the Bethlehem Steel Sparrows Point Shipyard in Baltimore, Md. Two of the vessels allocated to the National Steel & Shipbuilding Corp., of San Diego, Calif., will cost at least $3 million more to the Federal Government than if the bid had been given to the Baltimore yard. Further, not only are the bids substantially higher, but the contracts were awarded to a company that never has built a large ship in its entire existence and lacks the necessary know-how that the Sparrows Point yard possesses.

It certainly appears that the awarding of these contracts to anyone but the low bidder is in direct defiance of established governmental policy. Not only is such action highhanded and arbitrary, but it is a shameful waste of needed money.

Mr. Speaker, I think that we can legitimately ask the question, Does politics have anything to do with the decision of the Maritime Administration in awarding these contracts? Could the stiff compaign the Republicans are facing in California—the home of the Vice President and the Senate minority leader—have anything to do with the decision?

I have been wondering for some time why Maryland continues to receive such unfair treatment by the present administration. Could it be that Maryland does not have as many electoral votes as California? I should like to point out that since the present administration took control of the executive branch of Government, the Naval Recruit Command at Bainbridge, Md., has been closed; the Army Signal Depot has been shifted out of Baltimore, the Army Ordnance Depot and the Transportation Depot at Fort Holabird have been practically eliminated; the Office of Supervisor of Shipbuilding and Assistant Industrial Manager has been closed; ship repair work has been taken away from the excellent yards in Baltimore; Aberdeen Proving Grounds activities have been curtailed.

I have protested these actions time and time again to the various agencies involved. The following is a telegram I sent to the Honorable Thomas B. Gates, Secretary of the Navy, on July 10, 1957, protesting the closing of the Office of the Supervisor of Shipbuilding and Assistant Industrial Manager in Baltimore:

JULY 10, 1957.

The Honorable THOMAS B. GATES,
Secretary of the Navy,
Washington, D. C.:

Since April 12, I have been in communication with the Department of the Navy regarding the lack of ship repair work in the Baltimore shipyards, and the subsequent loss of highly skilled civilian personnel in the Office of Naval Supervisor of Shipbuilding. Therefore, I was shocked to read in the press today of the proposed closing of the Office of the Supervisor of Shipbuilding and Assistant Industrial Manager in Baltimore. In view of my expressed interest in this problem, it is my opinion that courtesy requires that I be notified before the proposal was released to the press. On behalf of the people of the Seventh Congressional District of Maryland, I wish to register an emphatic protest against such a proposal. Such action would not only be a serious blow to the economy and well-being of a city which is the acknowledged leader in shipbuilding and maritime maintenance, but could very well have a detrimental effect on the economy and defense of the entire country. The closing of the Navy's Baltimore office is entirely unwarranted since we have ample and unexcelled facilities for the construction and repair of all types of oceangoing vessels. The Navy has been depriving Baltimore and Maryland of its fair share of our country's shipbuilding and repair work for some time and this action would make it appear that the Department is treating the second largest port in the country like a stepchild. I strongly urge that this proposal be rescinded without further delay.

SAMUEL N. FRIEDEL,
Member of Congress.

On January 23, 1958, I sent the following protest to the Honorable Sinclair Weeks, Secretary of Commerce, regarding this highhanded and arbitrary manner in which the maritime contracts were awarded:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., January 23, 1958.

The Honorable SINCLAIR WEEKS,
Secretary of Commerce,
Washington, D. C.

MY DEAR MR. SECRETARY: It has come to my attention that the Maritime Administration has just awarded contracts for the building of four freighters to the National Steel & Shipbuilding Corp., of San Diego, Calif.; and the New York Shipbuilding Corp., of Camden, N. J., despite the fact that the bids of the Bethlehem Sparrows Point Shipyard of Maryland were millions of dollars less.

I understand that the awarding of these contracts were under a clause, referred to commonly in shipping circles as "Clause 805," which permits the Government to arbitrarily grant a contract to a firm which did not even submit a bid.

I should like to call your attention to the fact that the bids of the Bethlehem Sparrows Point Shipyards were a total of several millions of dollars lower than that of the firms which were given the work. It is also a well-known fact that the San Diego yard has never built anything much larger than a tunafish boat, whereas the Sparrows Point concern and its predecessor company have been building oceangoing vessels since before the turn of the century. The Bethlehem Sparrows Point yard not only possesses the required technical knowledge, but also has available manpower and adequate facilities to properly construct better ships for far less cost.

Information was given me that the Bethlehem bid was bypassed because it was alleged to be nonresponsive, or in other words, certain parts of the bid did not comply minutely with the original invitation to bid. It seems to me that such a technicality is a mere excuse without substance of law, for if clause 805 permits the Government arbitrarily to grant a contract to a firm that did not even bid, there was no valid reason that these very minor and unconsequential points could not be negotiated under the terms of that same clause.

It is not only because of the very severe impact the loss of such contracts to the Greater Baltimore area would necessarily have by the loss of countless jobs and money to its people and industries, but even to a greater extent, the unnecessary expenditure of far larger sums of money to accomplish the same result, that it appears to me that a full explanation is required. Accordingly, I request that you please furnish me with full and complete information in detail regarding this matter as promptly as possible.

Very truly yours,

SAMUEL N. FRIEDEL.

In spite of the many, many protests I have made to these actions, I receive only vague, noncommittal, and uninformative replies or excuses from the administration.

Mr. Speaker, I do not expect to limit my activities in the matter of the maritime contracts to simply protesting and calling attention to the irregularities involved, since such action has not proved effective in the past. Within the next few days I expect to take steps designed to bring about specific corrective action.

Speech of Katharine St. George, Member of Congress, Before the Women's National Republican Club's 37th Annual Luncheon at the Sheraton-Astor Hotel, New York City, January 25, 1958

EXTENSION OF REMARKS

OF

HON. WILLIAM B. WIDNALL

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 28, 1958

Mr. WIDNALL. Mr. Speaker, last Saturday our colleague, Representative KATHARINE ST. GEORGE, of New York, delivered one of the most forceful, constructive talks that I have heard. Clearly and intelligently she offered suggestions and programs that can effectively help to solve some of our immediate problems.

It should be called to the attention of the House that Representative ST.

GEORGE last year, on March 19 to be exact, offered a bill (H. R. 6164), to establish a United States Science Academy. This was not done after the rude awakening caused our people by Sputnik I and Sputnik II. The foresight of Representative ST. GEORGE should be commended in sensing the need and suggesting a method of frontal attack to improve our educational opportunities in science. I hope that early hearings will be provided and full consideration given by the House to her timely and enlightened proposal.

Under leave to extend my remarks in the RECORD the talk by Representative ST. GEORGE follows:

SPEECH OF KATHARINE ST. GEORGE, MEMBER OF CONGRESS, BEFORE THE WOMEN'S NATIONAL REPUBLICAN CLUB'S 37TH ANNUAL LUNCHEON AT THE SHERATON-ASTOR HOTEL, NEW YORK CITY, JANUARY 25, 1958

This is a meeting of Republicans. It seems to me, therefore, that it is a good opportunity to discuss our problems and our future as a party.

Both our major parties today are divided and scared. We might as well admit it and then try to find constructive remedies, rather than cheerfully brushing the dust under the rug and proclaiming that everything is for the best in the best possible world and that all our geese are swans.

We Republicans can play an important role now if we will support our administration, the Eisenhower administration.

We nominated President Eisenhower in 1952, and again in 1956. We elected him by a tremendous popular majority, and the women of our country, many here today, played a big part in turning these two victories into triumphs. After election the President and his party kept their promises to the people: They restored peace; they reduced taxes; they tried to restore Government to the people by decentralizing it.

Now the President has labored to live up to the Republican platforms on which he ran, and I believe it has been a source of amazement to him that in some instances members of his own party have objected to measures that he has advocated that conformed to exactly what they themselves had advocated in 1952 at Chicago and in 1956 at San Francisco. For a man whose word is his bond, and who has been brought up on the West Point motto: Duty—Honor—Country, it must be somewhat of a shock to discover that most of these promises and ideals are today regarded as so much campaign oratory.

In our foreign policy this administration has set itself the task of maintaining peace. This our people wanted, and I believe still want.

There may be differences of opinion on our foreign policy and the conduct thereof, but the fact remains that we are at peace. And it is a fact of history that we went to war during the incumbencies of every Democrat President, starting with Woodrow Wilson.

It is also a fact that our party and the Eisenhower administration have not been infiltrated by any outside influence bent on changing the destiny of our country and its philosophy of republicanism based on the Constitution and the Bill of Rights. There are such people abroad today, and we must stand watch and guard against them.

There should be a Republican position. It should be bold and tie in with the traditions and philosophy of the Republic. A wit in Washington recently said: "Happy New Year to all Republicans and Democrats, who are getting more alike every day, so that they will soon save us all the trouble of voting at all." This is a thought that is humorous, perhaps. But devastating if pursued.

Let me enumerate a few points to build on:

First. Fiscal solvency is essential to a capitalistic system. Our system up to very recently has been entirely a capitalistic or free enterprise system. Why should we be ashamed of this fact. The system has made this country great and it is only in that we have deviated from it that we have failed. Never forget that Lenin and Stalin said they would force us to ruin through bankrupting our economy, and that is just what the Kremlin is trying to do today. The country that has made the most startling recovery since World War II is unquestionably West Germany. How have they achieved this phenomenal prosperity that they now enjoy? Through adopting wholeheartedly the capitalist and free enterprise system which some of our people, notably in government, are trying to get rid of.

Second. We must stop allowing our foreign policy to be constantly criticized and torn down by the Democrats. What do they want? Let us ask them and see what they will answer. To hear them now you would think that they want to drop the bomb tomorrow. Certainly this does not jibe with their standardbearer who in 1956 wanted to put an end to all atom or nuclear tests of any kind.

Dr. Wernher von Braun, top United States authority on missiles, when asked how he accounted for the apparent ability of Soviet Russia to outstrip us in reaching into space, said: "The main reason is that the United States 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. The United States went into a serious ballistic missile program only in 1951, with the decisions to weaponize the Army's J. P. L. Corporal rocket and to develop the Redstone. Thus our present dilemma is not due to the fact that we are not working hard enough now, but that we did not work hard enough the first 6 to 10 years after the war."

I think all we need is remember these dates and occasionally mention them in mixed company.

Third. We must stand firmly against big government that leads inexorably to the monolithic state. The House Committee on Government Operations estimates that the United States Government now owns $64 billion worth of real estate and $186 billions in so-called personal property. In the continental United States the Government owns 409 million acres of land, and its total worldwide holdings amount to 772 million acres.

This, of course, means that the United States Government is the biggest owner of everything and, therefore, the greatest contractor for labor of all kinds in the world today. This trend the administration has tried to break down, but the bureaucracy is strongly opposed to Government getting out of business with the possible loss of some of their jobs.

There has been criticism in some quarters, and rather vociferous criticism at that, because the President was reported to have said that if a certain report were to be released in toto a lot of Americans would start running in all directions. Well, the fact of the matter is that a lot of Americans are running in all directions now. In fact, as our more literate forbears would have said, they are running around like chickens with their heads cut off.

We have suddenly become a Nation of experts in nuclear physics. At least that is true of everyone who can wield a pen or get behind a typewriter or get on a television screen with a nice clean-shaven face, a gray, or better, blue flannel suit, and proceed to explain just what mistakes the administration has made.

Have you ever wondered where these people were, and what they were doing, 2, 4 or 6 years ago? Apparently they only found out all these things after the Russians had launched Sputnik I.

I submit to you that all these voices crying out now, after the event, are not going to bring us to an intelligent solution. They are not going to, because they do not dare come out with the truth because that truth is unpalatable and will not make many votes for anyone in either party.

The truth is that we, the citizens, have and do demand butter ahead of guns. Because we love to get things from that nebulous old gentleman whom we picture as a doting old Santa Claus and call the Government, we seem to overlook the fact that anything the old gent gives us he first takes from us.

We howled when Khrushchev said our children would live under a socialist regime, probably because it was too true for comfort.

Now I would like to bring this whole matter down to you as individuals and members of one of our two major political parties. I want you to say to yourselves, what have I done personally for my country? This Government is still yours, if you exert the power you still have and play the part you can still play to build up a strong America.

First, what are you doing for education? Here is where our biggest failure is apparent. Why? Oh, not because we need bigger and more elaborate schools and more buses and more playgrounds. No. But because we must gear our educational program to promote and assist in every possible way the gifted and the intelligent.

The Russians have taken as a starting premise that all men are created unequal, as far as intelligence is concerned, and that higher education is only for the intelligent. We, through cheap degrees and mass college education, have simply impeded the progress of the scholar and scientist, and brought about the triumph of mediocrity.

We must also remember that the main thing education has to give is to teach discipline of the mind and body, and above all, in a free country, discipline of self.

If we will all start in now and overhaul the educational system in this country, toughen it up so that our children realize that nothing is achieved, even by a genius, save by hard unremitting work, we will go far toward recapturing our scientific preeminence in the world.

Much is going to be done at the suggestion of the President to put a scientific scholarship in the works. This is good, but we must go still further.

Last March, on the 19th day of the month, to be exact, I introduced in the House of Representatives H. R. 6164, a bill to provide for the establishment of a United States Science Academy.

This Academy would be patterned on the service Academies at West Point, Annapolis, and Denver. The young men would be appointed by the President and Members of both Houses of Congress. But, and this is most important, they would have to pass a competitive examination before being admitted to the Academy. In other words, they would have to have real scientific ability and aptitude, and could not be appointed because they were someone's fair-haired boy or girl.

While they were at the Academy, their education would be entirely at the expense of the Government and they would receive an allowance, as do the cadets at the other three service Academies.

The one condition to be imposed is that these graduates must work as officers or employees of the United States for 5 years after graduation.

In this way our country would have a pool of young, specially trained scientists who could be called on to take their place, where

they truly belong, in the front line of scientific achievement for the preservation of our country and the development of her resources.

These young men can come from families of any economic group; they would all be on an equal plane and could direct all their energies and powers to pure science during their 4-year course at the Academy, and thereafter give their service, with pay, to their country for 5 years.

When I introduced this legislation it did not create a ripple of interest. I received a report from the Department of Health, Education, and Welfare that was anything but enthusiastic. It ended up by saying that in a case of national emergency the bill might have some merit.

Well, I submit to you that we are in a state of national emergency and that there is no time to lose. Everything must be done to foster scientific education in our country and among our young people. The time is now. The urgency is upon us.

And then we must teach patriotism. You and I must teach it, and we must insist on its being taught in our schools. Patriotism is like religion; it has to be taught.

Our past history must be taught. The philosophy that made this Government a republic, not a democracy, must be learned, and that is what our party must stand for.

If freedom is to continue in the world it can only do so through a strong two-party system. This is something neither communism nor national socialism—and they are twins—will ever tolerate. There are people today in our land who are familiarly and affectionately known as eggheads, who preach bipartisanship by the hour and who would be happy to see us fall into a one-party system ruled by a bureaucracy, forming a monolithic state. Beware of them for they are indeed wolves in sheep's clothing.

The day the Republican Party abdicates the basic tenets of its greatness, the doctrine of the Republic, and stands aside merely proclaiming that: Anything they can do, we can do better, the two-party system will have died in the United States of America. After this happens it will not be long before the Republic is nothing but a historic memory, as happened to Rome under the Caesars.

Many hundred years ago Cicero said: "It is due to our own moral failure and not to any accident of chance that, while retaining the name, we have lost the reality of a republic." This may well be said of us, and after this happens it will not be long before the Republic disappears even as a name and is replaced by a Caesar.

Hon. Howard W. Smith Says Nation's Principles Are in Danger

EXTENSION OF REMARKS

OF

HON. WILLIAM M. TUCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 28, 1958

Mr. TUCK. Mr. Speaker, our esteemed colleague, the Honorable HOWARD W. SMITH, was the principal speaker at the joint session of the General Assembly of Virginia, held in the restored colonial capitol at Williamsburg on Saturday, January 25, 1958. The occasion was the regular biennial commemorative session in the restored hall of the House of Burgesses.

Judge SMITH'S address was a memorable one. He gave timely and appropriate warning of the danger confronting the Nation because of encroachments upon our constitutional system. He denounced the invasion of States rights and other constitutional limitations by the Supreme Court of the United States. He stated that we should fearlessly press the doctrine of States rights and individual liberties, and firmly resolve to restore to our people their way of life and system of government devised by our forefathers and handed down by them to us.

Under leave to extend my remarks in the RECORD, I include the following complete text of Judge SMITH'S address:

ADDRESS BY HON. HOWARD W. SMITH, OF VIRGINIA, TO THE JOINT SESSION OF THE GENERAL ASSEMBLY OF VIRGINIA AT THE COMMEMORATIVE JOINT SESSION HELD IN THE RECONSTRUCTED CAPITOL AT WILLIAMSBURG ON JANUARY 25, 1958

It is an inspiring event when the General Assembly of Virginia, pursuant to its usual custom, meets in joint session on this hallowed spot in the city of Williamsburg in the restored capitol of the Virginia Colony, to renew our inspiration and strengthen our resolve to preserve and perpetuate the great fundamental principles of free government enunciated and proclaimed here, in the trying days that preceded the American Revolution and the formation of the Union. This spot then represented the very heartbeat of the struggle for freedom and constitutional government by the American Colonies. Here Patrick Henry voiced his siren call for freedom. Here Thomas Jefferson proclaimed the principles of democratic government. Here James Madison lent his towering intellect to the plans for a new type of government—of, by, and for, all the people, and here other great intellects gathered and contributed their wisdom in the formative period of our Government.

Just as in those days the deliberations of the Virginia Legislature led and inspired the legislative bodies of the other Colonies in devising our system of government, you of the Virginia General Assembly of today lead and inspire other States in the current effort to maintain and preserve the principles first enunciated here. That you should have honored me with the invitation to address you today is a compliment far beyond my deserts or capacity, and I approach the task with a deep sense of humility and inadequacy.

On the walls of my office at the Capitol in Washington hang as my most prized possessions the portraits of the seven early Presidents of the United States from Virginia. Five of them came from the Congressional district which I have had the honor to represent for 27 years—Washington, Jefferson, Madison, Monroe, and Taylor. All giants of intellect; all wholly dedicated and devoted to the basic principles of our Government. As we today ponder the trend of government in our country, I am impelled to wonder, if they are looking down upon us, what they must think of how the present generation is keeping the faith, is preserving the great heritage which they devised and bequeathed to us.

Shakespeare said: "Those who on glorious ancestors enlarge—produce their debt instead of their discharge."

We speak proudly of the great early Americans who founded our system of government; we erect imposing monuments to their memory, but this does not suffice, for when we invoke the spirit of the great architects of our system of government, we also remind ourselves of our duty to preserve our heritage from them with all the capacity, the power, and the courage, however meager it may be, with which God has endowed us.

It is my sad conclusion that the present generation of the American people has not kept the faith, has not fought the good fight to preserve for ourselves and future generations the precious heritage left us by those who have gone before. We have, with slight resistance, submitted to encroachments upon our constitutional system. We have seen the sovereign rights of local State government ruthlessly invaded. We have hesitated and vacillated in denouncing the invasion of States rights and other constitutional limitations by the Supreme Court of the United States.

Vast numbers of people, some in high places, have supinely submitted to the false propaganda that the Supreme Court is empowered to write the "law of the land," when our Constitution expressly entrusts that vital function of government to the Congress, for the simple reason that they are the elected representatives of the people.

Democratic government can only be preserved by strict adherence to constitutional provisions and limitations.

It is this subject I have chosen to discuss with you today, because there is no place on the globe more appropriate to the purpose than the spot where we stand, and no legislative body—State or National—more dedicated or more firm in its adherence to the principles upon which our Government is based.

It is salutary for all people to keep constantly in mind the historical setting in which our Government had its origin. The Thirteen Original Colonies regarded themselves each as a sovereign nation under the general Government of the British Empire. They had no voice in their general Government and no rights or powers that that Government was bound to respect. They had no representatives in the British Parliament and there were no restrictions on the arbitrary powers that could be, and were, exercised over their affairs. Our forefathers lived for generations preceding the Revolutionary War chafing under the series of arbitrary, and often tyrannical, conditions imposed upon them by the mother country. It was in the setting of these conditions and experiences that the framers of the Constitution gathered around the council table to write a charter of freedom—the underlying and overriding purposes of which were to preserve for all coming generations the freedom of the individual, the right of local self-government, and the sovereignty of each of the sovereign States then parties to the compact or those which might in future join.

No set of men ever gathered on the face of the globe more dedicated to their task, more imbued by bitter experience with the purposes sought to be accomplished. As the scheme and purpose of the document developed on the drafting board, long hours of debate and penetrating thought were devoted to its final draft, and yet when it was submitted to the States for ratification it was still inadequate to the great purposes for which it was designed, and after further consideration it was seen that amendment was necessary to insure to the States and to the people, the sovereignty of each State and the independent liberties of the individual. And so evolved immediately upon the adoption of the Constitution the first 10 amendments, known as the Bill of Rights.

The keystone of the Bill of Rights is the 10th amendment, which says: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people."

What that means and lucidly states, is that the Federal Government has no powers, can exercise no authority, except that which is expressly given to it in the Federal Constitution. In order to better insure the right of

the people and the States, the powers of the Federal Government were divided into three grand divisions, each independent of the other—the legislative, consisting of the Congress; the executive, the President and his departments of government; and the judicial, consisting of the Supreme Court and such inferior courts as Congress might provide. The 10th amendment applies with equal force to all three.

What this meant in simple terms was that the Congress should write the "law of the land." There has been much loose talk by the press and by people in high position about the law of the land. Those who speak of Supreme Court decisions as the "law of the land" have given scant consideration to the terms of the Constitution in that regard. The phrase, "law of the land," occurs only once in the Constitution.

I quote article VI: "This Constitution and the laws of the United States which shall be made in pursuance thereof, and all treaties made or which shall be made under the authority of the United States, shall be the supreme Law of the land."

And to whom does the Constitution delegate the power to make the "law of the land"? I quote article I, section 1: "All legislative powers herein granted shall be vested in a Congress of the United States which shall consist of a Senate and House of Representatives."

These two sentences make it crystal clear that the "law of the land" must be made, and can only be made, by the Congress and not by judicial decision.

We should make no mistake in appraising the devastating effect of a deviation from this basic philosophy of our system of government. To put it plainly and bluntly, the Supreme Court has seized the power to write the "law of the land" contrary to and in defiance of the Constitution. A large segment of the public has acquiesced in the seizure, and the President, by employing the Armed Forces of the United States, has undertaken to enforce the false doctrine that the Supreme Court has the power to enact the "law of the land," notwithstanding the constitutional provision imposing that duty upon the Congress.

I say to you with all sincerity and with a deep conviction that unless the American people, through their representatives, demand and obtain a return to elemental constitutional principles and a containment of the Supreme Court to the functions delegated it by the Constitution, then we have lost the safeguard and guaranties of freedom and assurance of sovereignty of the States bequeathed us by our forefathers.

For as sure as we stand upon this hallowed ground, if the Supreme Court of the United States has the power to write the "law of the land" and the President conceives it his duty to enforce those decisions, then we are drifting into a dictatorship of the judiciary as powerful and as terrifying as any now existing in foreign lands.

If this doctrine can be used to enforce integration of the races in the Southern States, it can be used in a multitude of other instances, in any and every State of the Union, to destroy the liberties of the people and wipe out every vestige of State sovereignty. It is my fervent hope and prayer that some way, somehow, some voice more powerful and more eloquent than mine may be raised that will arouse the whole of the American people to the danger confronting them.

It is not a local question; it is not a southern question; it is not the explosive question of integration of the races; it is a basic question affecting the rights and liberties of every living American citizen and every unborn child.

One breach of the bulwark of constitutional government sets the precedent for others more far reaching, until, as time goes on, our children and our children's children will find that their forebears had frittered away their birthright of free government.

Let me illustrate by pointing out to you some other decisions of the Supreme Court in recent months. I will not go into the legalistic features of these decisions. Take the case of *Pennsylvania* v. *Steve Nelson*, a notorious Communist who was prosecuted for subversion and treason under a Pennsylvania law. The Supreme Court there held that the State had no power to punish an offender against its laws because Congress had enacted the so-called Smith Act dealing with the same subject. With one stroke of the pen it repealed all of the State laws that enabled the States to protect themselves and the Federal Government of which they are a part from subversion and treason, and this notwithstanding the fact that Congress expressly provided in the criminal code, of which the Smith Act is a part, that nothing in that act should prohibit the States from enforcing their laws on the same subject.

Take the Girard College case where Stephen Girard a hundred years ago set up a fund in trust to the city of Philadelphia for the education of "poor white children" and although our people have always enjoyed perfect freedom in the disposition of their property as they saw fit to such objects as they saw fit, the Supreme Court held that Negro children must also be permitted to share the bounty of this benefactor.

Take the case of *Cloverleaf* v. *Patterson* where the Health Department of the State of Alabama under its law undertook to inspect certain renovated butter which was being sold to citizens of Alabama, and was thought to be unhealthful. The Supreme Court by its decision deprived the State of Alabama of the authority to protect the health of its citizens against impure food because of the mere fact that Congress had enacted a Pure Food and Drug Act.

Take the case of *Guss Company* v. *Utah* where the company was being ruined by a strike that was unlawful under both the National Labor Relations Act and the State statute. The National Labor Board having declined to take jurisdiction and decide the case either one way or the other, the company proceeded under a similar State law. The Supreme Court held that this State law could not be enforced because Congress had passed the National Labor Relations Act. This left the company facing ruin with no remedy either by State or Federal law.

Take the case of *Schwartz* v. *New Mexico* where the State law prohibits a person from being licensed to practice law unless he were a person of good character. The authorities of New Mexico decided that a person with a record of subversive activities was one not of the type of good character that the State desired to license as a lawyer. The Supreme Court substituted its judgment of good character for the judgment of the sovereign State of New Mexico, in dealing with a purely local problem.

Take the case of *Slochower* v. *the City of New York*, where the legislature in enacting the city charter provided that any schoolteacher who in any hearing took advantage of the fifth amendment, automatically severed his employment with the city. Slochower pleaded the fifth amendment in a hearing and was discharged because in the judgment of the Legislature of New York, as expressed in the charter of the city, he was not the type of person desirable as a teacher of the youth of that community. The Supreme Court substituted its judgment as to the type of person whom New York should hire for the education of their youth, for the judgment of the State legislature.

I raise these questions regretfully with malice toward none. I pose them because I am deeply disturbed by the whole trend of the Federal Government and the apparent acquiescence of the public in a trend that constantly drifts us farther and farther away from the moorings of the Constitution. Most people will agree, certainly most lawyers agree, that recent decisions of the Supreme Court have seized legislative powers not delegated to it by the Constitution, and these decisions, irrespective of previous decisions of that tribunal to the contrary, are now readily accepted by the Executive, and largely by the public, as the "law of the land."

When the legislative fiats of the Supreme Court become the "law of the land" and the Executive accepts them as such and proceeds to enforce them with the mailed fist of the United States Army, do we not then have a judicial dictatorship as potent, as powerful, and as dangerous as any that now exists in other hemispheres?

It is no answer to say that the good judgment and sound thinking of our people and our officials will never permit it to go too far. We have seen these seeds planted in foreign countries and grow into horrors never before experienced in a civilized world. It is time that the people of this country, who in the end rule our country, should begin to think in terms of the fundamental underlying principles under which we live and which are clearly enunicated in our Constitution. The sovereignty of our States, the division of power between the legislative, executive, and judicial departments, and above all that simple statement in the 10th amendment reserving to the States and to the people all powers of government not specifically surrendered to the Federal Government.

Great nations have decayed and fallen in the past because its people, imbued with the pursuits of the moment, have become indifferent to the preservation of their liberties.

We must not be diverted by the thought that we are merely fighting the emotional issue of racial integration. That question is no more than a straw in the wind that points up and emphasizes the direction in which we are recklessly plunging. It pointedly illustrates what can happen when we are governed by the whims and fancies and personal predilections of nine men who discard the law as written for the law as they think it should be written, in order to give expression and force to their personal, sociological theories.

Public apprehension of the power that might be wielded by the Supreme Court is as old as the Constitution itself. Jefferson voiced it repeatedly, persistently and eloquently. As a result, certain safeguards were written in the Constitution.

Congress is given power to restrict the appellate jurisdiction of the Court at will and to an unlimited extent, as occasion may require. The time has come when the wisdom of Thomas Jefferson should be invoked. Congress has the constitutional power to act, the solemn duty to function in the crisis we confront. It should act with caution and restraint, and after thorough deliberation, but it owes a solemn duty to the American people to preserve their liberties, and to the sovereign States they represent to protect their integrity.

If Congress refuses or fails to act, the legislatures of the States have the express power to initiate a constitutional convention to propose amendments that would restore to the people of the sovereign States their right of self-government.

Let us fearlessly preach the doctrine of States rights and individual liberties to our neighbors and fellow citizens, North, East, and West. Let us review the history of the hardships, the oppressions and the dictatorship suffered by the American Colonies from which emerged our constitutional system of government that has served us so well in the past. Let us patiently, peacefully, but per-

sistently, seek the answer to our problems. Let us firmly resolve to restore to our people their way of life and the system of government devised by our forefathers. The power to do so lies in the will of the people, all the people, North, South, East, and West. The question lies far beyond the controversy over integration of the races. It is the choice between democracy and autocracy.

The Task of the New House Select Committee on Astronautics and Space Exploration

EXTENSION OF REMARKS

OF

HON. GORDON L. McDONOUGH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 28, 1958

Mr. McDONOUGH. Mr. Speaker, the first official meeting of the House Select Committee on Astronautics and Space Exploration will be held Thursday, March 20. This meeting will be both historic and unique. Historic because it is the first time in the history of the Congress or the Nation that such a committee has been appointed to investigate, study and recommend action that Congress should take concerning astranautics or interplanetary travel and communications and the exploration of the vast expanse of space between the earth and other planets.

It is unique because of the unusual responsibilities this committee is assuming in probing the mysteries of the vast unknown space and area between the earth and the other planets in the universe.

Since 540 B. C. the avid curiosity, the vivid imagination, and the insatiable desire of man has been to seek and find the relative position of earth to other planets, the distance between these celestial bodies, and the means of traveling to them and communicating with them, and the desire to find out if organic vegetable or animal life existed there. Perhaps every human being on earth has gazed into the starry heavens on a clear night and wondered what existed on the other worlds in the vast universe.

I recall the great excitement and wonderment that Halley's Comet stimulated when it passed over the earth a number of years ago, and the worry and concern some people felt that it might not pass over but might hit the earth, and if it did not, where did it come from, where was it going, and when would it stop.

We all have looked with amazement at an eclipse of the moon and have viewed with equal amazement the close proximity of Mars when at regular intervals it comes so close to the earth—36 million miles—that it appears as an orange ball in the sky instead of a twinkling star.

Thousands of volumes have been written containing vivid imaginative and presumptive views and opinions on how to reach the planets and of the conditions existing there such as atmosphere, temperature, pressure, gravity, and organic life.

It is conceded that organic life, both vegetable and animal, can and does exist and adapt itself and thrive under wide and varying conditions. This we know from various types of life in the ocean at various depths and temperatures. The same is true of animal life on the earth's surface at various heights, temperatures, and atmospheric conditions. Man has found a way to live and exist under all of these varying conditions on the surface of the earth, and to some extent under water.

We have made great progress in recent years in what man can do in going to great elevations at great speeds, but all within the life-sustaining atmosphere that surrounds the earth. We are now engaged in how we can exist and live in the vast stupendous outer space where no atmosphere exists and where man must carry with him his own life-giving environment in which he can exist. Once these difficult and complex problems are solved, man can then proceed to find a way to land and exist on some other planet than earth.

These are some of the vast and comprehensive responsibilities of the House Select Astronautics and Space Exploration Committee which is made up of the following Members of the House: JOHN McCORMACK, of Massachusetts, chairman; JOE MARTIN, of Massachusetts; OVERTON BROOKS of Louisiana; LESLIE ARENDS, of Illinois; GORDON L. McDONOUGH of California; BROOKS HAYS of Arkansas; LEO O'BRIEN of New York; LEE METCALF, of Montana; WILLIAM NATCHER, of Kentucky; B. F. SISK, of California; JAMES FULTON, of Pennsylvania; KENNETH KEATING, of New York; and GERALD FORD, of Michigan.

PRESENT PROGRESS

Much progress has been made up to now. Man can now fly at more than twice the speed of sound. He has reached the height of 102,000 feet, nearly 20 miles, and returned to earth in a balloon—Maj. David Simons, USAF, during 1957. Captain Kincheloe, USAF, flew the Bell X-2 to an altitude of 126,200 feet, and plans are under way for Test Pilot Smith Crossfield to fly the North American X-15 rocket to a height of more than 100 miles and return to earth which will be the highest elevation that man has reached.

We have shot United States satellite Explorer No. 1 to an elevation of 1,587 miles which is more than 500 miles higher than Russian Sputniks I and II, and have obtained sufficient scientific information to believe that it is feasible for a man-occupied satellite to travel to and exist at that elevation, and we have shot the Farside rocket from a balloon at an elevation of 100,000 feet to an elevation of 2,400 miles.

Although much has been accomplished since man's curiosity about outer space and the planets was aroused, there is a great deal more to be done. The following is part of an article from a recent issue of the U. S. News & World Report:

Space flight by men, in vehicles that they can fly back to the earth at will, is within reach. It can be accomplished in the near future, Lt. Gen. Donald L. Putt, the Air Force Deputy Chief of Staff who commands development of new equipment, told a committee of Congress.

At least three types of manned vehicles now are in the works. Two have small wings and will reenter the atmosphere by gliding into it to keep from being burned up by friction. The third, still highly secret, will use a new drag concept to reenter directly.

Enormous satellites, weighing up to 2 tons, now are being built. Ground stations and equipment for them also are under construction. Total United States expenditure on this project, this year and next, is put at $150 million.

"The first of these huge military satellites," General Putt revealed, "is on schedule for a first launch date in the very near future." The satellites are designed to carry radar and camera equipment to scan military preparations behind the Iron Curtain.

First rocket to the moon will be fired this year, assuming that work begins on it within the next few weeks, the general said. Decision whether to spend money for this feat now is before Congress. The moon rocket is to carry instruments which will describe the moon's surface by radio.

All these space ventures add up to a United States contest with the Soviet Union.

Officials in Washington, relying upon intelligence information, say flatly that the Russians, like the United States, have had failures, both in missile tests and in satellite launchings.

One report is that Soviet missilemen tried—and failed—to put up a 1-ton sputnik at the same time the United States launched Explorer I.

United States officials believe the Russians have four major satellite projects planned for the next 6 months. Early on the list is an attempt to hit the moon. An attempt this year to launch and recover a satellite with a man in it is thought to be among the Soviet goals.

Ambitious projects are springing up in both nations. What seems clear is that, despite failures to date, there will be many more rocket launchings in the next few months—a huge expansion of attempts to explore space beyond the earth.

FUTURE POSSIBILITIES

The following statement by Lt. Gen. James H. Doolittle, a pioneer in early aviation and a hero in World War II in his planned and successful attack on Tokyo from air carrier in the Pacific made this statement at the Aero Club of Washington, December 17, 1957:

There has been exploration since the beginning of mankind, since the beginning of curiosity. The airplane has made well known most of the remote spots on this globe, but exploration will continue.

The new exploration will be in science and in space.

We, as a nation, must have vision and must work hard if we are to be leaders in this new type of exploration.

I am a conservative, but I believe that before the end of the century the following events will occur and that they will occur more or less in the following order:

A rocket will go to the moon. Somewhat more propulsive power will be required than for an intercontinental ballistic missile or for a satellite, but the guidance in actually hitting the moon will be easier than hitting a specific target from 5,000 miles.

Scientific instruments will be landed on the moon. There is no atmosphere on the moon, so reverse thrust will be required in order that instruments may land on the moon lightly, softly. There may be deep dust on the moon, no one knows, so it may be necessary to send up several scientific instruments before one will operate.

A manned satellite will go around the earth and will return to the earth. This will lead to the possibility of transcontinental or transoceanic travel in half an hour. San Francisco to New York, New York to London, New York to Paris—in half an hour. The determinant as to whether people travel this fast will be not technology, but economics.

A trip around the moon and return; an opportunity, first to look at the far side with radar or television, unmanned, and then a trip around the moon and return to earth with a man aboard.

A man will be landed on the moon and brought back.

A space platform will be established.

Instruments will be landed on Mars or Venus.

A man or men will be landed on Mars or Venus and brought back.

If I weren't a conservative, I would say that before the end of this century two more events will take place: A permanent observation station on the moon, and interplanetary travel as a common thing.

This is only the beginning. What will happen next, I cannot even conceive. I am only sure that the rate of scientific progress will continue to increase.

The 8 or 10 things I have enumerated can be done. I am satisfied that before the end of the century—and maybe long before the end of the century—they will be done.

We, the United States of America, can be first. If we do not expend the thought, the effort, and the money required, then another and more progressive nation will. They will dominate space, and they will dominate the world. There is a nation with this ambition. We must not let it prevail.

THE LEGAL QUESTION

Among the many other problems in space travel and communication which the House Select Committee on Astronautics and Space Exploration must attempt to solve will be the legal question of sovereignty, territorial rights, and jurisdiction.

This subject has been under consideration for several years. The following is part of an article on this subject from the March 1958 issue of the Air Force magazine:

Since the invasion of space first by Russian satellites and now our own, there is growing sentiment for some sort of system of international control, or demilitarization. President Eisenhower has made a serious proposal to the world that this be done, and other administration and Congressional leaders have done likewise. One proposal is that the United Nations form a special commission on space.

Without questioning the worthiness, or even the ultimate necessity, of such a move, there are serious questions of sovereignty and international law involved.

It can be logically argued that the International Geophysical Year marks the beginning of a new era in international law, holding that outer space is not a part of a nation's "airspace." This has been suggested by John Cobb Cooper, Canadian air-law expert and legal adviser to the International Air Transport Association. Cooper points out that neither the United States nor the U. S. S. R. asked permission to put satellites into space when they announced their IGY programs. The fact that no nation has protested the satellites' invasion of space, Cooper says, has already established a precedent for freedom of space. He interprets the present situation as follows:

That present national boundaries extend upward only to a point where the atmosphere ceases to provide lift for airplanes or balloons.

That outer space, which he defines as where there is not enough atmosphere to create drag or otherwise affect flight, is now beyond the sovereignty of any state or nation of the world.

That the fringe area between these two still awaits a definition of sovereignty through some sort of international agreement.

The desirability of a demilitarized space and its implications for a peaceful world is difficult to deny. But while the debate goes on, the United States cannot let space go by default to the Soviet Union.

It is worth pointing out here that although the United States should work hard to prevent a Soviet monopoly on space achievements, deep space itself could not be the site of battle, as man has always known it, between giant fleets or armies of opposing war vehicles.

Instead—as a battlefield—space would serve as the high ground for reconnaissance and missilery, as envisoned in the earlier suggestions of General Boushey.

As we approach the reality of space travel, the science-fiction buffs among us will have to leave much of our romance behind. For it would be difficult indeed, if not impossible, for great space fleets to meet in combat, unless they both left from the same place at the same time in the same predetermined paths. This is hardly likely. Otherwise moments after they had "passed" each other in space, they would be thousands of miles apart, and the weapons, again in the classic use of the word, they ranged at each other would be utterly useless.

This does not, of course, preclude combat in near space between orbiting satellites of opposing nations. It would be possible, indeed quite simple, to demolish or puncture a manned satellite with a missile fired into its orbit. And there could, of course, be combat on the moon, a battle to gain sole control.

Dr. Edward Teller gave a hint of that prospect during his testimony at a recent Congressional hearing. He was being asked why man would want to go to the moon. And he answered that it would be interesting to find out what was there.

Asked later what he thought we might find when we did get there, Dr. Teller answered, "Russians."

The United States must accept and mount the challenge to pioneer in the stupendous task of space exploration if we hope to overcome the Russian scientific advances. It will require great energy and the constant cooperation of our scientific manpower and industrial know-how, of which we have plenty to accomplish these objectives.

SENATE

WEDNESDAY, JANUARY 29, 1958

(Legislative day of Monday, January 27, 1958)

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

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

God of all wisdom, away from the confusion of tongues we seek the quiet pavilion of prayer where the bewildering voices of the busy world and the clamor of wordy argument are hushed. When the reality behind all shadows—Thy presence beyond and in all things—captures our awareness, then our arrogance is rebuked and our pride is mocked, and we confess that our knowledge is only partial, and our judgment so fallible. May all narrow barriers be burned away that shut us out from fellowship and understanding with any of Thy other children. And may the decisions made here within these historic walls, in these crucial days, conform to Thy will, as to those who look and listen for Thy guidance are revealed the things which belong to our peace and to the peace of the world. We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, January 28, 1958, was dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States withdrawing the nomination of Miss Marguerite Cooper, of California, a Foreign Service officer of class 8 for promotion to class 7, was communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 8216) to amend the Internal Revenue Code of 1954 to prevent unjust enrichment by precluding refunds of alcohol and tobacco taxes to persons who have not borne the ultimate burden of the tax.

The message also announced that the House had passed a bill (H. R. 8381) to amend the Internal Revenue Code of 1954 to correct unintended benefits and hardships and to make technical amendments, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H. R. 8381) to amend the Internal Revenue Code of 1954 to correct unintended benefits and hardships and to make technical amendments, and for other purposes, was read twice by its title and referred to the Committee on Finance.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Antitrust and Monopoly Subcommittee of the Committee on the Judiciary was authorized to meet during the session of the Senate today.