SENATE

WEDNESDAY, FEBRUARY 5, 1958

Dr. Theodore Henry Palmquist, minister, Foundry Methodist Church, Washington, D. C., offered the following prayer:

Lord of all creation and Father of all mankind: We thank Thee for the privilege of living in this great land where the law upholds the rights and dignities of man. However, teach us that we can *inherit initials*, but not a name; a house, but not a home—that all privileges must be born anew in us, and we must prove ourselves worthy of them by protecting them with our living philosophy of life.

Deliver us from the foolishness of impatience, the dictatorship of the nonessential, and the emptiness of the hurried life. Help us to differ, without becoming difficult; and to have convictions, without becoming dogmatic.

Bless the world of which we are a part. Show us the greatness and the limitations of science, for it can create, but it cannot control; it can give us what we want, but not always what we need, for our greatest need is the quality of mind and soul which will make us sensitive to our own needs, the needs of others, and our need of Thee. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, February 4, 1958, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on February 4, 1958, the President had approved and signed the joint resolution (S. J. Res. 131) authorizing the President to issue a proclamation calling upon the people of the United States to commemorate with appropriate ceremonies the 100th anniversary of the admission of the State of Oregon into the Union.

MESSAGE FROM THE HOUSE

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

H. R. 2151. An act to suspend for 3 years the import duties on certain coarse wool; and

H. R. 8308. An act to establish the use of humane methods of slaughter of livestock as a policy of the United States, and for other purposes.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred, as indicated:

H. R. 2151. An act to suspend for 3 years the import duties on certain coarse wool; to the Committee on Finance.

H. R. 8308. An act to establish the use of humane methods of slaughter of livestock as a policy of the United States, and for other purposes; to the Committee on Agriculture and Forestry.

SPECIAL SENATE COMMITTEE TO CONSIDER THE POLICY PROBLEMS OF OUR APPROACH TO OUTER SPACE

Mr. JOHNSON of Texas. Mr. President, I wish to speak on a matter of deep, personal concern to myself and, I am sure, to every other Member of the Senate.

It is apparent that our country is stepping into a totally new stage of history. Events are crowding upon us thick and fast; and it is urgent that we lay our basic plans now, while there is still time for reflection.

The exploration of outer space has moved from the laboratory to the workshop, and there are far-reaching implications which we must understand.

The President of the United States has instructed his scientific advisers to look into the question of an agency to handle space projects. We can expect recommendations, I hope, during this session.

As a temporary expedient, it has been proposed that the Secretary of Defense be given control of space projects for 1 year. But we know that this does not settle the basic policy questions.

Thus far, there is little that we know about outer space—except that it is about to dominate the affairs of mankind. Our techniques are in their infancy; our knowledge is meager; and our space tools are limited.

But we have reached the point where broad policy problems are being raised. They are problems which must be settled now, lest they become stumbling blocks to progress.

There are arguments that outer space should become the province of the military, simply because our space implements so far have grown out of the search for weapons.

There are arguments that we should have a separate civilian agency, because we wish to bring mankind together in the use of outer space for peaceful purposes.

There are arguments that we must find a form of organization which permits us to pursue peace in outer space, while maintaining our defense potential, if peace cannot be found.

Only one thing is clear: We are entering into an age in which conventional responses to unconventional problems will not be adequate.

A little more than a decade ago, we encountered essentially the same problem, in the development of atomic energy. The basic research had been done by independent scientists. The practical work had been done by the military.

The Nation was then faced with the problem of what should be done with a new, and unconventional, source of energy.

It was not possible to point to any single Congressional committee, and to say: "This is your field." The jurisdiction obviously cuts across that of many standing committees.

It was decided to set up a special Senate study committee, drawing from four committees for its membership. The decision was wise. It culminated in the Atomic Energy Act.

We are faced, again, with a problem that cuts across the jurisdiction of many committees, and it is a problem that must be solved.

Accordingly, on behalf of the Senate Preparedness Subcommittee—the senior Senator from New Hampshire [Mr. BRIDGES], the senior Senator from Massachusetts [Mr. SALTONSTALL], the Senator from Vermont [Mr. FLANDERS], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Mississippi [Mr. STENNIS], and the Senator from Missouri [Mr. SYMINGTON]—I am submitting at this time a Senate resolution for the appointment of a special Senate committee to consider the policy problems presented in our approach to outer space.

The members of the special committee would be appointed by the Vice President, and would be drawn from the Armed Services Committee, the Foreign Relations Committee, the Appropriations Committee, the Interstate Commerce Committee, the Government Operations Committee, and the Joint Committee on Atomic Energy.

This is intended to be merely a temporary study committee to make recommendations at this session of Congress. But it would be empowered to receive—as a legislative committee—any recommendations that came to us from the President.

Our Nation, according to all the evidence, suffers from no lag in brainpower available for the problems immediately before us. We can suffer, however, if we do not establish a national policy to mobilize that brainpower in order to pioneer the new dimension.

The task is far too big to be left to scattered efforts. Somewhere there must be lodged specific responsibility for America's effort in outer space.

We can achieve a consistent policy only through cooperation. The Executive is moving to make recommendations, and we should move to be ready to give them early consideration.

I believe this is a matter of the first importance. I hope the resolution will receive early action by the Rules Committee; and I send the resolution to the desk, for appropriate reference.

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

The resolution (S. Res. 256), submitted by Mr. JOHNSON of Texas (for himself, Mr. KEFAUVER, Mr. STENNIS, Mr. SYMINGTON, Mr. BRIDGES, Mr. SALTONSTALL, and Mr. FLANDERS), was referred to the Committee on Rules and Administration, as follows:

Resolved, That there is hereby established a special committee which is authorized and directed to conduct a thorough and complete study and investigation with respect to all aspects and problems relating to the exploration of outer space and the control, development and use of astronautical resources, personnel, equipment, and facilities.

All bills and resolutions introduced in the Senate, and all bills and resolutions from the House of Representatives, proposing legislation in the field of astronautics and space exploration shall be referred, and if necessary re-referred, to the special committee. The special committee is authorized and directed to report to the Senate by June 1, 1958, or the earliest practical date thereafter, by bill or otherwise, with recommendations upon any matters covered by this resolution.

SEC. 2. (a) The special committee shall consist of 13 members, 7 from the majority and 6 from the minority Members of the Senate, to be appointed by the Vice President from the Committees on Appropriations, Foreign Relations, Armed Services, Interstate and Foreign Commerce, Government Operations, and the Joint Committee on Atomic Energy. At its first meeting, to be called by the Vice President, the special committee shall select a chairman.

(b) Any vacancies shall be filled in the same manner as the original appointments.

SEC. 3. For the purposes of this resolution the special committee is authorized as it may deem necessary and appropriate to (1) make such expenditures from the contingent fund of the Senate; (2) hold such hearings; (3) sit and act at such times and places during the sessions, recesses, and adjournment periods of the Senate; (4) require by subpena or otherwise the attendance of such witnesses and production of such correspondence, books, papers, and documents; (5) administer such oaths; (6) take such testimony, either orally or by deposition; (7) employ on a temporary basis such technical, clerical, and other assistants and consultants; and (8) with the prior consent of the executive department or agency concerned and the Committee on Rules and Administration, employ on a reimbursable basis such executive branch personnel as it deems advisable; and further with the consent of other committees or subcommittees, to work in conjunction with and utilize their staffs, as it shall be deemed necessary and appropriate in the judgment of the chairman of the special committee.

SEC. 4. Upon the filing of its final report, the special committee shall cease to exist.

SEC. 5. The expenditures authorized by this resolution shall not exceed $50,000 and shall be paid upon vouchers signed by the chairman of the special committee.

Mr. KNOWLAND. Mr. President, I believe it is a constructive move on the part of the chairman of the Preparedness Subcommittee and his colleagues on both sides of the table in that committee, when they suggest the establishment of a special committee of the type indicated. Working in cooperation, as part of a common government faced with a problem common to our own Nation and to civilization, I believe the establishment of a special committee of this type, representing several committees which otherwise might have jurisdiction over proposed legislation in this field, will permit the Senate to coordinate its efforts, as part of the legislative arm of the Government, and before this session has completed its labors, and in working with a common purpose with the executive arm of the Government, to develop legislative proposals in this field, which is of importance and concern to the American people.

Mr. JOHNSON of Texas. Mr. President, I thank the distinguished minority leader for his constructive observation.

EXECUTIVE COMMUNICATIONS, ETC.

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

REPORT ON NAVAL ROTC FLIGHT TRAINING PROGRAM

A letter from the Assistant Secretary of the Navy (Personnel and Reserve Forces), reporting, pursuant to law, on the progress in that Department of the ROTC flight training program; to the Committee on Armed Services.

CONSOLIDATION, REVISION, AND REENACTMENT OF PUBLIC LAND TOWNSITE LAWS

A letter from the Under Secretary of the Interior, transmitting a draft of proposed legislation to consolidate, revise, and reenact the public land townsite laws (with an accompanying paper); to the Committee on Interior and Insular Affairs.

GRANTING TEMPORARY ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting pursuant to law, copies of orders entered, granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

REPORT ON POSITIONS FILLED IN CERTAIN GRADES OF CLASSIFICATION ACT OF 1949

A letter from the Administrator, General Services Administration, Washington, D. C., transmitting, pursuant to law, a report on positions filled under the Classification Act of 1949, in grades GS–16 and GS–18 for the calendar year 1957 (with accompanying papers); to the Committee on Post Office and Civil Service.

PETITION

The VICE PRESIDENT laid before the Senate the petition of Caroline E. M. Burks, of Oklahoma City, Okla., relating to sputniks versus the old-age assistance program, which was referred to the Committee on Finance.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KERR, from the Committee on Public Works, without amendment:

H. R. 3770. An act to rename the Strawn Dam and Reservoir project in the State of Kansas as the John Redmond Dam and Reservoir (Rept. No. 1272); and

H. R. 6660. An act to provide that the lock and dam referred to as the Tuscaloosa lock and dam on the Black Warrior River, Ala., shall hereafter be known and designated as the William Bacon Oliver lock and dam (Rept. No. 1273).

By Mr. HENNINGS, from the Committee on Rules and Administration, with an amendment:

S. Res. 256. Resolution establishing a special committee on astronautics and space exploration (Rept. No. 1274).

BILLS INTRODUCED

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

By Mr. SALTONSTALL (for himself, Mr. KENNEDY, Mrs. SMITH of Maine, Mr. PAYNE, and Mr. MAGNUSON):

S. 3229. A bill to provide a 5-year program of assistance to enable depressed segments of the fishing industry in the United States to regain a favorable economic status, and for other purposes; to the Committee on Interstate and Foreign Commerce.

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

By Mr. GOLDWATER:

S. 3230. A bill for the relief of W. L. Benedict; to the Committee on the Judiciary.

By Mr. GORE:

S. 3231. A bill to check the growth of unemployment by providing for Federal assistance to States and local governments for the construction of needed public works and public improvements; to the Committee on Public Works.

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

By Mr. FLANDERS:

S. 3232. A bill to amend section 170 (b) (1) (C) of the Internal Revenue Code of 1954 relating to unlimited deduction for charitable contributions; to the Committee on Finance.

By Mr. YARBOROUGH (for himself, Mr. MANSFIELD, Mr. HILL, Mr. SPARKMAN, Mr. CARROLL, Mr. HUMPHREY, and Mr. MORSE):

S. 3233. A bill to provide for the initiation and support of an inner and outer space study, research, and development program for peaceful uses in commerce and industry which shall include, but shall not be limited to, the assimilation, gathering, correlation, and dispersal of information and knowledge relating to, among other fields, weather and communications obtained from rocket ships, satellites, space vehicles and other such media; to the Committee on Interstate and Foreign Commerce.

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

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

S. 3234. A bill to repeal the suspension of certain import taxes on copper; to the Committee on Finance.

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

By Mr. THYE:

S. 3235. A bill for the relief of Eldon Sell; to the Committee on the Judiciary.

By Mr. WATKINS:

S. 3236. A bill further amending the Agricultural Act of 1938 so as to exempt excess wheat from marketing quotas in certain cases, and providing for refunds to certain producers; to the Committee on Agriculture and Forestry.

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

By Mr. YOUNG:

S. 3237. A bill to appropriate funds necessary for the construction of badly needed housing for doctors and nurses at the Veterans' Hospital in Fargo, N. Dak.; to the Committee on Appropriations.

S. 3238. A bill to direct the Secretary of Commerce to conduct a particular survey in order to assist in promoting the economic welfare of Indians living on Indian reservations in North Dakota; to the Committee on Interior and Insular Affairs.

By Mr. HUMPHREY:

S. 3239. A bill to authorize the use of additional funds for the 1958 corn, wheat and cotton acreage reserve program; to the Committee on Agriculture and Forestry.

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

RESOLUTIONS

Mr. JOHNSON of Texas (for himself, and Senators KEFAUVER, STENNIS, SYMINGTON, BRIDGES, SALTONSTALL, and FLANDERS) submitted the resolution (S. Res. 256) establishing a special committee on astronautics and space exploration, which was referred to the Committee on Rules and Administration.

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

AMENDMENT OF RULE RELATING TO STANDING COMMITTEES—COMMITTEE ON VETERANS' AFFAIRS

Mr. LANGER submitted the following resolution (S. Res. 257), which was referred to the Committee on Rules and Administration:

Resolved, That rule XXV of the Standing Rules of the Senate (relating to standing committees) is amended by—

(1) striking out subparagraphs 10 through 13 in paragraph (h) of section (1);

(2) striking out subparagraphs 16 through 19 in paragraph (l) of section (1); and

(3) inserting in section (1) after paragraph (o) the following new paragraph:

"(p) Committee on Veterans' Affairs, to consist of 9 Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"1. Veterans' measures, generally.

"2. Pensions of all wars of the United States, general and special.

"3. Life insurance issued by the Government on account of service in the Armed Forces.

"4. Compensation of veterans.

"5. Vocational rehabilitation and education of veterans.

"6. Veterans' hospitals, medical care, and treatment of veterans.

"7. Soldiers' and sailors' civil relief.

"8. Readjustment of servicemen to civil life."

SEC. 2. Effective for the remainder of the 85th Congress, section (4) of rule XXV of the standing rules of the Senate is amended to read as follows:

"(4) (a) Each Senator shall serve on two standing committees and no more; except that not to exceed 21 Senators of the majority party, and not to exceed 9 Senators of the minority party, who are members of the Committee on the District of Columbia, the Committee on Government Operations, the Committee on Post Office and Civil Service, or the Committee on Veterans' Affairs may serve on 3 standing committees and no more.

"(b) In the event that during the 85th Congress members of one party in the Senate are replaced by members of the other party, the 30 third-committee assignments shall in such event be distributed in accordance with the following table:

"Senate seats

Majority	*Minority*
48	48
49	47
50	46
51	45

"Third-committee assignments

Majority	*Minority*
23	7
21	9
19	11
17	13"

SEC. 3. Effective at the beginning of the 86th Congress, section (4) of rule XXV of the Standing Rules of the Senate is amended to read as follows:

"(4) Each Senator shall serve on 2 standing committees and no more; except that not to exceed 19 Senators of the majority party, and not to exceed 7 Senators of the minority party, who are members of the Committee on the District of Columbia, the Committee on Government Operations, the Committee on Post Office and Civil Service, or the Committee on Veterans' Affairs may serve on 3 standing committees and no more."

SEC. 4. The Committee on Veterans' Affairs is authorized and directed as promptly as feasible after its appointment and organization to confer with the Committee on Finance and the Committee on Labor and Public Welfare for the purpose of determining what disposition should be made of proposed legislation, messages, petitions, memorials, and other matters theretofore referred to the Committee on Finance and the Committee on Labor and Public Welfare during the 85th Congress which are within the jurisdiction of the Committee on Veterans' Affairs.

FEDERAL FISHERIES ASSISTANCE ACT OF 1958

Mr. SALTONSTALL. Mr. President, on behalf of my colleague, the junior Senator from Massachusetts [Mr. KENNEDY], the Senators from Maine [Mrs. SMITH and Mr. PAYNE], and the Senator from Washington [Mr. MAGNUSON], and myself, I introduce, for appropriate reference, a bill to provide a 5-year program of assistance to enable depressed segments of the fishing industry in the United States to regain a more favorable economic status. This proposed legislation is entitled "The Federal Fisheries Assistance Act of 1958." It was drafted to help alleviate the critical condition of the New England groundfish industry, which has been a cause of great concern for several years. We hope it will also have application to the Alaskan bottomfish industry.

Imports of groundfish fillets have risen from 54 million pounds per year in 1948 to 141 million pounds in 1957. Domestic production during the same period declined from approximately 138 million pounds per year to approximately 95 million pounds per year. Today landings at the port of Boston, for example, are only 26 percent of what they were in 1941. The price which the fisherman receives for his catch today is approximately the same as the price which he received in 1945, despite the fact that the price of the nets, steel and oil which he must purchase has increased substantially.

As the capital available to the industry has declined, so has the condition of the vessels declined with a corresponding increase in insurance costs. The fishing processors have been unable to undertake the repair and modernization needed to produce the processed fillets efficiently and economically. At the present rate of decline, the industry faces little alternative in the near future than to cease domestic operations entirely.

Twice the industry has sought tariff relief and both times has established the economic justification for its case. The President, however, has had to reject the tariff relief recommended inasmuch as it would have seriously affected our trade relations with NATO allies and hence our national security.

There has been important legislation enacted in recent years to aid the industry. The Government has, however, over the years contributed more to the decline of the industry than it has to its revival. First, because of international reasons, tariff relief has been denied. Secondly, under existing regulations of several years standing, fishing vessels must be constructed in this country even though they could be built at substantially lower costs in foreign countries. Of course, foreign competitors avail themselves of these lower shipbuilding costs. Some of our mutual-aid spending for the technical and economic development of friendly foreign allies has been used to assist their fishing industries, and thereby gives them an added advantage over our own industry. The industries of almost every foreign competitor are heavily subsidized by their own governments, enabling the foreign industry to sell fillets below cost.

Research funds have been available to the Department of the Interior under the provisions of the Saltonstall-Kennedy Act and much of the research conducted has been very beneficial. The Fish and Wildlife Act of 1956 created a separate organization within the Department of the Interior to deal with the problems of the commercial fisheries industry. This long-range action alone, however, cannot correct the immediate problems. It is obvious that some form of direct assistance to the industry is desperately needed, at least as long as international conditions require this extraordinary burden on the industry.

The bill which I am today introducing is not a price-support subsidy bill. We have carefully tried to avoid in the preparation of this legislation any quota or price-support system; this would only prolong the industry's existence without finding any permanent solutions. Aid must be in the form of an incentive to help the industry get back on its own feet.

Briefly, the bill calls for Federal assistance in maintaining vessel inspection and procuring safety equipment; this is designed to reduce the present high rates of insurance. The bill proposes to set up a loan program specifically for processors so that they may repair and modernize their now obsolete and inefficient facilities. Thirdly, the bill calls for a ship-construction subsidy similar to that now offered our maritime industry to offset the higher construction cost in American yards. Fourth, the bill calls for incentive payments to both the fishermen and the processing plants. The latter provision is designed to encourage the boat operators and processors to improve the quality of the fish caught and processed. These incentive payments would aid the industry in making up the price differential between foreign and domestic products and thereby retain their present share of the market. But more importantly, this would place certain requirements on the industry to improve its own practices, thereby improving the ultimate product to be distributed to the American consumer.

I wish to emphasize that this proposed legislation is not a subsidy. It offers financial assistance to the industry to

encourage constructive measures of its own to improve the quality of the finished product and thereby to maintain its competitive position. Equity demands that some legislation of this nature be enacted in that the Federal Government has been at least partially responsible for the industry's decline. The national interest further demands that such legislation be enacted so that this vital industry and source of domestic food supply be preserved in case of war.

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

The bill (S. 3229) to provide a 5-year program of assistance to enable depressed segments of the fishing industry in the United States to regain a favorable economic status, and for other purposes, introduced by Mr. SALTONSTALL (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

PROPOSED PUBLIC WORKS ACT OF 1958

Mr. GORE. Mr. President, I introduce for appropriate reference a bill to check the growth of unemployment by providing for Federal assistance to States and local governments for the construction of needed public works and public improvements.

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

The bill (S. 3231) to check the growth of unemployment by providing for Federal assistance to States and local governments for the construction of needed public works and public improvements, introduced by Mr. GORE, was received, read twice by its title, and referred to the Committee on Public Works.

Mr. GORE. The bill contains the following declaration of policy:

> The Congress hereby declares that it is in the national interest to make available useful employment opportunities, including self-employment, to all those able, willing, and desiring to work, and to prevent extensive unemployment, which seriously impairs purchasing power and threatens the national economy.

I would not wish to have the introduction of this bill interpreted as a forecast on my part of a major depression. Our country has greater reserve strength, greater power, and greater facilities to avert such a disaster than it has ever heretofore possessed. However, with responsible estimates of 5 million unemployed, and several million more who have formerly been fully employed, and are now only partially employed, I see danger signals.

I have seen thousands of my own fellow Tennesseans, able-bodied men who want to earn a living, standing for hours in the cold to obtain a small allotment of surplus food commodities. That is a danger signal.

From the Library of Congress I learned this morning that Dun & Bradstreet reported that there were 1,120 business failures in the first 27 days of January. That is at the rate of 280 business failures per week.

The United States is the richest and the most powerful nation on earth. I believe that this society of ours owes an opportunity for work to able-bodied men and women who want to work and earn their daily bread.

I hope that the Senate Public Works Committee will soon hold public hearings on the bill. It is, of course, but one of the many things that should be done.

The highway program should be pushed on schedule. The home-building industry should be stimulated as should urban redevelopment, school construction, and so forth.

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

Mr. GORE. I yield.

Mr. KERR. Is the Senator aware of the fact that in 1957 there occurred the greatest number of bankruptcies that ever occurred in any year of our history?

Mr. GORE. I am aware of it. I am also aware of the fact that the bankruptcy rate today, in 1958, is still greater than it was in 1957—greater than ever before in the history of the country. It is even greater than it was in 1933.

Mr. KERR. Mr. President, will the Senator further yield?

Mr. GORE. I yield.

Mr. KERR. From the standpoint of the achievement of a proclaimed objective, does not the Senator feel that the Eisenhower administration should take a great deal of pride in this recession?

Mr. GORE. I must concede to my able colleague from Oklahoma that a slow-up was one of the purposes of the tight-money policy.

Mr. KERR. Did not Mr. Humphrey and Mr. Burgess make it abundantly clear that they were working for what they called an adjustment?

Mr. GORE. A rolling adjustment.

Mr. KERR. Mr. Humphrey called it a rolling adjustment and the President himself referred to it as a breathing spell.

Mr. GORE. I heard former Secretary Humphrey call it a rolling adjustment. I am not acquainted with President Eisenhower's description of it.

Mr. KERR. Was it not evident that they were earnestly endeavoring to bring about a recession?

Mr. GORE. I could make no other interpretation of the testimony before the Senate Finance Committee. Let me add that I cannot conceive that they, or any other responsible persons, wished to bring it about to the extent to which we have it.

Mr. KERR. I think the Senator is eminently correct in that regard. But they were reminded at the time that they could start a depression much more easily than they could stop it.

Mr. GORE. The able Senator from Oklahoma reminded them fully of that fact.

Mr. KERR. Does it not occur to the Senator from Tennessee as being a fact that the strength and dynamics of the economy were such that that crew required nearly 18 months to bring on the present recession?

Mr. GORE. Yes; and some of the authorities seem to be obsessed with the idea that they can turn on optimism or pessimism like turning a water spigot on and off. There is a lag of many months. That is why, the danger signals being as acute as they now are, I think we should proceed to put into full effect the Full Employment Act.

Mr. KERR. Mr. President, will the Senator further yield?

Mr. GORE. I yield.

Mr. KERR. They pursued their tight-money policy until it reached its peak in the fall of 1957. Does not the Senator recall that money became so tight that the Treasury had to pay in the neighborhood of 3¾ percent on 90-day bills?

Mr. GORE. Yes; and for short-term paper the rate went as high as 3.6 at one time.

Mr. KERR. On their 1- to 2-year paper they offered 4 percent, and issued billions of dollars of it.

The VICE PRESIDENT. The Chair is informed by the Parliamentarian that the Senate is now operating under the 3-minute rule in the morning hour.

Mr. KERR. Mr. President, I ask for recognition in my own right.

The VICE PRESIDENT. The Senator from Oklahoma is recognized.

Mr. KERR. In line with the discussion and colloquy with the distinguished Senator from Tennessee, I note that, due to a reversal of policy of the Federal Reserve System, in a few short months—in fact, in 3 or 3½ months—a situation was brought about in which, yesterday, the Treasury sold its 90-day bills at about 1.6 percent. The week before, they had sold at about 2¼, proving beyond the shadow of a doubt that members of the administration not only can, could, but did, make policies to tighten credit and increase interest rates. Then, in the shadow of the recession which they had created, they reversed their field. The Federal Reserve System twice reduced the rediscount rate and brought about an environment in which they are now selling 90-day bills at a rate in the neighborhood of 1½ percent, instead of the 3¾ percent which prevailed less than 4 months ago.

I would, however, remind them of the fact that while they can reverse the field and plead guilty to everything the Senator from Tennessee and the Senator from Oklahoma charge them with, they cannot make restitution for the damage they have done.

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

Mr. KERR. I yield.

Mr. GORE. Apprehension and uneasiness rest with millions of businessmen and millions of other citizens throughout the land. The psychological factor in a recession or a boom is great, and unmeasurable. If a citizen has confidence in his job and confidence in the future, he may buy a new automobile. However, if he sees his neighbors losing their job, or having their work cut down from 48 hours a week to 24 hours a week or to 30 hours a week, then, even though he continues in employment, he may postpone adding a bathroom or postpone buying an automobile. All of it, however, adds up, and is cumulative and contagious. I am apprehensive that this situation may be

galloping. I want Government to move, and to use its great resources to forestall a possible catastrophe.

Mr. KERR. I appreciate the remarks of the distinguished Senator from Tennessee.

PROPOSED SPACE ACT OF 1958

Mr. YARBOROUGH. Mr. President, on behalf of myself, the Senator from Montana [Mr. MANSFIELD], the Senators from Alabama [Mr. HILL and Mr. SPARKMAN], the Senator from Colorado [Mr. CARROLL], the Senator from Minnesota [Mr. HUMPHREY], and the Senator from Oregon [Mr. MORSE], I introduce, for appropriate reference, a bill entitled "The Space Act of 1958."

This proposed legislation provides for the initiation and support of an inner and outer space study and development program for peaceful uses in commerce and industry of information obtained from rocket ships, satellites, space vehicles and similar media. The bill recognizes the importance of the use of space travelling objects in systems of communication between different points on the earth, and between the earth and other bodies in space, and provides for study, research, evaluation and operation of systems of communication based on utilization of manmade objects in space.

The activities provided by this bill are placed under the National Science Foundation, and the bill provides for the creation within the National Science Foundation, of the position of Coordinator of Space Information.

Mr. President, the American satellite Explorer is now orbiting the great unknown of outer space, and we are all proud of this scientific advancement. But we are also keenly aware of the fact that all mankind stands at a great crossroads of history.

The potential of the good that may come to all mankind from the exploration and understanding of outer space is so great it defies description. The treasures of knowledge which our space explorers will bring back to the earth from the heavens will be far more valuable than those carried back to Europe by Columbus, or any other explorer of all time. It is expected that the most immediate benefit to mankind will be meteorological information which must lead to improved long-range weather forecasting, weather control, and modification.

The information we gather from the satellite Explorer and other space bodies may help furnish keys to weather control which would assure that one day great areas of our Nation and the world would no longer have droughts and famine; that mankind would be able to prevent, or be amply warned of hurricanes, tidal waves, and other severe weather. These are things which seem far off, yet competent scientists report they are within the realm of the attainable, with this vast new knowledge of outer space. And the weather picture is only one field of those to be developed. Information to be gained from Explorer and other satellites will prove invaluable in our understanding of communications, and most fundamental problems of science, including physics, geophysics, astrophysics, and astronomy. In short, with a satellite in outer space, we are at the threshold of a great revolution in our knowledge of communication, weather control, and scientific phenomena, and this in time will likely produce great changes in our way of life as we know it today.

In the face of such momentous developments, it is imperative that this information be used for the benefit and not the detriment of mankind. America's satellite in the heavens is sending information from the skies, and we need a program for the study and beneficial utilization of that information.

These satellites can be used for war or peace. While military agencies consider their military value, I believe we should begin to develop them as instruments of peace, as the ultimate destiny of the human race must surely lead to that goal.

Mr. President, I ask unanimous consent that the bill be printed in full at this point in the RECORD, and that it may lie on the table until the close of the session of the Senate this coming Friday, to give an opportunity to any other Senators who may wish to do so to join in sponsoring it.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, and lie on the desk, as requested by the Senator from Texas.

The bill (S. 3233) to provide for the initiation and support of an inner and outer space study, research, and development program for peaceful uses in commerce and industry which shall include, but shall not be limited to, the assimilation, gathering, correlation, and dispersal of information and knowledge relating to, among other fields, weather and communications obtained from rocket ships, satellites, space vehicles, and other such media, introduced by Mr. YARBOROUGH (for himself and other Senators), was received, read twice by its title, referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That this act may be cited as "The Space Act of 1958."

FINDINGS AND DECLARATION OF PURPOSE

SEC. 101. The Congress hereby finds and declares that the national interest and national security of the United States require the fullest development of the uses of inner and outer space relating to communication, transportation, commerce, and weather study, the latter of these having been considered in hearing before the Interstate and Foreign Commerce Committee of the Senate starting March 26, 1957.

On January 31, 1958, the United States of America in connection with the International Geophysical Year launched a space vehicle equipped with instruments of communication.

Daily summaries of current space vehicle trajectories that have been minutely clocked and mapped recently by United States Government agencies for earth circling vehicles indicate that cumulative serial trajectories and triangulations for communication channels and signals are and will continue to be of value to the scientific community of the world.

This act is to initiate and to support programs of study, research, evaluation, and operation of (1) inner and outer space communication that relates in particular to weather recording, forecasting, and modifying programs, (2) interrelations of earth-circling vehicles and other means of communication and the recording and allocating of channels and signals in order that coordinating means may be found and utilized with current programs and stations of the International Geophysical Year, and stations of the United States Government, and the stations of the various areas and States of the United States, and (3) programs of special reference for areas and States that have suffered from droughts, hail, lightning, fog, tornadoes, snow, freezes, and other weather phenomena which are of vital concern.

Title II. General provisions

National Science Foundation

SEC. 201. The National Science Foundation is authorized and directed to initiate and support this program of study, research, and evaluation and is hereby directed to immediately initiate the study of weather modification, giving particular attention to areas and States that have experienced floods, drought, hail, lightning, fog, tornadoes, snow, or other weather phenomena, and to report annually to the President and the Congress thereon. In conducting such studies, the Foundation shall consult with scientists in private life, with agencies of Government interested in, or affected by such research. Research programs to carry out the purposes of this act by the National Science Foundation, and by other Government agencies or departments, may be accomplished through contracts with, or grants to, private or public institutions or agencies, including but not limited to cooperative programs with any State through such instrumentalities as may be designated by the Governor of such State.

Acceptance of Gifts and Services

SEC. 202. For the purposes of this act, the Foundation is authorized to accept gifts and bequests: *Provided*, That if the donor so specifies, such gifts or bequests may be restricted or limited for use in connection with certain projects or areas. Other agencies of the Government are authorized to lend, without reimbursement, and the Foundation is authorized to receive, such property and personnel as may be deemed useful and necessary, with the approval of the Director of the Bureau of the Budget. In addition to the authority contained herein, the National Science Foundation, for the purposes of this act, may utilize any of the powers granted by the National Science Foundation Act of 1950, as amended.

Title III. Programs and studies

Initiation of Programs and Studies

SEC. 301. (a) The National Science Foundation in conformity with the other provisions of this act is authorized and directed to initiate programs and to coordinate such programs with other agencies of the Government.

(b) The National Science Foundation is further authorized to initiate, investigate, and coordinate such studies and programs to determine such changes as may be necessary in the International Table of Frequency Allocations (Atlantic City Radio Regulations, 1947). National frequency problems soluble within the framework of the present international allocations shall not be included in this inquiry. The program, among others, in conformity with the foregoing provisions of this subsection shall include the allocation of radio frequencies which could be used on a nonclassified, nonmilitary, worldwide basis for the following communications—

(1) Communications to and from earth encircling satellites and to and from earth

(standard frequency services, fixed services, aeronautical navigation services);

(2) Communications to and from vehicles in space to and from other vehicles in space (aeronautical radio navigation services, mobile services);

(3) Communications to and from vehicles in space to and from earth (standard frequency services, fixed services, mobile services, and aeronautical navigation services); and

(4) Communications to and from earth and to and from positions such as the moon (standard frequency services, fixed services).

Title IV. Coordinator

Coordinator of Space Information

SEC. 401. There is hereby created within the National Science Foundation the position of Coordinator of Space Information whose duties shall be the carrying out of the provisions of this act.

Appointment

SEC. 402. The Coordinator of Information shall be appointed by the President by and with the advice and consent of the Senate.

Title V. Appropriations

SEC. 501. (a) The Advisory Committee on Weather Control is abolished 30 days after the effective date of this act, and its functions, duties, and records and any unexpended funds shall be transferred to the National Science Foundation.

(b) There is hereby authorized to be appropriated to the National Science Foundation, such amounts as may be necessary to carry out the purposes of this act.

REPEAL OF LAW SUSPENDING COPPER IMPORT TAX

Mr. WATKINS. Mr. President, on behalf of myself and the Senator from Arizona [Mr. GOLDWATER], I introduce, for appropriate reference, a bill to repeal the law suspending certain import taxes on copper. I do this even though the present suspension law would expire as of June 30, 1958, and in spite of the fact that I have joined on a bipartisan basis in the sponsorship of a bill providing for increased import taxes on copper.

Why? First, because the suspension act now in effect bars the copper industry from seeking relief under the escape-clause provisions of section 7 of the Reciprocal Trade Agreements Act.

It appears evident in this connection that the injury or threat of injury resulting from a concession, in the absence of a period of operation under the terms of a concession, would be impossible to evaluate or determine. This is because, except for a short period since 1947, the import taxes on copper have been kept in a suspended state, and there is no history of operation under any concession.

Second. I am introducing this bill because if the import-tax suspension law is removed it would give a slight measure of immediate relief, and perhaps more importantly some hope to an industry that is in need of vital protection from increased foreign imports. In addition, should the copper industry thus become eligible for escape-clause relief under section 7, the duty on copper could be increased, first, up to 50 percent above the rate prevailing on January 1, 1945, or second, up to 6 cents per pound, as contrasted to the suspended duty of 1.8 cents per pound. Also, the Tariff Commission could then recommend the imposition of quotas or a combination of a tariff increase and a quota.

Copper is Utah's largest mineral industry, employing roughly 8,000 persons in mining, milling, and refining. Nearly a third of the Nation's copper production is produced at one mine, Kennecott Copper Corp.'s Utah copper mine at Bingham Canyon, Utah. This is the world's largest open-pit nonferrous metal mine, second only to Chile's large mine in estimated reserves.

It is difficult to overestimate the importance of the copper industry to the economic stability and to the military security of this country. Congress must act now to prevent the same degree of stagnation and demoralization that has occurred within our vital domestic competition of foreign minerals.

The shortage of copper that developed during the postwar period around 1947 was responsible for the initial copper duty suspension. It was initially suspended by the act of April 29, 1947.

The duty of 2 cents was in effect from July 1, 1950, until April 1, 1951, when it was suspended again. Other than that period from 1950 to 1951 it has been suspended from about 1947 until the present act which expires June 30, 1958.

It is imperative that the suspension of the import taxes on copper be lifted without delay. For this reason, Mr. President, I ask unanimous consent that the bill I have just sent to the desk remain there for 24 hours so that other Senators who wish to join with me in this effort to aid the domestic copper industry may add their names to the bill as cosponsors.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Utah.

The bill (S. 3234) to repeal the suspension of certain import taxes on copper, introduced by Mr. WATKINS (for himself and Mr. GOLDWATER), was received, read twice by its title, and referred to the Committee on Finance.

EXEMPTION OF EXCESS WHEAT FROM MARKETING QUOTAS IN CERTAIN CASES

Mr. WATKINS. Mr. President, I introduce, for appropriate reference, a bill further amending the Agricultural Act of 1938 so as to exempt excess wheat from marketing quotas in certain cases, and providing for refunds to certain producers. I ask unanimous consent to have printed in the RECORD a statement prepared by me relating to the bill.

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

The bill (S. 3236) further amending the Agricultural Act of 1938 so as to exempt excess wheat from marketing quotas in certain cases, and providing for refunds to certain producers, introduced by Mr. WATKINS, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

The statement presented by Mr. WATKINS is as follows:

STATEMENT BY SENATOR WATKINS

I have today introduced a bill for appropriate reference. Section 1 of this bill would (1) exempt excess wheat from marketing quota penalties if the entire crop is used for feed, seed, or food on the farm where grown; (2) refund such penalties on the 1954, 1955, 1956, or 1957 crops if such entire crop of wheat was used for feed, seed, or food.

This bill is substantially the same as S. 403 which I introduced on January 9, 1957, and S. 959, which passed the Senate last session. However, the House of Representatives passed a bill limiting the exemption to 30 acres, and in order to get some relief for livestock producers the Senate went along. I deem this action inadequate. My reason for introducing S. 403, as well as in this case, was and is therefore, prompted by a genuine concern for the welfare of livestock producers in deficit feed producing areas such as the Intermountain and New England States, where poultry, turkey, and dairy production are major agricultural activities.

This bill will serve to alleviate much of the economic distress producers in these areas have been and are experiencing, as a result of the price support and acreage control programs which have resulted in increased livestock production in the Midwest and the South and lower prices to producers generally. In other States, rising costs of production and marketing, especially transportation, when coupled with continued increase in livestock numbers in the basic commodities producing areas of the country, in spite of the soil bank, have resulted in market prices way below parity.

For example, in December 1956, turkeys were bringing producers only 75 percent of parity; in December 1957, average prices received by producers had declined 9 points to 66 percent of parity. Likewise, in December 1956, poultry farmers were getting only 55 percent of parity; in December 1957, they got only 54 percent—a further decline of 1 point. During the same period, average prices received as percentages of parity prices declined 3 points for milk and 2 points for butterfat.

As these data indicate, if any part of agriculture has been hard hit by the cost-price squeeze, it has been the dairy, poultry, and turkey industries. Passage of this bill will provide some measure of relief to people engaged in these industries. On the other hand, its passage will not adversely affect, materially, the welfare of commercial wheat producers, since the wheat produced under the exemption features of this bill will not find its way into commercial trade channels nor will it end up under price support.

By way of illustration, let me point out that whereas farmers in my own State of Utah produced over 6.5 million bushels of wheat in 1954, less than 8 percent of it was placed under price support.

In many of the deficit feed producing States which are designated as being in the "commercial wheat area," acreage allotments are very small. With respect to 1954, the only year such data is available, the USDA reported that of 12,163 farms which produced wheat in Utah, for example, only 1,313 had wheat acreage below 16 acres. Utah farmers derive only 6.4 percent of their income from wheat production, and although it qualifies as a commercial wheat State, because Utah farmers produce more than 25,000 acres of wheat, it plainly is not a major commercial wheat producing State. On the other hand, Utah farmers derive a major portion of their income from livestock products as follows: 22.5 percent from beef cattle and calves; 16.8 percent from dairy products; 8.8 percent from eggs; and 7.7 percent from turkeys. Most of the grains produced, including wheat, are

fed to livestock, they are not sold in commercial trade.

In general, what is true of Utah's agriculture, is also true of the agriculture of many other States in the Intermountain and New England areas, and other parts of the country as well. Authority for farmers in such areas to produce wheat for feed without penalty on their farms would be of material assistance under prevailing economic conditions.

Historically, what was used for livestock was a significant proportion of our annual wheat crop. For many reasons, this is no longer true. But the fact remains, as the President noted in his January 1956 special agricultural message: "There are opportunities to use more wheat for feed in feed-deficit areas distant from the Corn Belt."

This point of view is substantiated by a letter dated January 21, 1957, to me from Mr. David H. Jones, former Utah commissioner of agriculture, in support of S. 403 which is substantially the same bill I am introducing today. In part this letter reads:

"I want to congratulate you on your fine thinking and the action you have taken to remove the restrictions on wheat acreage where extra wheat is needed for feed or seed purposes. We, in the State of Utah, really import grains for feeding purposes and the bill should prove to be a worthy one.

"In my own farming experience I never sold grain off the farm. I found there was no equal to wheat mixed with other grains for livestock feed. I am certain it will be a fine thing to have Senate bill 403 passed, and it should benefit many people."

Similar concern was expressed to me in a letter also dated January 21, 1957, from Mr. Ralph Blackham, a director of the executive council of the Utah Council of Farmer Cooperatives. In part Mr. Blackham wrote:

"I am very much in favor of the passage of * * * S. 403 and I appreciate more than I can say your action in instituting this legislation. Farmers in the intermountain area who feed livestock or poultry have been put to an increasing disadvantage the past several years for two reasons: high Government price supports and reduced acreage allotments on wheat, and rapidly increasing freight rates on all feed."

Typical of the reactions I have received from producers to S. 403 was that of Mr. Zelph S. Calder, of Vernal, Utah. His letter of February 5, 1957, reads in part as follows:

"I read with interest and approval press comments to the effect you were entering a bill in Congress which would allow a farmer to feed his excess wheat to his cattle without paying a penalty on it.

"The following example might be of help to you.

"Last year I produced about 6,000 bushels of wheat and fed and pastured 200 stocker cattle that I bought last spring. The local USDA wheat allotment office declared October 31, 1956, that I had excess wheat in the amount of 2,780 bushels and that if the penalty of $1.07 per bushel was not paid on the wheat stored and bonded by November 15, 1956, I would have to pay the above penalty on the 6,000 bushels. (I was and now am of the opinion that I did not have an excess acreage because of winter-killed and volunteer wheat acreage counted by the said office.)

"Uintah County was declared last fall a drought disaster area. I could not qualify for the $1.50 per cut subsidy given by the Government in this area on grain fed to cattle because I had wheat and because I had stocker and feeder cattle, notwithstanding I had suffered greater loss due to the drought than my neighbor who had breeding cattle."

The Congress to date has given very little attention to pleas for relief from such livestock producers. Other than a few direct purchase or surplus removal programs, which more often than not have had very little price boosting effect, livestock producers have received little assistance. Passage of this bill will help a great many farmers and ranchers in the nonbasic commodity producing areas of this country.

ADDITIONAL FUNDS FOR 1958 CORN, WHEAT, AND COTTON ACREAGE RESERVE PROGRAM

Mr. HUMPHREY. Mr. President, in the past days it has become clear that the corn acreage reserve and the wheat acreage reserve allotments in the State of Minnesota have been far oversubscribed. In many counties of the State in which farmers have suffered disastrous crop failures for the past 2 years, even the conservation reserve allotments have been fulfilled, leaving thousands of farmers unable to take advantage of the soil bank.

Information from the Department of Agriculture today reveals that as of last Monday Minnesota's allotment of about $9.8 million for the corn acreage reserve program is short by at least $14 million. The wheat acreage reserve program is short by nearly $1.5 million. Both of these programs are oversubscribed at the rate of 145 percent.

Mr. President, I have discussed the national situation with Mr. Howard Doggett, the Director of the Soil Bank Division, and find that the chances of shifting any significant amount of funds from States in which the allotments have not yet been utilized is almost nil. Clearly, the Minnesota situation is only part of a pattern rapidly developing throughout the farming areas of the country.

For this reason, Mr. President, in the interest of farm families who in good faith have intended to join in the soil bank program during the fiscal 1958 crop year, I introduce, for appropriate reference, a bill to lift the limitations imposed on the corn, wheat, and cotton acreage reserve contracts available for the 1958 program up to the full amounts authorized in Public Law 540, 84th Congress.

The effect of this proposed legislation would be to make available to corn, wheat, and cotton farmers an additional $250 million for acreage reserve contracts.

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

The bill (S. 3239) to authorize the use of additional funds for the 1958 corn, wheat, and cotton acreage reserve program, introduced by Mr. HUMPHREY, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

AMENDMENT OF INTERNAL REVENUE CODE—AMENDMENTS

Mr. FLANDERS submitted amendments, intended to be proposed by him, to 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, which were referred to the Committee on Finance and ordered to be printed.

COLUMBIA RIVER REGIONAL POWER CORPORATION BILL—ADDITIONAL COSPONSORS OF BILL

Mr. NEUBERGER. Mr. President, I am heartened to be able to announce to the Senate that the distinguished senior Senator from the State of Washington [Mr. MAGNUSON] and the distinguished junior Senator from that great State [Mr. JACKSON] have decided to become cosponsors of the bill providing for a regional power corporation in the Columbia River basin. The bill is S. 3114. Other cosponsors, with me, are: Mr. MORSE, Mr. MURRAY, Mr. HILL, Mr. MANSFIELD, and Mr. SPARKMAN.

It is our expectation that the distinguished senior Senator from New Mexico [Mr. CHAVEZ] will announce in the comparatively near future the scheduling of hearings on this vital proposal by the Public Works Committee, of which he is chairman.

On December 10, 1957, one of Oregon's leading newspapers, the Pendleton East Oregonian, published an informative and helpful editorial on this bill, entitled "A Regional Corporation." Because the editorial is particularly pertinent at this time, when the distinguished Senators from the State of Washington have just joined as cosponsors of the proposal, I ask unanimous consent that the editorial be printed in the body of the RECORD.

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

A REGIONAL CORPORATION

Because the Congress will be asked by the Eisenhower administration to appropriate more funds for defense there has been much speculation as to the availability of funds for domestic programs. It has been anticipated that the administration will adopt a no-new-starts policy which would halt appropriations for water resources development projects—hydroelectric, reclamation, and flood control.

How would this—delaying of construction of John Day Dam, impounding funds for construction of the Crooked River reclamation project, withholding funds for several other projects that have been authorized—affect the economy of the State of Oregon?

Oregon's economy is dependent upon the development of three basic resources—wood, soil, and water. Wood products manufacturing contributes most to the State's economy and agriculture stands second. Full utilization of the water resources of the State in the direction of increasing agricultural production and providing all available hydroelectric energy from our streams could do much more toward growth of the State's economy than has been done.

Some of the job of developing the State's water resources can be done by the private power companies. They are doing some of it now. But there is much they cannot do. They cannot build reclamation projects and neither can any other private group. And they cannot provide low-cost power that will attract those industries that must have low-cost power.

Metallurgical industries have been moving into the Ohio valley and eastward because the Northwest cannot provide them with abundant low-cost power. Although they are paying more than they would be charged for Bonneville power the higher cost is just about offset by higher freight rates they would pay on products manufactured in the Northwest and shipped to the populous centers of the Midwest and East. Low-cost

power must be available in the Northwest in sufficient quantity to attract those industries here. There are too many contrary factors that make the region undesirable to them.

What can be done to assure the continued development of the vast hydroelectric potential of this region?

Senator RICHARD NEUBERGER says it is the responsibility of the Federal Government and he refuses to accept the administration's premise that the Nation cannot afford to develop its resources at the same time that it is catching up with the Russians in the missiles race. He points out that the Russians are well able to keep both programs going simultaneously and argues that the United States is quite capable of matching the Soviets.

There is another approach to the subject. Its proponents do not take issue with Senator NEUBERGER, but it has been their thinking for some time that the day might not be too far off when the Congress, no matter in which party's control, would refuse to annually spend large sums of money for the development of the hydroelectric potential of the Northwest. They point out that it has been increasingly difficult to get adequate funds. The Oregonian has been a spokesman for this group. It is that newspaper's suggestion that a regional corporation, composed of the Federal Government and the Northwest States, be formed to build hydroelectric projects in this region. The job would be financed by borrowing funds on existing installations, thereby removing the Federal Government from financing.

We think Senator NEUBERGER is entirely right, that this Nation is well able to pay for the development of its resources while it is spending for an adequate defense. But we would like to see the introduction of legislation that would establish a regional corporation. Then, if the Congress refused to make any more appropriations for hydroelectric projects in the Northwest the region would not be placed in a vacuum. A regional corporation would permit progress on the huge task of developing the region's hydroelectric potential. We do not see how industrial and business growth can be accomplished without full utilization of the water resources of the region.

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

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

By Mr. TALMADGE:

Address delivered by him before General Assembly of Georgia on February 3, 1958.

By Mr. HRUSKA:

Address by Senator CURTIS on the subject The Individual in the Age of Space, delivered at Nebraska Wesleyan University, Thursday, January 30, 1958.

By Mr. SYMINGTON:

Article entitled "Urges a Plan To Tame Atom, Relating to Address by Senator MONRONEY," published in the Kansas City Star of February 2, 1958.

NOTICE OF HEARING ON NOMINATION OF WALTER K. SCOTT TO BE AN ASSISTANT SECRETARY OF STATE

Mr. GREEN. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that the Senate received today the nomination of Walter K. Scott, of Maryland, to be an Assistant Secretary of State, vice Isaac W. Carpenter, Jr., resigned.

Notice is hereby given that the nomination will be eligible for consideration by the Committee on Foreign Relations at the expiration of 6 days, in accordance with the committee rule.

NOTICE OF HEARINGS ON CERTAIN NOMINATIONS BEFORE THE COMMITTEE ON FOREIGN RELATIONS

Mr. GREEN. As chairman of the the Committee on Foreign Relations, I desire to announce that the Senate has received today the following nominations:

Everett F. Drumright, of Oklahoma, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to China, vice Karl L. Rankin.

Howard P. Jones, of Maryland, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Indonesia, vice John M. Allison.

Notice is hereby given that these nominations will be eligible for consideration by the Committee on Foreign Relations after 6 days, in accordance with the committee rule.

TRIBUTE TO THE HONORABLE ROBERT C. HILL, UNITED STATES AMBASSADOR TO MEXICO

Mr. HAYDEN. Mr. President, my attention has been called to the friendly impact which our United States Ambassador to Mexico has had in that country. The Honorable Robert C. Hill has spent time with here on the Hill. In 1946 and 1947 he was the clerk of the Committee on Banking and Currency of the Senate.

After some years, he again became well known to Members of this body when he served as Assistant Secretary of State for Congressional Relations. He held that position in 1956 and throughout much of 1957.

I am delighted to know that Mr. Hill is making such a fine record in Mexico.

On October 15, 1957, the Senate of the Republic of Mexico received a visit from Ambassador Hill, and Hon. Luis C. Manjarrez paid tribute to the work Mr. Hill was doing in Mexico.

I ask unanimous consent that there be printed at this point in my remarks the statement of Hon. Luis C. Manjarrez, a Senator of the Republic of Mexico.

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

Mr. President, your Excellency Robert C. Hill, Ambassador to the United States of America, it is highly satisfactory for this honorable Senate of the Republic to receive the visit of the representative of the United States of America and is particularly satisfactory when that representation is embodied in a person of such high virtues as are yours and which are auguries for an ever growing and strengthened friendship and understanding between our peoples.

You visit us, Mr. Ambassador, at the time when we are celebrating the Year of the Constitution and Mexican Liberal Thought, where the freedom-loving words of our precursors and leaders, and the overflowing and dispersed aspirations of our great proletarian masses become law in Querétaro. A compendium of the aspirations of the Mexican people collectively expressed in our three great liberating movements: The Rebellion, the Reform, and the Revolution which are the bulwark for the strengthening of our nationality and the realization of the principles of social justice based upon human dignity.

You visit us, Mr. Ambassador, in the month of Belisario Domínguez, champion of civic liberties. Both of these celebrations are expressions of the basic aspirations of Mexico for liberty and social justice. And this so dear aspiration is the common hope of our two countries; it is evident also in each step of your history, as it flowers fragrantly also in the history of all countries of Latin America.

Washington, Jefferson, Lincoln, Hidalgo, Morelos, Juárez, Bolívar, San Martín, and Martí are fused in the same thought and lead the way for the countries of this continent. For that reason, the language of your great President, the soldier of the democracies, Dwight D. Eisenhower, is familiar to us when he affirms: "We are moved by the imperishable spirit of freemen as imperturbable in the face of the false promises of totalitarianism as in the face of its loud threats. * * * Our goal is the attainment of productive and lasting peace. * * * We seek, in truth, that era the most grandiose monuments of which will not be erected to commemorate military or material triumphs, but very different monuments: schools to enlighten youth; hospitals to cure the sick; roads to activate our commerce; electric power for illumination and heating; religious institutions to elevate the spirit, and a solid structure for lasting peace so that men may assiduously seek all that is good and noble in life." Likewise for our people, the thought that animates Mexico, expressed by its most authorized voice, that of President Ruiz Cortines, cannot be alien when it points out that "he foresees the coming of a united and peaceful continent—the sum and culmination of American virtues—which will act in the world as a beneficent influence of peace under justice and law, of cooperation in study and in work, of friendship, understanding, and of mutual tolerance. In the heroic land of America, doctrines which negate the dignity and the hierarchy of moral values and which affirm that only through the domination of one group can security and social justice be achieved, can never thrive."

You have been welcomed to this Mexican land; an expression of a new, more elevated diplomatic practice, you are already called Ambassador and friend, and events such as this today make even more brotherly our bonds of friendship.

It has already been easy for you, and it will be easier in the future the more you get to know Mexico, Mr. Ambassador, to understand Mexico which, as President Ruiz Cortines has pointed out, is a peaceful, friendly, sincere country, jealous of its autonomy and proud of its historical and democratic traditions. This country which has distinguished itself as the standard bearer for the best causes, for its vigorous rejection of any form of external domination, for its unbreakable respect for the right of self-determination; its innate sympathy for the weak and the oppressed; its absolute lack of racial prejudice; its aversion to all injustices; its unsullied devotion to the cause of peace, and above all its profound love for liberty.

It will be easy for you, Mr. Ambassador, representative of a country where man has reached the highest standards of living, to understand the legitimate demands of our country in its eagerness to advance, to satisfy its growing needs for economic and social development; to reach the glorious goal of its destiny.

Mr. Ambassador of the United States of America, in the name of the Senate of the

Republic which I have the honor to represent, I express my cordial and sincere desires for the prosperity and the greatness of your country, for the health, well-being and long life of your great President Eisenhower and for your own personal happiness, Ambassador and friend, which will make possible another affirmation in the peaceful and fraternal coexistence of our peoples.

AMERICA'S TIME FOR DECISION—ADDRESS BY SENATOR CASE OF NEW JERSEY

Mr. SMITH of New Jersey. Mr. President, at the dinner of the New Jersey State Chamber of Commerce at the Mayflower Hotel in Washington on Thursday evening, January 30, my distinguished colleague, the junior Senator from New Jersey [Mr. CASE], made an outstanding address on the present world situation. This address was entitled "America's Time for Decision."

Because of the timeliness of the subject, and the able way in which my colleague presented it, I ask unanimous consent that the address be printed in the body of the RECORD in connection with my remarks.

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

AMERICA'S TIME FOR DECISION

Recent Soviet achievements—and they are outstanding achievements—came as a rude surprise to most Americans. In the wake of the sputniks has come an intense interest and concern with our defense program.

This is a healthy thing, for it seems clear that most of us had drifted into complacency. We had a comfortable feeling that whatever the Soviets could do, we could, and would, do better and sooner. Recordbreaking prosperity only whetted our appetite for material possessions—the latest auto model excited far more interest than warnings that our store of basic knowledge was not being replenished at the rate necessary to assure continued scientific preeminence. Coping with the immediate problems of living, buying a home, raising a family, striving to put aside enough for old age, these understandably preoccupy our thoughts in ordinary times.

Unfortunately, the times have not been ordinary. Most of us recognized this. Yet, over a period of time we began to take it for granted. The menacing presence of the Soviet Union came to seem increasingly remote and even unreal as compared with the pressing demands of the tax collector.

We can be thankful that the temper of the people has changed. For it has definitely changed, I believe. Those of us who last year argued against cuts in defense expenditures are now being urged to make sure that our defense posture in terms of missiles and satellites is not weakened for lack of money. This is all to the good. But it is not good enough. More than money for missiles and satellites is required to assure the strongest possible defense position.

I believe that we have yet to grapple with some of our toughest problems. And to concentrate solely on the missile and satellite programs, as is the present tendency, will obscure rather than advance the resolution of these basic issues.

For some years now our defense effort has been largely built on the possession of even larger weapons of mass destruction. The development of the A-bomb, then the development of the thermonuclear bomb, gave us the power to wreak utter devastation over large areas. In some degree, they provided, and still provide, a shield for the free world, a deterrent against direct aggression against its most vital spots. But everyone knew we would never use these weapons in a war of aggression. And even when the A-bombs were in our hands alone they did not prevent the Communists from nibbling away at the fringes of the Free World, constantly probing for soft spots and quick to exploit them.

Some time ago our nuclear monopoly vanished. The Soviet Union also has the capacity to wreak fearful damage and the prospect of an all-out thermonuclear war is horrible to contemplate. We are, as it has been aptly put, "in a balance of terror." Now our moral reluctance to use nuclear bombs is reinforced by the power of the Soviet Union to retaliate in kind. And for the Soviet Union, too, the consequences of nuclear war are equally dread.

Let me make this clear—I do not suggest that there has been any real change in the motives of the Kremlin or in its hostility to freedom and democracy. We know, however, that the masters of the Kremlin are hard headed. As such, I am sure they recognize that in a thermonuclear holocaust no nation can escape or even survive in any recognizable sense.

A curious, even paradoxical, situation has developed. The more terrible the weapons, the less likely we are to use them short of a direct threat to our very survival. The more we allow the "big bang" to dominate our defense effort at the expense of more conventional capacities, the less able we are to deter or, if necessary, to defeat any lesser aggressions, the greater our vulnerability, and that of all the Free World, to Soviet military blackmail. This course, I suggest, could lead only to ever deeper frustrations and, eventually, to utter disaster.

In the circumstances, several points seem very clear. The first, of course, is that our very survival requires us to maintain adequate retaliatory power. We must be able to inflict unacceptable losses on any enemy who might attack us by whatever means.

The second is that reliance upon nuclear deterrence alone is not enough. We must be able, and we must be willing, to cope with lesser aggressions, the little wars against the outposts of freedom that are likely to be far more appealing to the Soviet leaders than direct attack upon freedom's bastions. Only if we are known to have the capacity, and the will, to deal with less than all-out war, is there any hope of preventing it. And only if we have the means and equipment to wage limited war can there be any chance to keep wars limited.

This then must be the measure of our defense position. Are we prepared and ready to meet not only the massive direct challenge, but the lesser aggression designed to nibble away at the edges of the Free World and eventually to push us into lonely and vulnerable isolation?

Have we really thought through the many difficult problems that this involves? For one example, what are the points of vital concern to the United States and the ways in which we propose to defend them?

For another, can we ever use tactical atomic weapons without risking an unlimited extension of hostilities, and, if so, in what circumstances?

Not to face and resolve such questions is to allow decisions to be made by default, to permit events to shape policy instead of consciously trying to shape events by policy.

And we must recognize, too, that military strength alone is not enough. For it is not even certain that the primary struggle will be military. How much better, from the Communist point of view, if they can attain their ends through economic penetration or internal subversion, avoiding the risk of destruction by military, especially, nuclear, force. In the past, there has been some skepticism as to the Communists' ability to mount an economic offensive. But our reports indicate that they are carrying through an ambitious program of economical and technical assistance in the Near East and Asia. Surely our own mutual security programs, economic and technical, as well as military assistance, have become more important than ever.

Finally, realizing that we are in for a long, hard pull, let us recognize the importance of the quality of our educational system. It is not enough to press for narrowly scientific and technical advance if we fail to provide the base essential to continued progress. To our schools, our universities, and our laboratories we necessarily entrust the most precious resource of all—the individuals on whom the Nation will depend for leadership in the years ahead. It is not just the children who attend overcrowded, understaffed schools who are shortchanged. It is the Nation as well. And every level of government—local, State, and national—must be concerned.

Returning for a moment to the question of our military posture, I would emphasize my full appreciation of the difficulties faced by those in whose hands the immediate responsibilities lie. The aggressor has all the advantages of a free choice as to time, place, and method of attack. These uncertainties complicate enormously the problems of our defense planners. Rightly, they seek to protect against every eventuality, and in their business it is no excuse that the odds were 100 to 1 against a particular occurrence.

But their task is made even more difficult by several factors we can do something about. The evidence is strong that the very structure of the defense establishment itself militates against the formulation of a unified concept, a single orderly policy, or doctrine, as the experts call it, which provides a balanced defense under which the roles and missions of the services are clearly defined.

The recent Rockefeller report on the problems of United States defense states it clearly: "Ten years ago, whatever else was hoped for in the new defense organization, one result was expected by the public: that * * * there would be a coordinated and harmonious development of our potential in all three media of operations: land, sea, and air. Such has not occurred. * * * There are three separate service war plans with the common tendency of reducing the reliance on other services as much as possible."

Pointing to the Joint Chiefs of Staff as key to the formulation of policy, the report continues: "The Joint Chiefs of Staff functions too often as a committee of partisan adversaries engaged in advancing service strategic plans and compromising service differences. * * * The result is that our military plans for meeting foreseeable threats tend to be a patchwork of compromise between conflicting strategic concepts or simply the uncoordinated war plans of the several services."

To remedy this, the Rockefeller report suggests among other things the designation of the Chairman of the Joint Chiefs of Staff as the principal military adviser to the President and the Secretary of Defense. This suggestion has aroused considerable controversy. But all the argument over the particular organizational device cannot obscure the basic point—the lack of a unified strategic doctrine. This has long seemed to me a basic weakness and for some time I have urged prompt action, both executive and legislative, to strengthen our defense planning and our organizational structure.

As you know, the Secretary of Defense has now under way a study looking toward reorganization of the Defense Department. It is none too soon. No one wants to disrupt the whole defense structure by violent overhaul. Attitudes and traditions of many years standing—in the Congress and the Pentagon

alike—cannot be changed overnight. But neither can we afford a defense organization outmoded by the hard realities of modern scientific and technological development. We must strengthen the structure, and, most important of all, work out a truly unified policy.

And there is another factor of even more fundamental importance to the national security—the cost of an adequate defense effort. It will be expensive, yes, enormously expensive, no matter how efficiently and carefully funds are administered—and this is, of course, more than ever imperative. This has been emphasized recently by a number of highly responsible groups who have given the matter close scrutiny.

There are two questions here. The first is whether we can afford the cost of an adequate defense effort. The second is whether we are willing to pay the cost.

As to the first question, the burden is indeed extraordinary, but so is the American economy. As Secretary of the Treasury Anderson recently pointed out, our economy has managed to maintain a steady expansion over a relatively long period. And he added that in his opinion it could carry without serious injury a larger defense load if necessary. I am sure he is right.

The second is the crucial question. Are we willing to pay the cost? Some of the most thoughtful people I know have confessed to me their fear that the American people are not willing to pay that cost. I do not, I cannot, accept that to be true.

If it is true, then, as I suggested before, there is no real hope for us. We face only ever deepening frustrations and, in the end, disaster. And the months and years immediately ahead will be a sickening succession of nightmares and troubled sleep, of grasping at this straw and that, at one panacea or another, of periods of pathetic hope that perhaps the Soviet rulers are not really bent on our destruction and will treat us kindly if we can only persuade them that we mean them no harm, of search for scapegoats (whether they be Secretaries of State or anyone else) on whom to pin the blame for the consequences of our common irresponsibility, of increasing disillusionment and loss of confidence in us and in the possibility of freedom by one country after another, and of our gradual isolation until, entirely alone, we face the stark choice between surrender and unleashing a nuclear holocaust in which we and our enemies will perish together.

I do not share the fear that Americans are unwilling to pay the cost of defending freedom and themselves. But is it not obvious that they will not—indeed, that they cannot—make the decision to pay that cost unless they are given a chance to make that decision, unless they are told frankly and fully what the problems are, unless they are given a real chance to face the alternatives. I deeply believe that to give them that chance is the highest responsibility of leadership in America today.

My remarks tonight have been directed almost exclusively to the problems of power relationships in the world today. This was by deliberate choice because of my strong conviction that, among all the problems confronting us, these are the ones we have been least willing to face.

Of course, I do not for a moment suggest that I have been able to deal in any adequate way with all the problems of power. And, particularly, I would not have it thought that it is my view that the problems in this area are the only problems confronting us.

It is important, too, as I have said on many previous occasions, that we pursue every avenue which can lead to a lessening of tensions and to the establishment of more peaceful relations among all nations. We must continue, with persistence, patience, and the liveliest concern, to seek out ways in which, by unilateral action and by agreement with other nations, we can, for example, reduce the danger of fallout from atomic and nuclear weapons, by which we can bring nuclear weapons, and all weapons, and the uses of outer space under international control, by which we can reduce poverty, discrimination, and suffering in every part of the world.

These are vital objectives and we must pursue them unceasingly, at the same time as we seek to achieve and maintain in the world a system of power relationships conducive to our own security and to that of the free nations generally.

I do emphasize that the pursuit of these objectives cannot be regarded as a substitute for our maintenance of adequate defensive strength—militarily, economically, and politically. It is not a question of one or the other. We must do both. Indeed, it is my deep belief that until we have determined, and the Communist rulers know we have determined, to establish and maintain an adequate defense—and in this we must, of course, be joined by our allies—they will be unwilling to conclude any agreements, however reasonable, which in any important way lessen their freedom to pursue their course of bluster, bluff, blackmail, and aggression of every sort short of all-out war.

We are in a critical period in the history of civilized man. It could be the last chapter in that history. Or it could be but the foreword to a new and marvelous adventure of the human mind and spirit in an ever-expanding universe. The hopes of men everywhere for a happy outcome ride with the course we in the United States set.

PEACE AND DISARMAMENT

Mr. PROXMIRE. Mr. President, yesterday I listened for 4 hours to a speech by the distinguished Senator from Minnesota [Mr. HUMPHREY]. I may say for the RECORD I have never spent a more useful, educational, and provocative period of 4 hours. The address was an example of a topflight mentality at work on the most puzzling and complex problem facing mankind. What emerged was a series of concrete, specific, and positive proposals.

The junior Senator from Minnesota addressed himself to the big problem of our time, peace. He addressed himself to the problem of reduction of armaments in the missile age, at a time when we are confronted by a militant communism, when we are locked in an arms race with this subversive adversary. I believe the address of the Senator was so tremendously important that I shall do all I can in the coming weeks to bring it to the attention of the people of Wisconsin. I feel very strongly that it is an excellent and very important supplement to the Johnson Preparedness Investigating Subcommittee report on how we can best prepare our Armed Forces, so that we can negotiate from strength.

However, Mr. President, the point I should like to make this morning, in the final minute of my remarks, is that it was a great economy speech. In fact, it is perhaps the most responsible economy speech I have heard in a long time. During the course of his remarks, the Senator from Minnesota pointed out that there are 75,000 persons working on missiles. Many of us wish there could be more than that. In the present missile race with the Soviet Union we wish the number could be 750,000. But the Senator from Minnesota pointed out that, by contrast, in the executive agency which deals with disarmament, there are not 75,000 people, or even 750 people, or even 75.

There are not even 40 persons working under Mr. Stassen. The Senator from Minnesota tells us there are just 20. Twenty people, Mr. President, in the United States of America working for a peaceful world through a reduction of armaments, working for lifting the tax burden through responsible arms reduction. Many of us receive requests and admonitions from our constituents, from chambers of commerce, from manufacturers' associations, from taxpayers' organizations, about doing all we can to reduce Government spending. These organizations deserve a world of credit for admonishing us to work for economy and efficiency in Government. They are working hard in many ways against the steady discouraging rise in the burden of taxes. Here is a great economy opportunity for these organizations. If we could simply put the energy in these organizations to work, to get behind the constructive and positive proposals of the Senator from Minnesota for achieving a peaceful world by orderly reduction of armaments, it seems to me that we could accomplish what we all want to accomplish—the achieving of a peaceful world and the reduction of spending and taxes at the same time. To achieve anything worth while in this world, Mr. President, we must work. We are not now working hard for peace. We should be.

I have one last thought, Mr. President. I have appointed several of the outstanding citizens of Wisconsin—people who have devoted their lives to peace—to serve on a Peace Advisory Affairs Committee to advise me while I am a Member of the Senate. I intend to call their attention to the great speech of the Senator from Minnesota, for their comments, and I shall pass those comments on to the Senator from Minnesota and his subcommittee.

SPACE RIVALRY DEMANDS PEACE TALKS

Mr. NEUBERGER. Mr. President, on February 4 an able speech was delivered by the distinguished junior Senator from Minnesota [Mr. HUMPHREY], calling for wise and persistent efforts toward disarmament. Only the day before that there appeared in the Oregonian, of Portland, Oreg., which is the newspaper in our State of the greatest circulation, a very thoughtful, pertinent, and timely editorial entitled, "Space Rivalry Demands Peace Talks." The concluding paragraph of the editorial reads:

> If mankind is to survive and go forward in the space age, diplomacy must overtake the progress of science.

I endorse that thought, Mr. President, and I believe it carries out in spirit the proposals made to us only yesterday in the Senate by the Senator from Minnesota, a foremost member of the Senate Committee on Foreign Relations.

Mr. President, I ask unanimous consent that the editorial from the Oregonian be printed in the body of the RECORD.

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

SPACE RIVALRY DEMANDS PEACE TALKS

The technical achievement of putting a satellite of earth into orbit caused a great sigh of relief to go up among Americans. It was not that anyone really doubted that our scientists and military men could, in time, match the Russian experiments in outer space. It was more that Americans, a prideful people, do not like to accept the idea that others can do some things better than we; that others may lead us in any field.

In addition to hurt pride, however, Americans were confronted with the grave evidence of the Communist empire's ability to launch a nuclear attack on this and other countries by intercontinental rockets or from space ships. There was no outward display of fear or hysteria in the United States. But there was nationwide demand that a maximum effort be made to overtake the Russians.

American gratification arising from launching of the Explorer satellite must be tempered, therefore, by realization that this does not bring us even with the Russian program. The Army has insisted that it could have launched a satellite with the Jupiter missile before the Russians sent up Sputnik I last October, had it not been forbidden to do so. The Vanguard missile-satellite program was committed to the Navy, despite the greater experience in rocketry of the Army's group of scientists at the Redstone arsenal at Huntsville, Ala.

That America has a long way to go to catch up with Soviet progress in space vehicles was appropriately emphasized by Dr. Wernher von Braun of the Huntsville group. "If we should attain a rate 20 percent greater than theirs it would still take 5 years to overtake them," he said.

These chilling words should be noted well by Americans, as they will be by our allies in Europe, the Middle East and the Far East. Launching of the Explorer will in no way diminish the insistent demand from most of our European allies for top-level negotiations with the Kremlin. In fact, it may be expected to increase the pressure for a summit conference.

The rigidity of Secretary of State Dulles' refusal to be drawn into new negotiations with the Russians over the first steps toward arms limitation, or any nonaggression world pact to supplement the United Nations pledge, was modified by President Eisenhower who virtually overruled Mr. Dulles at the NATO conference in Paris. Yet the conditions laid down both by the State Department and President Eisenhower do not yet offer much hope of a heads-of-state meeting.

Both Russians and Americans must give way on some points, for the world now is confronted with completion in outer space which could go either way—into a holocaust of destruction, or into an era of scientific accomplishments which could transform the lives of earthlings in ways approaching the utopian.

None should expect that the sputnik race, the new vital necessity of a world agreement for common use of outer space, or the treaties which may arise from negotiations with the Communists could result, for many years, at least, in the ending of all possibilities of war. Peace is something people have not learned to live with. But the sputniks and Explorer, intercontinental missiles and nuclear bombs are forcing mankind to act while there still is time. We have long since passed that era when bow and arrow overcame the spear, and when gunfire made the bow and arrow impotent.

If mankind is to survive and go forward in the space age, diplomacy must overtake the progress of science.

SUPPLEMENTAL MILITARY CONSTRUCTION AUTHORIZATION ACT—CONFERENCE REPORT

Mr. STENNIS. Mr. President, I ask that the Chair lay before the Senate the conference report on the bill (H. R. 9739) 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.

The VICE PRESIDENT. The Chair is informed that the official papers on the conference report are not at the desk.

Mr. STENNIS. Then I ask that the report lie on the table until the papers are received. They are merely filed for the information of the Senate. The House acts first on the report.

The VICE PRESIDENT. Without objection, the report will lie on the table and be printed in the RECORD.

(For conference report, see House proceedings of Feb. 6.)

Mr. STENNIS. Mr. President, yesterday the Senate and House conferees met on H. R. 9739, the Supplemental Military Construction Authorization Act.

All the conferees agreed on the results of the conference, and that consequently better legislation will ensue.

One of the principal subjects of discussion pertained to section 7 in the House-passed bill, which authorized the Secretary of Defense to establish an Advanced Research Projects Agency. The Senate-passed bill contained no such language.

As a result of the conference a modified provision was agreed to.

Because there have been so many questions raised on the subject following the conference, and because certain articles referring to the subject appear in the morning papers, it seems to me desirable that I present for record the substance of what was agreed to, in an effort to clarify the intent of the conferees.

Mr. President, the new language makes no mention of the Advanced Research Projects Agency. At this time I will not take time to read the entire new proposed section 7, but I ask unanimous consent that it be printed in the RECORD at this point in my remarks.

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

SEC. 7. The Secretary of Defense or his designee is authorized to engage in such advanced projects essential to the Defense Department's responsibilities in the field of basic and applied research and development which pertain to weapons systems and military requirements as the Secretary of Defense may determine after consultation with the Joint Chiefs of Staff; and for a period of 1 year from the effective date of this act, the Secretary of Defense or his designee is further authorized to engage in such advanced space projects as may be designated by the President.

Nothing in this provision of law shall preclude the Secretary of Defense from assigning to the military departments the duty of engaging in research and development of weapons systems necessary to fulfill the combatant functions assigned by law to such military departments.

The Secretary or his designee is authorized to perform assigned research and development projects: by contract with private business entities, educational or research institutions, or other agencies of the Government, through one or more of the military departments, or by utilizing employees and consultants of the Department of Defense.

The Secretary of Defense shall assign any weapons systems developed to such military department or departments for production and operational control as he may determine.

Mr. STENNIS. Mr. President, in substance, however, this section would authorize the Secretary of Defense, or his designee, to engage in such advanced projects essential to the Defense Department's responsibilities in the field of basic and applied research and development as pertain to weapon systems and military requirements. In addition, the Secretary of Defense would be authorized to exercise certain contract authority.

One added provision has been the main subject of the questions I have referred to previously. I should like to address myself specifically to that portion now. This added portion states:

And, for a period of 1 year from the effective date of this act, the Secretary of Defense or his designee is further authorized to engage in such advanced space projects as may be designated by the President.

It was agreed that this added temporary authorization be included in order to insure that such projects as the Vanguard might continue uninterrupted for the time being.

All conferees were in agreement that the Secretary's authority in the field considered should be limited to the development of weapon systems and military requirements, with this one exception; namely, where the Defense Department is already engaged in certain activities which might under strictest interpretation not be considered primarily of a military nature.

Agreeing to the new language I have referred to, the conferees were also in complete agreement that this does not establish any new agency within the Department of Defense or in the Office of the Secretary of Defense.

TAX DEDUCTION FOR IMPROVEMENT CLASSES UNDERTAKEN BY SCHOOLTEACHERS

Mr. NEUBERGER. Mr. President, one of the anomalies of our tax laws has long been the fact that, while expense deductions are allowed for all kinds of expenditures of business and self-employed persons, America's schoolteachers are denied tax deductions for the costs they must necessarily incur to take advanced courses necessary for their continued professional competence and advancement.

At this time, when the quality of the academic standards and preparation of young people in this country are so much in the spotlight, nothing could appear a more reasonable step toward raising these standards than to recognize, for tax purposes, the necessary costs which many teachers incur in advanced study. This would aid education greatly.

Today, other professional persons can attend conferences in faraway places, purchase expensive books, or attend seminars in specialties of their profession, and deduct the costs from their income for tax purposse. Teachers, who are not self-employed, may have a hard time proving that graduate study is necessary to their continued employment and income. The Internal Revenue Service has for years held that the costs of such study are not deductible expenses.

Legislation is called for to change this rule, which now is more and more being recognized as not only unfair to teachers, but also wholly incongruous with our wishes for more and better trained teachers in the Nation's grade and high schools. Many Members of Congress have introduced bills for tax deductions for teachers' necessary costs of advanced study, which are now before the House Committee on Ways and Means and the Senate Committee on Finance. The one best known to the teachers themselves is H. R. 4662, also known as the King-Jenkins bill; but there are many others with the same basic objective, though they may differ slightly in detail.

Mr. President, I do not have the privilege of serving on the Committee on Finance, but I shall support this reform in the tax laws when the committee brings an income-tax bill before the Senate. It is a reform which is thoroughly equitable, consistent with the public interest, and which is perhaps more widely desired among educators themselves than many of the more elaborate and costly aspects of our current proposals for aiding education. As examples of the interest among leading teachers in my own State, Mr. President, I ask, in conclusion, unanimous consent to have printed in the body of the RECORD just a few of the thoughtful letters which I have received in support of the King-Jenkins bill or similar legislation. I endorse the general theme and content of these letters.

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

MEDFORD CITY TEACHERS ASSOCIATION,
December 17, 1957.

The Honorable RICHARD NEUBERGER,
Senate Office Building,
Washington, D. C.

DEAR MR. NEUBERGER: The Medford City Teachers' Association urges your support of the King-Jenkins bill, H. R. 4622, which would permit teachers to deduct summer-school and other educational expenses up to $600, in computing their taxable income on their Federal income-tax returns.

Very truly yours,

DOROTHY M. WILSON,
Secretary of Association.

MYRTLE POINT ELEMENTARY SCHOOLS,
Myrtle Point, Oreg., January 21, 1958.

Senator RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D. C.

DEAR SENATOR NEUBERGER: We, the teachers of Myrtle Crest School, would like to express to you our interest in H. R. 4662. Undoubtedly, you know this bill. You are aware that many other bills of this nature have been placed before Congress; all have failed.

Now we are calling upon you, our elected representatives, for help. This bill would allow teachers of this country the same rights that businessmen have, namely, the right to declare as an expense the cost of their schooling. Help us to make it possible to improve ourselves by making schooling a business expense for teachers as it is for insurance men, lawyers, and physicians.

We need your help in passing H. R. 4662. But first it must come out of committee and onto the floor. Will you talk to your friends on the committee and get it out onto the floor and pass H. R. 4662 as a step toward better teachers and better education for American youth.

We sincerely thank you for your help and interest in this matter.

Yours truly,

MYRTLE POINT TEACHERS ASSOCIATION.

PORTLAND, OREG., *January 5, 1958.*

Hon. RICHARD L. NEUBERGER,
United States Senate Building,
Washington, D. C.

DEAR SIR: As this session of the Congress opens, education faces a new crisis, the outcome of which might well determine our future way of life, perhaps even our survival.

We in education have watched fearfully the near hysteria of recent weeks, and hope that legislators will resist the pressure which will doubtless be placed upon them to go all out for science and mathematics at the expense of a sound, well considered educational program.

This is a time for strengthening our schools, for assessing the needs in terms of schoolroom space and teacher load, or the obligation of the public to provide for really adequate educational facilities for the growth of the youth of the country. In the words of Dr. Carr, "What we need is not a crash program, but a cash program"—wisely planned and administered.

In Oregon we point with pride to the leadership of our Congressional delegation in support of legislation favorable to good schools for all the children of our Nation. We know that we can depend upon you to continue this leadership, and we want you to know that we appreciate it.

Since low salaries and tax inequities are major factors in the loss of qualified teachers, we are sure that you will again be out in front in support of H. R. 4662, the amendment to the Internal Revenue Code providing equitable tax exemptions for professional expenses.

I am enclosing a copy of the NEA publication The Case of the Deductible Tights, which I believe you will find interesting.

Yours sincerely,

MRS. GLADYS BELDEN,
President, Department of Classroom Teachers, Oregon Education Association.

JACKSON COUNTY DIVISION OF THE OREGON EDUCATION ASSOCIATION,
January 6, 1958.

Hon. RICHARD NEUBERGER,
United States Senate,
Washington, D. C.

DEAR SENATOR NEUBERGER: At our last monthly meeting, the Jackson County unit of the Oregon Education Association adopted a resolution in favor of House bill 4662 whereby it would be possible for teachers to deduct summer school and other educational expenses from income taxes.

We teachers of Jackson County are strongly in favor of this bill, as we are encouraged and, in many cases, compelled to continue our education to keep up with the trend in our own professional fields. The deduction for these expenses from income taxes, we know, would make a considerable difference.

We would appreciate your careful consideration of House bill 4662.

Thank you.

Yours very truly,

MISS JOSEPHINE CULBERTSON,
Secretary.

OCEANLAKE, OREG., *December 29, 1957.*

Hon. RICHARD NEUBERGER: According to the Oregon Journal we were to write in our views on coming tax revision. I have one simple request: Permit teachers to deduct money spent for furthering their education.

It's a sorry mess indeed when people in the entertainment world can throw big parties and deduct it from income taxes, but a teacher can't deduct one red cent for money spent on furthering their education.

Thank you.

Sincerely,

ROBERT J. SPIERING.

MYRTLE CREEK, OREG., *January 27, 1958.*

Senator RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D. C.

DEAR SIR: There are about 70 teachers in the Myrtle Creek school system who are exceedingly anxious that the King-Jenkins bill H. R. 4662 should be passed at the next session of the legislature. We certainly hope that you will give this bill your most ardent support.

Sincerely yours,

MABEL HARRIS,
Secretary of the Classroom Teacher's Association of Myrtle Creek.

FEDERAL LAWS ON IMPACTED SCHOOL DISTRICTS ARE GOOD

Mr. KUCHEL. Mr. President, in caring for the needs of America's defenses, the Federal Government has been required from time to time to acquire privately owned land in the several States. In constructing various military facilities and defense installations on such property, the Federal Government has brought in military and civilian personnel with their families. My State of California has been proud of the American citizens, both military and civilian, who have come to live amongst us in this type of Federal undertaking. The children of these good people have gone to our public schools. Since these families live on Federal property, they do not pay property taxes for the support of schools. And thus a far greater burden has been placed on the common property owner whose home is in a school district where a Federal defense facility exists.

A number of years ago, Congress recognized the inequity in such a case and adopted legislation under which the Federal Government would pay a fair share to the support of local government in those instances where the Federal undertaking resulted in great new groups, both military and civilian, coming into a local area with their families. Public Law 874, 81st Congress, authorized payments to be made for current operating expenses of local school districts where such a Federal activity was located. The 83d Congress extended it, and the 84th Congress did likewise. It expires next June 30.

Public Law 815, 81st Congress, originally authorized the allocation of $3 million to State educational agencies to assist them in the inventory of existing school facilities and in the survey of construction needs for new schools. It was designed to help States to plan for school construction programs. It recognized the crisis to local homeowners resulting from suddenly increased school enrollments brought about by the influx

of population connected with our defense needs. The 83d Congress and the 84th Congress enacted and reamended this law. Clearer recognition of the Federal Government's responsibility was made in those instances where substantial numbers of pupils residing on nontaxed Federal property were educated in local school districts. This law will expire on June 30, 1959.

These laws are good laws. I believe they should be extended.

Mr. President, I ask unanimous consent that some comments by the United States Commissioner of Education in his seventh annual report on these two statutes be printed in the RECORD at this point in my remarks.

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). Is there objection to the request of the Senator from California?

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

Under Public Law 874: Since 1951, the first year of operation of the school assistance program, the number of participating local educational agencies has tripled, the number of federally connected pupils has more than doubled, and Federal payments have nearly quadrupled. The rapid increase in the number of districts and pupils and in the amount of payments in recent years may be ascribed to three causes: (1) Liberalizing amendments to the act, (2) resulting increased interest by State and local officials in financial benefits provided by the program, and (3) increase in housing for Armed Forces personnel and their families on military installations.

The proportions of the number of federally connected pupils and of Federal funds to the total number of pupils and total current operating expenses of the eligible districts have remained fairly stable. For example, in 1957 the total average daily attendance (ADA) of federally connected pupils as a percentage of the total ADA of eligible school districts was 15.4 percent as compared to 16.6 percent in 1954 and 17.5 percent in 1951. The slight decline in percentage of federally connected pupils to the total number of pupils is due to the fact that new applicant districts each year generally have felt less Federal impact than the school districts originally participating in the program. The average percentage of Federal payments to total school budgets has remained fairly constant over the 7-year span of the program, at approximately 5 percent. In spite of amendments which have liberalized the formula rates of payment to eligible school districts, the proportion of Federal payments per federally connected child to the total cost per pupil in these districts has remained at about one-third.

The school districts which received funds under Public Law 874 in fiscal year 1957 had a total average daily attendance of approximately 7.6 million pupils. That was almost one-fourth of the total public school ADA in the United States. In 1951 the estimated 2.9 million pupils in attendance in eligible school districts represented about one-eighth of the Nation's public school attendance. Thus, the Federal payments now are helping to support free public education over twice as broad a base as in 1951.

Under Public Law 815: The school construction grants made under Public Law 815 reached a peak in fiscal year 1953, from which they have declined. Total expenditures rose from $3.2 million in 1951 to $134 million in 1953 and have since that time declined to $74.8 million in 1957.

Approximately 1,500 local educational agencies have been aided by grants under Public Law 815. Of the total amount of $765 million appropriated to finance school-construction projects in federally affected areas, the United States Commissioner of Education had allocated $715 million by June 30, 1957, to 3,715 eligible projects. The recipient local school districts had added more than $300 million of their own funds to these projects. Thus, more than $1 billion in public school construction has been initiated under this program, and the approved projects will provide facilities to house some 950,000 pupils. When existing authorizations have been fulfilled, schoolhousing will be provided for an additional 100,000 pupils.

Mr. KUCHEL. Mr. President, my State of California has enjoyed the benefits of these laws for almost 8 years. There are some 425 school districts in California that have participated in the programs provided by these two laws. The California State Department of Education makes it crystal clear that there is an indispensable need for continuation of these Federal statutes. The extent of participation by California since enactment of Public Law 874 indicates that applicant school districts have received assistance varying from 25 percent in the total national payments under section 3 in 1950–51 to 19 percent in 1955–56. This is an indication of the great use of areas in California for defense purposes. With this aid, California also has shown average daily attendance of eligible pupils under the act ranging from 21 percent in 1950–51 to 17 percent in 1955–56 of all eligible pupils in the Nation. Between 1950–51 and 1955–56, the number of eligible pupils under Federal law in California has increased 61 percent.

These two laws are of the utmost concern not only to the State of California, but to all other States where large Federal activities may be located. They have prevented an inequitable added burden to the homeowner. I cannot agree to proposals for modification or elimination of this necessary and morally justified Federal participation in local school support where the Federal Government itself has created the problem.

CONSERVATION AND DEVELOPMENT OF LAND AND WATER RESOURCES

Mr. KERR. Mr. President, on January 28, 1958, the Senate agreed to Senate Resolution 148 with the amendments jointly reported by the Committee on Interior and Insular Affairs and the Committee on Public Works.

This action of the Senate is an important step in providing for comprehensive conservation and development of land and water resources. In consequence of Senate Resolution 148, the two committees of the Senate that are responsible for recommending authorization of projects will be able to do so on the basis of information and evaluations that disclose fully the costs, benefits, and evaluations. Based on such disclosures, the committees will be able to recommend for authorization projects that will fully conserve and develop all of the natural resources that are involved in each project. Senate Resolution 148 requires that project authorizations take into account the full range of potential benefits from land and water resource projects. This comprehensive treatment of natural resources is essential, and it is in keeping with the traditional policies of the Congress.

In furtherance of these Congressional objectives, the Interior and Public Works Committees were diligent in preparing Senate Resolution 148 for the action of the Senate. Intensive consideration was given to the wide range of technical matters covered by the resolution, and this is evidenced by the studies reported in the five preparatory committee prints totaling 370 printed pages, in addition to the public hearing.

Similar consideration was given by the committees to the practical side. In this connection, a major consideration was that Senate Resolution 148 should result in more expeditious consideration of project authorizations. The information requested by the resolution was designed to make use of data and analyses which are regular and routine practice of the executive agencies. The Corps of Engineers and the Department of the Interior advised the committees that such information was available without additional study or expenditure of funds.

In furtherance of the practical side of this matter, promptly after the Senate agreed to Senate Resolution 148, the chairmen of the Interior and Public Works Committees jointly wrote to the executive agencies affected, pointing out that provision of the information requested does not require additional time for submission of the project reports. In order to further expedite and simplify the procedures, the letters from the chairmen suggested that the information be supplied in the form of a supplement. This, they point out, is particularly desirable in the case of project reports that already are in the process of clearance or submission to the Congress.

Because of the widespread interest in expediting the submission of project reports, I ask that the joint letters from the chairmen of the Committee on Interior and Insular Affairs and Public Works, the distinguished senior Senator from Montana [Mr. MURRAY], and the distinguished senior Senator from New Mexico [Mr. CHAVEZ], be inserted in the RECORD at this point. The letters are dated January 31, 1958, and are addressed to the Director of the Bureau of the Budget, the Secretary of the Department of the Army, the Secretary of the Department of the Interior, and the Secretary of Agriculture.

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

UNITED STATES SENATE,
COMMITTEE ON INTERIOR
AND INSULAR AFFAIRS,
January 31, 1958.

HON. PERCIVAL F. BRUNDAGE,
Director, Bureau of the Budget,
Washington, D. C.

DEAR MR. BRUNDAGE: On January 28, 1958, the Senate agreed to Senate Resolution 148 in the form that was reported jointly by the Commitee on Interior and Insular Affairs and the Committee on Public Works. A copy of Senate Resolution 148 is enclosed.

The resolution requests the cooperation of the executive branch in certain specified improvements in the procedures relative to the authorization of projects for conservation, development, and utilization of land and water resources.

It is reassuring that Assistant Director Merriam's letter of July 8, 1957, advised that much of the information requested is now available, and that the additional information could provide a useful supplement to that provided under present procedures. Communications from the several executive agencies advised us that the information requested by Senate Resolution 148 is regularly available or can be readily secured.

This confirms our understanding that provision of the information requested in the resolution will not require additional time for the preparation of reports and recommendations on projects. Consistently with the request in Senate Resolution 148 that the information be furnished in connection with the project reports, it would seem that its presentation in the form of a supplement would expedite consideration by the committees. This procedure will coincide with the schedule requested in section 2 of the resolution. Presentation of the information in the form of a supplement will be especially desirable in the case of project reports that are now in process of clearance or submission to the Congress.

It is, of course, important that project authorization proposals be available for the consideration of our committees promptly after preparation of the plans and recommendations. We are confident that we will have your cooperation in the several improvements provided by Senate Resolution 148, for the purpose of expediting project authorizations consistent with the requirements of Senate Resolution 281, 84th Congress.

Attached are copies of our letters to the Secretaries of the Departments of the Army, Interior, and Agriculture.

Sincerely,

JAMES E. MURRAY,
Chairman, Committee on Interior and Insular Affairs.
DENNIS CHAVEZ,
Chairman, Committee on Public Works.

UNITED STATES SENATE,
COMMITTEE ON INTERIOR
AND INSULAR AFFAIRS,
January 31, 1958.

Hon. WILBER M. BRUCKER,
Secretary of the Army,
Department of the Army,
Washington, D. C.

DEAR MR. SECRETARY: On January 28, 1958, the Senate agreed to Senate Resolution 148 in the form that was reported jointly by the Committee on Interior and Insular Affairs and the Committee on Public Works. A copy of Senate Resolution 148 is enclosed.

The resolution requests the cooperation of the executive branch in certain specified improvements in the procedures relative to authorization of projects for conservation, development, and utilization of land and water resources.

Among the improvements specified by Senate Resolution 148 is provision of certain information that has not heretofore been furnished relative to projects considered for authorization. As we wrote to you on January 23, 1958, it has been gratifying to us to receive the reassurance of your January 18, 1958, letter to Senator WATKINS that the information desired is regularly available to the Corps of Engineers, and that it is standard practice for the Corps of Engineers to investigate projects to the extent outlined in Senate Resolution 148.

Your letter thus confirms our understanding that provision of the information requested in the resolution will not require additional time for preparation of reports and recommendations on projects. Consistently with the request in Senate Resolution 148 that the information be furnished in connection with the project reports, it would seem that its presentation in the form of a supplement would expedite consideration by the committees. This procedure will coincide with the schedule requested in section 2 of the resolution. Preparation of the information in the form of a supplement will be especially desirable in the case of project reports that are now in process of clearance or submission to the Congress.

It is, of course, important that project authorization proposals be available for the consideration of our committees promptly after completion of the plans and recommendations. We are confident that we will have your cooperation in the several improvements provided by Senate Resolution 148 for the purpose of expediting project authorizations consistent with the requirements of Senate Resolution 281, 84th Congress.

Sincerely,

JAMES E. MURRAY,
Chairman, Committee on Interior and Insular Affairs.
DENNIS CHAVEZ,
Chairman, Committee on Public Works.

UNITED STATES SENATE,
COMMITTEE ON INTERIOR
AND INSULAR AFFAIRS,
January 31, 1958.

HON. FREDERICK A. SEATON,
Secretary of the Interior, Department of the Interior, Washington, D. C.

DEAR MR. SECRETARY: On January 28, 1958, the Senate agreed to Senate Resolution 148 in the form that was reported jointly by the Committee on Interior and Insular Affairs and the Committee on Public Works. A copy of Senate Resolution 148 is enclosed.

The resolution requests the cooperation of the executive branch in certain specified improvements in the procedures relative to authorization of projects for conservation, development, and utilization of land and water resources.

Among the improvements specified by Senate Resolution 148 is provision of certain information that has not heretofore been furnished relative to projects considered for authorization. One of the committee amendments adopted by the Senate clarifies the uncertainty expressed in Assistant Secretary Aandahl's letter of July 22, 1957, relative to the extent of the information desired concerning plans alternative to the recommended project. With this clarification, Secretary Aandahl's letter advises that a large part of the information is regularly included in planning reports, and that the remainder can be supplied.

This confirms our understanding that provision of the information requested in the resolution will not require additional time for preparation of reports and recommendations on projects. Consistently with the request in Senate Resolution 148 that the information be furnished in connection with the project reports, it would seem that its presentation in the form of a supplement would expedite consideration by the committees. This procedure will coincide with the schedule requested in section 2 of the resolution. Preparation of the information in the form of a supplement will be especially desirable in the case of project reports that are now in process of clearance or submission to the Congress.

It is, of course, important that project authorization proposals be available for the consideration of our committees promptly after completion of the plans and recommendations. We are confident that we will have your cooperation in the several improvements provided by Senate Resolution 148 for the purpose of expediting project authorizations consistent with the requirements of Senate Resolution 281, 84th Congress.

Sincerely,

JAMES E. MURRAY,
Chairman, Committee on Interior and Insular Affairs.
DENNIS CHAVEZ,
Chairman, Committee on Public Works.

UNITED STATES SENATE,
COMMITTEE ON INTERIOR
AND INSULAR AFFAIRS,
January 31, 1958.

Hon. EZRA TAFT BENSON,
Secretary of Agriculture, Department of Agriculture, Washington, D. C.

DEAR MR. SECRETARY: On January 28, 1958, the Senate agreed to Senate Resolution 148 in the form that was reported jointly by the Committee on Interior and Insular Affairs and the Committee on Public Works. A copy of Senate Resolution 148 is enclosed.

The resolution requests the cooperation of the executive branch in certain specified improvements in the procedures relative to authorization of projects for conservation, development, and utilization of land and water resources.

It is, of course, important that project authorization proposals be available for the consideration of our committees promptly after completion of the plans and recommendations. We are confident that we will have your cooperation in the several improvements provided by Senate Resolution 148 for the purpose of expediting project authorizations consistent with the requirements of Senate Resolution 281, 84th Congress.

Sincerely,

JAMES E. MURRAY,
Chairman, Committee on Interior and Insular Affairs.
DENNIS CHAVEZ,
Chairman, Committee on Public Works.

THE MODEST 1959 FISCAL YEAR BUDGET FOR THE UNITED STATES CHILDREN'S BUREAU

Mr. WILEY. Mr. President, youth is in the news. The Nation's press is full of articles on the need for improved education, especially in science and technology, for America's youngsters.

On a different phase, we read articles almost every day about the problem of juvenile delinquency, which involves many youngsters. Fortunately, that problem involves only around 5 percent of our children. Nevertheless, it is a serious problem, as those of us who serve on the Senate Subcommittee on Juvenile Delinquency particularly can attest.

In view of these, and many other phases of child problems, which are in the headlines today, the question naturally, arises, "What is our Federal Government doing in relation to our children in the 1959 fiscal year budget?"

I was pleased to write, therefore, to the Chief of the Children's Bureau, in the Department of Health, Education, and Welfare, Dr. Katherine Oettinger. At my request, Dr. Oettinger has listed and briefly described the next year's budget for the Bureau. Of course, as in the case of all other Federal units and agencies, these represent the official amounts requested by the Bureau of the Budget and the Executive Office of the President, and as faithfully supported by the particular bureaus.

My colleagues will find that the overall budget is modest, indeed, especially in relation to the much more sizable Federal programs of many different types which may be found in the 1,200-page Federal Budget.

To my way of thinking, we must look at all times with sympathetic understanding on the needs of our youngsters. It cannot be too often stated that they represent America's future.

Their health, their education, their well-being, their training, their thinking are assets of this Republic. We cannot afford to squander those assets.

As the fine dedicated team of the Children's Bureau so well knows, we need to have every youngster grow to his fullest potentiality in right thinking, right acting, right living.

Of course, the basic responsibility for every youngster is in the American home. It is in the church; it is in the school. It is in local government and in State government. But the Federal Government—principally through this great organization, the Children's Bureau—has its responsibility, as well, which it must never shirk.

I believe that Dr. Oettinger's comment and summary will be of interest to my colleagues. I ask unanimous consent that they be printed in the body of the RECORD at this point.

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

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
January 28, 1958.

Hon. ALEXANDER WILEY,
United States Senate,
Washington, D. C.

DEAR SENATOR WILEY: Thank you for your letter of January 27 concerning the Children's Bureau 1959 budget request.

I am glad to send you the enclosed summary statement showing our 1959 request as compared with the 1958 amounts.

You will see that the amounts requested for grants to the States for the three programs administered by the Children's Bureau are the same for 1959 as for 1958. This means, of course, that if the amounts appropriated for 1959 are the same as those requested for these grants, the impact of these programs with respect to matching funds put up by the States will be generally the same in 1959 as in 1958. Even though the appropriation continues the same, each year there are slight changes in the amounts apportioned to the various States because the apportionments are based on more recent statistics than for the previous year. However, the impact of this change is very small and does not create major problems.

The Children's Bureau is requesting no new positions for 1959 under its regular budget request for salaries and expenses. The requested increase of $13,000 is solely for the purpose of carrying new 1958 positions and related expenses for the full year 1959.

You will see that we do have a new budget item for salaries and expenses for the proposed 1960 White House Conference on Children and Youth. The amount requested, $150,000, provides for 18 positions and related expenses. This proposed Conference will be the sixth since 1909. We see this Conference as a peacetime instrument for mobilizing community and national efforts in strengthening the coming generation in every stage of their growth and development in becoming mature and responsible citizens.

If you have further questions, I shall be glad to try to answer them.

I am glad to see that you are sustaining your longtime interest in the Children's Bureau.

Sincerely yours,

KATHERINE B. OETTINGER,
Chief, Children's Bureau.

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
SOCIAL SECURITY ADMINISTRATION,
Washington, D. C., January 14, 1958.

CHILDREN'S BUREAU BUDGET REQUEST, FISCAL YEAR 1959

The following table shows the three items in the Children's Bureau budget request for the fiscal year 1959, in relation to the amount estimated for the fiscal year 1958:

	1958	1959
I. Salaries and expenses, Children's Bureau:		
1. State and local health services for children	$686,086	$686,086
2. State and local social services for children	368,286	378,255
3. Technical assistance to States and communities for juvenile delinquency programs	149,524	165,783
4. Research in child life and services for children	288,039	300,291
5. Information for parents and others working with children	255,821	255,821
6. Administration	220,044	226,764
Subtotal	1,967,800	2,013,000
Unobligated balance no longer available	32,200	----------
Total	2,000,000	2,013,000
II. Salaries and expenses, White House Conference on Children and Youth:		
1. Planning the conference [1]	----------	150,000
III. Grants to States for maternal and child welfare:		
1. Maternal and child health services	16,500,000	16,500,000
2. Crippled children's services	15,000,000	15,000,000
3. Child welfare services	10,000,000	10,000,000
Total	41,500,000	41,500,000

[1] Every 10 years since 1909 the President has called a White House Conference on Children and Youth. These conferences are joint undertakings of the Government, States, Territories, and citizens as represented by national organizations concerned with the well-being of children and youth. The funds requested in 1959 will enable the Children's Bureau to work cooperatively with interested organizations in Conference planning.

The above information is taken from "The Budget of the United States Government for the fiscal year ending June 30, 1959" (pp. 613–614), the official document setting forth the administration's budget proposals for 1959. This document was made available to the public simultaneously with the President's budget message, transmitted to Congress on January 13, 1958.

It will be noted that the budget request for 1959 contains 3 items, instead of the usual 2, because of the addition of a separate item for the 1960 White House Conference.

COMMISSION ON COUNTRY LIFE

Mr. THYE. Mr. President, during the first session of this Congress Senate Joint Resolution 18 was enacted. This resolution authorized and requested the President to issue a proclamation in connection with the centennial of the birth of Theodore Roosevelt. In 1955 the Congress provided for the creation of a Theodore Roosevelt Centennial Commission, and it is my understanding that June of this year has been selected as the month to feature his contribution to natural resources conservation. Teddy Roosevelt's active interest in the out of doors and his fostering of national programs for forestry, wildlife, parks, monuments, and general natural resources management are well known. It is my sincere hope that all conservation groups and conservation-minded individuals will respond to the call of the Theodore Roosevelt Centennial Commission to participate in this June observance with appropriate ceremonies.

Mr. President, I wish to call to the attention of my colleagues the fact that in August, 1908, President Theodore Roosevelt appointed a Commission on Country Life. In so doing he stated that the "social and economic institutions of the open country are not keeping pace with the development of the Nation as a whole."

I am informed that in beginning the inquiry the Commission sent a questionnaire to 550,000 persons. More than 100,000 replies were received and tabulated by the Bureau of the Census.

The Commission also held public hearings in 24 States. At the suggestion of President Roosevelt, farmers were urged to hold local discussion meetings in their schoolhouses. Response to this suggestion apparently varied, but it is known that many such local meetings took place.

Dr. Liberty Hyde Bailey, dean of the New York State College of Agriculture, was Chairman of the Commission.

The work of the Commission resulted in steps leading to the establishment of the Extension Service, various conservation programs, farmer cooperatives, emphasis on the need for good roads to serve agriculture, and other important developments in the field of agriculture.

This year, 1958, is the 50th anniversary of the Commission. Its work was so outstanding that it has been suggested that this might be an appropriate time to provide a new Presidential Commission on Country Life. This proposal is being advanced particularly by the American Country Life Association, of which Mr. Roy C. Buck, of Pennsylvania State College, is president. The idea has also been espoused by a number of agricultural publications.

Without undertaking to pass upon the need for or advisability of a new Country Life Commission at this time, I do call attention to the proposal. Further, I suggest that the new rural development program, which is now in its third year and which is under way in 30 States, is making a definite contribution to projecting a sound future for more of our rural families.

It would be my judgment—in the event consideration is given to the establishment of a new Commission on Country Life—that it should deal specifically with the opportunities for rural development. We must recognize the fact that many rural communities now

have nonfarm people living in them and that industries are more and more being dispersed out through rural areas.

PRESCRIPTION FOR DEPRESSION

Mr. BUSH. Mr. President, the report released by the Democratic Advisory Council provoked a very interesting editorial entitled "Prescription for Depression," which was published in the Wall Street Journal of February 4, 1958. The concluding line of the editorial reads:

The Nation had better be wary of the confused economic doctors who want to cure the recession with a prescription for depression.

I think the editorial is so revealing that I ask unanimous consent to have it printed at this point in the RECORD.

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

PRESCRIPTION FOR DEPRESSION

It is natural for the Democrats to use the recession as a club to belabor the Republicans. Apart from politics, though, the views of the Democratic advisory council are doubtless sincerely held by some leading in the party, and for that reason are perhaps worth noting.

The council, recalling the thirties, warns that a real depression may be in prospect if the Republican administration doesn't change its do-nothing ways. What, in this Democratic view, should the administration be doing? The answer is the soul of simplicity: Spend. To be sure, the administration is spending heavily as part of its antirecession activity—too much, some people think, but not nearly enough to satisfy the Democratic advisory council.

The group argues that there never was a time when there were so many urgent tasks. Defense needs, aid to our allies and friends abroad, research, health facilities, highways, and other civilian requirements are all urgent. And beyond these are housing, the renewal and rebuilding of our urban areas, the replanning of metropolitan transportation, and a score of other urgent tasks.

Now it has never been proved that Government spending cures a recession or depression, as the thirties these Democrats are resurrecting itself shows. But let us assume for the moment that the Federal Government can spend the country into a big new boom, and see what happens.

One thing that happens is inflation to finance the spending. Some people, though not all people, may feel good for a while under the inflationary stimulant, but the price is high, for the result of a thoroughgoing inflation is a thoroughgoing crash.

Though that may sound like a doctrinaire contention, it is fairly firmly grounded in economic experience. To see how, we must ask why we have the so-called business cycle of ups and downs anyway.

In oversimplified terms, a recession is a reaction to some prior excess in the economy. The speculative orgy of the late twenties led to financial collapse. The inflation of the thirties and war years, plus accumulating demand during the war, fed a boom to which the reaction was the downturn of 1948–49. More boom brought the mild adjustment of 1953–54. Certain excesses—in adding to capacity, for example—in the boom of 1955–56 account for the current recession.

It is just not in human nature to regulate these matters perfectly, though people have learned a lot since 1929. Thus the boom of 1955–56 was by no means carried to idiotic extremes; some restraint was exercised both by business and the Government. Those who believe the present recession will not be serious base their optimism largely on that restraint.

What the Democratic advisory council proposes, however, is perpetual boom with never a breather. The inflation and the constant forced-draft expansion that this effort would require would become intolerable for the economy; these forces would build up an overpowering need for correction, and the correction, when it came, could well be drastic. Government spending could replace the speculative binge of the twenties as a cause of depression.

Certainly, valid criticisms can be made of the administration's policies for dealing with the recession. But it is not a valid criticism to charge that Washington is doing too little. The Nation had better be wary of the confused economic doctors who want to cure the recession with a prescription for depression.

CHANGES IN THE MONEY MARKET

Mr. BUSH. Mr. President, I ask unanimous consent to have printed in the body of the RECORD, immediately following the editorial from the Wall Street Journal, an editorial entitled "Money Market Changes," which was published in the New York Times for today, February 5, 1958.

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

[From the New York Times of February 5, 1958]

MONEY MARKET CHANGES

Two events in the Wall Street money market this week point up the degree to which the recent reversal of the Federal Reserve's restrictive monetary policy, less than 3 months ago, has left its impress on the Nation's interest rate structure.

This week's regular auction sale of 91-day Treasury bills sold at prices giving the average holder a yield of 1.58 percent plus. The peak of the 1955–57 period of so-called tight money, so far as the yield of Treasury bills was concerned, came in October of last year, when one weekly offering sold on a yield basis of 3.66 percent plus. The yield on Treasury bills is of key importance, not merely because the commercial banks are large holders of this form of short-term asset, but because it is the form of short-term liquid paper that they use to a greater extent than any other to adjust their portfolios to changing monetary conditions. In other words, it is the form of paper through which, more than any other, Reserve-bank policy is communicated to the commercial banking system and the money market.

As a second demonstration this week of how completely the log jam on credit has been broken in the last few weeks, major sales finance companies have just reduced the yield they pay investors on their commercial paper by one-half of 1 percent. Reductions in this rate since the end of 1957 have aggregated 1⅛ percent, a decline unprecedented in the recollection of veteran observers in the street.

In the case of the second decline in the rediscount rate, initiated by the Philadelphia bank on January 21, it might be said that the rate was being employed to conform with its now customary usage—namely, to adjust itself to a changed interest rate structure the achievement of which had been initiated by other techniques, particularly open-market operations. But in the case of the November reduction the Reserve found its hand forced by the suddenness and extent of the business contraction. By timing its action to follow by 1 day the President's statement that he would not hesitate to unbalance the budget if increased military expenditures made this desirable, and by adding a spectacular touch to its action by reducing the rediscount rate by a full half percent, the monetary authorities demonstrated that that instrument, when intelligently used, still retains much of the potency associated with it a generation ago.

EXECUTIVE SESSION

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

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

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. NEUBERGER in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

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

EXECUTIVE REPORT OF A COMMITTEE

The following favorable report of a nomination was submitted:

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

Royce Aller Hardy, Jr., of Nevada, to be an Assistant Secretary of the Interior.

DIPLOMATIC AND FOREIGN SERVICE

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations in the Diplomatic and Foreign Service.

The legislative clerk proceeded to read sundry nominations of Ambassadors Extraordinary and Plenipotentiary of the United States of America in the Diplomatic and Foreign Service.

Mr. MANSFIELD. Mr. President, I move that the nominations of Ambassadors in the Diplomatic and Foreign Service be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

DEPARTMENT OF JUSTICE

The legislative clerk proceeded to read the nominations in the Department of Justice.

Mr. MANSFIELD. Mr. President, I ask that the nominations in the Department of Justice be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

DIPLOMATIC AND FOREIGN SERVICE — ROUTINE APPOINTMENTS

The legislative clerk proceeded to read sundry routine appointments in the Diplomatic and Foreign Service.

Mr. MANSFIELD. Mr. President, I ask that the routine appointments in the

Diplomatic and Foreign Service be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the routine appointments are confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask that the President be immediately notified of the nominations this day confirmed.

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

LEGISLATIVE SESSION

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

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

OPPOSITION TO REDUCTION IN STRENGTH OF NATIONAL GUARD

Mr. STENNIS. Mr. President, an essential and effective segment of our National Defense Program over the years has been the National Guard. For many years the Guard has been organized, equipped, trained and housed under criteria established by the Federal Government, the cost of which has been jointly borne by the Federal Government and the States and Territories. The Guard is ready for quick mobilization and effective operation and movement as trained and equipped units wherever their services are required.

Last year, at the direction of the administration, the strength of the Army National Guard was reduced from a high of 434,000 to 400,000 men. In 1957 the Senate Appropriations Committee increased the Appropriations for the Army National Guard to provide for 424,000 members, only to be advised by the administration when the defense appropriations bill was in conference that these additional funds would not be expended. For this reason the Army National Guard has been in the process of discharging thousands of volunteer citizen soldiers during the past 6 months in order to reduce to the required limit of 400,000.

I am seriously concerned that the President's budget for the fiscal year 1959 includes only sufficient funds to support an enrolled strength of 360,000 officers and men in the Army National Guard. This will require a further reduction of 40,000 trained volunteers in this Ready Reserve force.

Mr. President, if we permit the guard to be gradually reduced in strength to a point where it is no longer a potent part of our national security, we shall be guilty of reducing our defenses at the very point where they should be maintained at a higher level. I question the advisability of this action, both from the standpoint of national defense and from the standpoint of national economy. The discharge of thousands of trained volunteer citizen-soldiers, the destruction of several hundred effective combat units, the closing of hundreds of existing facilities, and the corresponding return of tons of supplies and equipment, appear to me to be extremely unwise.

I am firmly in favor of the increased emphasis being placed upon the development of the pushbutton weapons of the future and the most careful study of our existing defense programs. I am likewise convinced that our future security requires a more efficient welding of the military, scientific, and economic resources of the Nation. We must not take any action, however, which would destroy or impair the effectiveness of our existing security forces. While we have been advised that our enemy has the presumed capability to mount devastating nuclear attacks against us, we must not forget that he has, also, the world's largest land forces and large naval forces at his command. While we struggle to meet this massive air threat, we would be foolish indeed to invite disaster from other quarters.

Our military planners should not consider the wholesale slashing of this highly capable, battle-tested, first-line Reserve organization.

During World War I, 11 guard divisions saw combat as a part of American Expeditionary Forces in Europe. Indeed, these divisions made up two-fifths of the American Army there. Of the 8 American divisions rated highest by the German Supreme Command, 6 were guard divisions.

The National Guard was trained and available and was called to active duty before Pearl Harbor. If it had not been for the National Guard, we would have been many years farther behind in our preparation for that conflict. When called to duty, these troops immediately doubled the strength of the Army. In World War II, guard units took part in 26 different campaigns and more than 40 assault landings. Fourteen guardsmen won the Congressional Medal of Honor in World War II.

In the Korean conflict, in my State, 78 National Guard units out of 81 were called to active duty, and over 80 percent of the members of these units served overseas—most of them in the Far East Command. So, Mr. President, I am not talking about a reduction on paper; but I am talking about actual, available, trained, and experienced units, the very units which always have been our first line of defense. Their record of performance is indelibly inscribed on battlefields from Bataan to North Africa, from Okinawa to Normandy.

These citizen soldiers are proud of their fine organization, as I am. Many of them served in combat overseas, in both World War II and in the Korean conflict. Their experience in both wars is invaluable to us, and represents a tremendous asset which the country cannot afford to lose. We should keep up their training, and should let them remain in the organization and available for active duty whenever their services may be required.

The guard has local support all over the country, because it is something the people can see and feel. Its members actively fill places of civic responsibility in their communities, their State, and their Nation in time of peace; but they are also trained and ready to serve in time of war.

I am told there are National Guard units located in over 2,600 separate communities scattered throughout the width and breadth of the United States. This wide dispersal could not have been better planned, had it been specifically accomplished for the common defense in this atomic and nuclear age. In the event of crushing missile or air-bombardment attacks on this Nation, with the consequent disruption of communications and transportation facilities, units of the National Guard, operating locally, and with their own equipment, may provide the necessary backstop, control, and rally points to bring order out of chaos.

In the current atmosphere of technological advances in warfare, with increased costs of research and equipment, we should consider strengthening and expanding our National Guard program, for it gives the Nation more military might in return for each military dollar spent.

The cost of maintaining the military preparedness necessary to insure our freedom can destroy the very freedom we seek to protect. In the atomic-missile age, all unit costs are continuing to soar. To illustrate the full impact of the increased cost of our vast military machine, let us consider the fact that the B–17 bomber used during World War II cost $250,000; whereas the B–52 of today costs $8 million. A World War II fighter plane cost $50,000; the present jet fighter costs from $700,000 to over $1 million. A modern submarine costs over $44 million, eight times as much as a World War II type. The largest World War II aircraft carrier cost $80 million; today's atomic carrier will cost over $300 million.

We, as a Nation, must learn to build and maintain our Military Establishment within the limits of our economy; we must lower this frightening cost where we can. We must utilize our present resources wherever possible, and thus reduce the cost of our long-range military program.

The National Guard represents an outstanding example of one phase of our military program which can be continued at relatively low cost, but with dependable performance when we need it. We can keep 8 men in the National Guard, physically fit, fully trained and equipped, and ready to move on short notice, for the money it costs to keep one man of full-time active duty with the Regulars. We would be foolish if we failed to take advantage of this economic fact.

My emphasis today is on the National Guard; but I am not unmindful of the fine service rendered by the Reserves of the Army, the Navy, and the Air Force. Many of the points I have made here apply with equal force to the men in the Reserves. The National Guard comes in a special category, and I emphasize today its work and its needs.

I urge the Department of Defense to reconsider the entire question of National Guard strength.

I shall actively support the necessary appropriation to maintain the guard at a level of at least 400,000 men.

The Congress, however, can only appropriate the funds. It cannot put a military plan into execution. The latter is the direct responsibility of the Chief Executive and the Department of Defense. I urge them to reconsider this question, and to request the funds necessary to carry out an expanded, rather than a restricted, program for the National Guard.

Mr. HILL. Mr. President, will the Senator from Mississippi yield to me?

The PRESIDING OFFICER (Mr. TALMADGE in the chair). Does the Senator from Mississippi yield to the Senator from Alabama?

Mr. STENNIS. I am glad to yield.

Mr. HILL. I want the Senator from Mississippi to know how glad I am that he has brought to the attention of the Senate the proposal of a further reduction in the National Guard.

The Senator from Mississippi is not only one of the ablest and most distinguished Members of the Senate Committee on Armed Services; he is also one of the ablest and most distinguished members of the Senate Committee on Appropriations. I have the honor to serve with the distinguished Senator from Mississippi on the Senate Appropriations Committee, and I know how diligent, devoted, and indefatigable he is in his efforts on behalf of the defense of our country. I recall so well how vigorous he was, at the meetings of the Appropriations Committee during the last session, in his efforts to maintain the strength of the National Guard.

I wish to join him in his tribute to the National Guard and in all he has said about the part the National Guard has played in the defense of our country, and about the importance of the National Guard in our national defense setup today.

I also desire to tell him that I stand shoulder to shoulder with him in opposition to any reduction in the strength of the National Guard, and that I shall be by his side fighting with him to maintain the strength of this most important and integral part of our defense system.

Mr. STENNIS. Mr. President, I thank the Senator from Alabama very much for his remarks.

I recall very well his most valuable and timely work and interest in this very question, in the Appropriations Committee, last year, when we took the action to which I have already referred, in endeavoring to insure that the membership of the National Guard would not be so reduced. I am sure the Senator from Alabama is surprised now to find that an even further reduction is proposed. I appreciate very much his kind words, as well as his work on the committee and elsewhere.

Let me say that of all the military programs about which I know anything, the only one for which there is any real prospect of saving money and reducing military expenditures is the program of building up all our Reserves—not just the National Guard, but also the other Reserves, so as to take advantage of the military training and know-how our men have already acquired, not only during World War II and the Korean war, but also as a result of their military training since then, to keep them in training, both militarily and otherwise.

As I have already stated, eight men can be maintained in the National Guard, in almost combat-ready condition, for the price of maintaining only one man in the Regular service. That figure may vary as between the various services; sometimes the figure six is given. But on the basis on which the Army National Guard operates, I believe the figure runs as high as eight.

Mr. THURMOND. Mr. President, will the Senator from Mississippi yield to me?

Mr. STENNIS. I am glad to yield.

Mr. THURMOND. Mr. President, I wish to commend the distinguished Senator from Mississippi for his magnificent work on the Armed Services Committee, and especially do I wish to congratulate him for his deep interest in the work of the National Guard and the Reserves.

It seems that today emphasis is being placed on various other aspects of our defense, at the expense of the ground forces. I do not think there is any question in the world that we must maintain strong ground forces. I realize that possibly the greatest threat from the Communists is through the ICBM and the submarine. But I visualize that we shall come nearer to having a "brush war" than to having a world war which would involve a conflict between our country and Russia. Therefore, it is my opinion that we must retain strong ground forces.

I dislike very much to hear talk about reducing the size of the Regular Army or the Marines.

If this must come to pass, if this must be done, then certainly the National Guard and the Reserves, which are all we have left to fall back on, should not be reduced, but should be retained at full strength. We have at present few enough divisions of the National Guard and the Reserves, and I feel very strongly that none of them should be deactivated, but that they should be strengthened. They should be provided with the most adequate training possible and with the most modern equipment and weapons, and given every stimulus to improve their combat readiness, in the event they may be needed in an emergency.

Again I wish to congratulate the able and distinguished Senator from Mississippi for his presentation to the Senate this morning.

Mr. STENNIS. I thank the Senator. His words have added strength and wisdom to the discussion of this subject matter, because of the Senator's very fine war record and his very active and outstanding contributions as a member of our Reserve forces, for which I thank him as well as commend him.

Mr. President, I yield the floor.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 1908) to amend the District of Columbia Hospital Center Act in order to extend the time and increase the authorization for appropriations for the purposes of such act, and to provide that grants under such act may be made to certain organizations organized to construct and operate hospital facilities in the District of Columbia.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 6306) to amend the act entitled "An act authorizing and directing the Commissioners of the District of Columbia to construct two four-lane bridges to replace the existing 14th Street or Highway Bridge across the Potomac River, and for other purposes"; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. DAVIS of Georgia, Mr. SMITH of Virginia, and Mr. BROYHILL were appointed managers on the part of the House at the conference.

INVESTIGATION OF THE ADMINISTRATION OF THE ANTITRUST AND MONOPOLY LAWS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be laid before the Senate.

The Senate resumed the consideration of the resolution (S. Res. 231) to investigate the administration of the antitrust and monopoly laws of the United States.

Mr. MANSFIELD. Mr. President, to keep the record straight, there is an amendment pending, is there not?

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from California on page 3, line 2, to strike out the figure "$365,000" and insert in lieu thereof "$250,000."

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

The PRESIDING OFFICER. The clerk will call the roll.

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

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

Smathers	Symington	Wiley
Smith, Maine	Talmadge	Williams
Smith, N. J.	Thurmond	Yarborough
Sparkman	Thye	Young
Stennis	Watkins	

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. CHAVEZ] is absent on official business.

Mr. DIRKSEN. I announce that the Senator from Kentucky [Mr. COOPER] and the Senator from Pennsylvania [Mr. MARTIN] are absent on official business.

The Senator from New York [Mr. JAVITS] is necessarily absent.

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the amendment offered by the Senator from California [Mr. KNOWLAND].

Mr. KNOWLAND. Mr. President, I shall not debate the amendment for an extended period. The resolution before the Senate provides for the appropriation of $365,000 for the Subcommittee on Antitrust and Monopoly of the Senate Committee on the Judiciary. The RECORD, according to the information available to me, shows that the resolution which was passed at a comparable time last year called for $225,000. That was Senate Resolution 57.

Subsequently, after the committee had been operating, a presentation was made to the Senate as to cost, and under Senate Resolution 166 there was granted an additional $50,000, which made a total of $275,000 allowed under the two resolutions.

The expenditures up to the end of January, according to the information furnished me, amounted to some $241,713.41.

The amendment which I have offered allows a greater amount than was expended by the subcommittee last year, and a greater amount than the first resolution provided, though an amount slightly reduced from the total authorization of last year.

I invite the attention of Senators to the fact that in 1955, under Senate Resolution 61, $200,000 was allotted to the subcommittee, of which amount there was expended some $191,873.62.

On February 8 of 1956 there was a request for an additional authorization of $27,146.05, which the Senate granted under Senate Resolution 209. Of that amount there was expended $20,575.55.

On February 21, 1956, the subcommittee was allocated $207,250, of which there was expended $194,795.

Mr. President, I think the Senate has been generous with all these committees. We have not dealt with the matter in a partisan manner. I acknowledge the importance of this particular subcommitttee, as I do the importance of other subcommittees, but it seems to me that we should, with the grave problems facing the country, keep from having these subcommittees constantly expanding by substantial additions to their appropriations each year.

If the committee will proceed with the funds provided by my amendment, and if there are some urgent matters which need the consideration of the Senate at a subsequent period, I am sure the Senate at that time will be prepared to consider the facts as they are then presented.

For these reasons, Mr. President, I have offered the amendment to provide $250,000 rather than $365,000. I urge its adoption.

Mr. KEFAUVER. Mr. President, this subcommittee consists of the Senator from North Dakota [Mr. LANGER]; the Senator from Illinois [Mr. DIRKSEN]; the distinguished former chairman of the Committee on the Judiciary, the Senator from Wisconsin [Mr. WILEY]; the Senator from Missouri [Mr. HENNINGS]; the Senator from Wyoming [Mr. O'MAHONEY]; the Senator from Colorado [Mr. CARROLL], who has taken the place of the former Senator from West Virginia, Mr. Neely, who was a member of the subcommittee; and myself. I have the privilege of being the chairman.

The subcommittee carefully considered the problems it had before it and the investigations which it needed to make in the light of some deteriorating situations and important economic problems with which the Nation is faced today, which I shall describe later.

The unanimous opinion of the subcommittee was that the amount requested was needed as a minimum to give the subcommittee the tools it needed with which to do its work and to carry out its program. Indeed, in the subcommittee, as in the full committee, one member felt that the amount should be raised substantially.

The amount requested was unanimously agreed upon by the subcommittee. It was presented to the full Committee on the Judiciary and it was discussed. The importance of the problem was considered by the Committee on the Judiciary, and in the Committee on the Judiciary there was not a dissenting vote on the request of the subcommittee.

The program was presented, studied, and considered by the Committee on Rules and Administration; and so far as I know there was no dissension in that committee.

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

Mr. KEFAUVER. I will yield in just a moment.

I do not know what revelation the distinguished Senator from California may have which gives him information superior to that possessed by the members of the committee, or a judgment which is superior to theirs. As chairman of the subcommittee, I feel that I would rather abide by the collective judgment of members of the committee than by the individual judgment of the Senator from California.

I now yield to my colleague from Louisiana.

Mr. ELLENDER. What presentation, if any, was made to the Committee on Rules and Administration? What facts were brought out? Were any hearings held, so as to afford the Senate an opportunity to examine the facts, or was there nothing more than a mere statement as to alleged need?

Mr. KEFAUVER. I believe every member of the subcommittee was present. There was an extended discussion, participated in, I believe, by every member of the subcommittee, as to what the subcommittee had done and what its plans were. There was more than the mere reading of a statement or letter.

Mr. ELLENDER. Were any witnesses heard?

Mr. KEFAUVER. No witnesses were heard, aside from Members of the Senate. I do not understand that the Committee on Rules and Administration ordinarily asks witnesses to appear in connection with requests of this kind.

Mr. ELLENDER. As the Senator may be aware, I have been advocating such a practice for some time, in order to make available to the Senate the evidence produced, if any there may be, to justify the need for these funds. I think the Senate should have enough information upon which to base an intelligent decision.

However, up to this time that practice has not been followed.

As I understand, the Senate provided $225,000 last year for this subcommittee.

Mr. KEFAUVER. The Senate provided a total of $275,000 last year—$225,000, plus an additional $50,000 later.

Mr. ELLENDER. When was that obtained?

Mr. KEFAUVER. In August of last year.

Mr. ELLENDER. In the closing weeks of the session?

Mr. KEFAUVER. That is correct.

Mr. ELLENDER. Why is it necessary to this year increase the amount to $365,000? What evidence was produced before the Committee on Rules and Administration to justify such an increase?

Mr. KEFAUVER. I shall try to go into that question. If I do not answer the Senator's question satisfactorily, I shall be glad to have him ask me any of the questions he wishes to ask.

Last year the subcommittee held 87 days of hearings. Those were not merely morning sessions. Usually they were sessions lasting the full day.

I have before me many of the printed volumes of hearings before the subcommittee. Some of the hearings have not been printed. I have before me various reports which have been filed. Two of them are still in the process of printing.

We have held extensive hearings on the part which mergers play in inflation. We have held hearings with relation to enforcement of antitrust laws. We have held hearings relating to pre-notice of mergers; hearings with reference to proposed amendments to the Robinson-Patman Act; and hearings on a bill called the equality of opportunity bill.

Many of these hearings were held under the direction of the Senator from Wyoming [Mr. O'MAHONEY], acting as chairman of the subcommittee. That was true of the entire important hearing in connection with the oil lift and problems in the oil industry. Those hearings consumed many days and were of great importance.

Also the Senator from Wyoming conducted hearings in connection with the meat industry, having to do with a bill to try to obtain better enforcement of the

antitrust laws in connection with the meat industry.

Some of the hearings were conducted by the Senator from North Dakota [Mr. LANGER], acting as chairman of the subcommittee, Such hearings dealt with the McCarran Act of 1945 in connection with the insurance business, involving the imposition on borrowers from certain loan companies of excessive costs. Borrowers were forced to take insurance, from which the loan companies and some insurance companies received an exorbitant interest rate.

We have held extensive hearings in connection with the study in which we have participated, with the Bureau of the Census, to devise a table showing the trend in economic concentration, which is of great importance. The evidence shows that, as the years have gone by, by reason of the merger movement the number of companies in various types of important industries has been growing fewer and fewer. The opportunities for establishing new industries or energizing new companies have been fewer, and the operations have been made more difficult.

We have held extensive hearings on what we term "administered prices." There was a full hearing in connection with the steel industry, which I think has been of great importance. At present there is an unusual situation in the steel industry. It is operating at approximately 55 percent of capacity, and several hundreds of thousands of employees are out of work, yet prices are very high, and they were increased last year. Labor has played a part in these hearings. We have heard from both labor and management.

We are now in the process of holding hearings on the same subject in connection with the automobile industry. More than 25 percent of the capacity in that industry is not being used, and hundreds of thousands of people are out of employment.

Today, with 4 million people unemployed, with plant capacity in basic industries not being fully utilized, with inflation and high prices, and with a higher concentration of industry, the No. 1 economic problem of today is to learn the facts relating to our economic system and to energize it.

I hope the present situation will not be permanent. Our purpose is to determine what the problems are, and whether the present antitrust laws are adequate; also to bring information to the public, for the benefit of the Congress.

We have had the phenomenon of extremely high profits in some large industries, with middle sized and low profits in some of the small industries, together with an increasing number of bankruptcies. This is a problem which we have studied as objectively as we could.

Let me say to the Senator from Louisiana that a tremendous amount of digging is required in order to prepare for these hearings. The preparation requires examination of records and statistics.

I want the minority to have the benefit of good counsel, too. Topflight lawyers have been assigned to the minority. One works primarily under the direction of the ranking minority member, the Senator from North Dakota [Mr. LANGER]. Another assists the Senator from Wisconsin [Mr. WILEY]. The Senator from Illinois [Mr. DIRKSEN] has been very much interested in the hearings. In order to enable him to keep up with the work of the committee and do what he aims to do on the committee, we all agree that he should have someone to assist him. It is contemplated that $15,000 of the new amount will be allocated to the minority for the purpose of employing assistants to be selected by them and to be responsible to the minority, as well as to assist the Senator from Illinois.

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

Mr. KEFAUVER. I yield.

Mr. ELLENDER Are there any other Senators on the subcommittee who are provided with special assistants, as is the case with the Senator from Illinois [Mr. DIRKSEN]? Is this not a new approach to committee work?

Mr. KEFAUVER. All the assistants are assigned to the minority, but those assistants try to help particular Senators in the study of these very technical subjects.

Mr. ELLENDER. Is that in addition to the regular staff that is provided by the committee?

Mr. KEFAUVER. It is part of the regular staff that is provided by the committee.

I should also point out, in that connection, that the Senator from Wyoming [Mr. O'MAHONEY], who is sick in bed at home today, and who may not be able to come to the Senate, is tremendously interested in this entire problem of competition and concentration in industry. He was acting chairman of the subcommittee before Senator Kilgore passed away, and continued for a while. There are certain members of the staff who primarily help him in the hearings that he is interested in and has been conducting.

Mr. ELLENDER. May I inquire whether any of the hearings in the last 2 years, have been, let us say, productive of legislation?

Mr. KEFAUVER. The hearings in connection with the problem of automobile dealers have given these people their day in court. The meat bill is pending on the calendar at the present time. There are other bills now pending in the Judiciary Committee. However, the point the Senator raises is exactly the reason why we must have a sufficiently large staff to help the members of the subcommittee. As the Senator from Illinois [Mr. DIRKSEN] has said, many more bills would have been passed except for the fact that he presented opposite views, and was very diligent in digging up the facts in connection with them.

I do believe that in the antitrust field, which is so complicated and so far reaching, we should not merely pass a bill and get it over with, but that it is necessary to study the problem very intensely and carefully, and to consider all the angles in connection with it, as it relates to our economy, before it is presented for debate and vote in the Senate.

The bill recommended by the administration with reference to prenotice on mergers is before the Judiciary Committee and we will have to have further hearings on it.

The present payroll is approximately $253,000. Additions will have to be made to that sum for some assistants for the Senator from Illinois [Mr. DIRKSEN]. In addition to that, we must make a contribution to the civil-service retirement fund in the amount of $17,500.

Therefore, it will be seen that that leaves us only about $75,000 for administrative expenses, such as for witness fees and for reporting the proceedings, and other necessary expenses, as well as for travel, which latter item has been very small up to the present time. I will say to the Senator from Louisiana that we have been just as careful as we can be with the expenditure of the money. On some occasions we have been able to get our reporting of the hearings done for nothing because the reporters were able to sell copies of the proceedings to interested persons. We have had very little to pay out in the way of witness fees, because of the type of witnesses we have had before the committee.

In addition to continuing the program I have been discussing and holding the kind of hearings we have held in the past, we expect to hold further hearings on the meat industry, the milk industry, the baking industry, and perhaps the aluminum industry, and also the roofing industry. We want to look into certain practices in connection with the meaning of the growth of conglomerate mergers, and what can be done about it, if anything. We also want to examine into certain companies getting into fields outside their main industry or main effort. In perhaps 15 or 20 types of business, competitors claim that some companies in certain lines lower prices and give them severe competition in one field, in some cases running them out of business, while in other fields they hold up their prices, and in that way even it all out.

I do not know what is necessary to be done in that connection. Certainly it will require a great deal of consideration. We will have to make a study of the proposal presented by the Senator from Wyoming [Mr. O'MAHONEY] in connection with the Federal charter plan. We must hold hearings on the prenotice of merger matter.

Another problem is presented by certain corporations joining together in so-called joint ventures, which may or may not be covered by the antitrust laws. We will make an investigation of that subject. Certain problems have arisen in connection with the McCarran Act since the Southeastern Insurance Underwriters case, with reference to the part the antitrust laws should play in connection with insurance rates.

The Senator from North Dakota [Mr. LANGER] has held some hearings on that problem. We are also very much interested in not only preventing concentration and enacting laws to prevent

concentration, but we are also interested in energizing new competition, and supplementing the antitrust laws so as to make it easier for new businesses to get started.

Furthermore, at the suggestion of the Senator from Illinois [Mr. DIRKSEN], we will go into the field of policies applying to overseas companies in connection with their being taken over by foreign companies.

We do feel that we must have the tools with which to work. Because of the present trend toward concentration and mergers, the Senate needs the appropriate tools with which to get the facts. We need to understand the issues and need to have the tools. These issues should not be left entirely with the executive branch of the Government. We need to have those facts ourselves. Therefore I think it is either a question of having people help us, and to have the tools, particularly in the face of the monopoly trend that we have today, and in the face of the problems that our economy faces today, or have our economy suffer as a result. We will use the money very carefully. I believe we have turned back about $20,000 after our payroll was met at the end of this year. We simply cannot do the work unless this amount is allowed by the Senate.

Mr. President, it has been suggested that we proceed now and return later for any additional appropriation which may be needed. I believe we should be able to plan our work for the entire year. We have some excellent people who help us, and they should know one way or the other whether they can continue or not and not be uncertain about it.

I hope the Senate will sustain the opinion of the subcommittee, the opinion of the Committee on the Judiciary, and the Committee on Rules and Administration, because all these committees studied the question very carefully.

Mr. CURTIS. Mr. President, I support the amendment offered by the minority leader, the distinguished Senator from California [Mr. KNOWLAND]. I am very much disturbed by the trend toward monopoly and merger in the United States. I think almost everyone is. I do not believe that our best efforts to cope with this problem can be carried out by the proposal before us to provide a greater amount of money.

What is needed is not an academic study of the laws relating to antitrust and antimonopoly. We are not in need of a study of the legalities and technicalities involved in how a proposal for a merger is handled after it has reached that stage. What the Senate should be interested in is the basic economic causes which are driving us into a period of more mergers than we would like to have.

I do not suggest that I am an authority on such matters. I have observed a few things which have happened in my section of the country. In recent months a number of medium-sized industries have sold out to larger concerns. There are two factors involved. One factor is labor difficulties; the other is the burdensome taxes which are imposed upon small- and medium-sized industries.

I have in mind two great industries in Nebraska which in recent months have sold out to large, nationwide concerns. They were more or less family controlled corporations. One of the big factors which compelled them to sell out was the problems which arise by reason of burdensome taxes, particularly death taxes. The inheritance and the estate taxes were such that if the companies had not disposed of their businesses to larger competitors they would have been faced with the problem, some day, of having to liquidate in order to pay the death taxes.

Those are not isolated cases; they happen continually. When a medium-sized business is forced to sell in order to pay taxes usually the only people who are possible purchasers are the giants or the near giants, or at least the large concerns.

What is creating monopoly and merger is not the lack of the spending of money by Congress; it is the spending of money. It is the heavy and burdensome taxes.

If I understand correctly the cry of small business today, it is not for the creation of more agencies which will have greater amounts of money to spend, it is a cry for freedom from Government and a cry for fewer burdens.

If Congress is going to do anything to prevent monopolies and mergers, it will have to lessen the burdens of Government, and thereby lessen the tax burdens on the people.

Another factor which is driving industries into monopoly and merger is the activities in the field of labor and management. I shall not take the time to cite the number of instances in which there have been boycotts and secondary boycotts. In one instance a trucking company was the victim of such a boycott because the unionized transportation companies and warehouses refused to turn over freight which was intended for the small independent firm. When such boycotts last for months it finally becomes necessary for the small companies to give up and sell out. To whom do they sell? To some of the largest transportation companies in the country. The great power which the union leaders have in this field, which is sometimes misused, is causing the trend toward monopoly and merger.

A small-business man reported to me recently that in his labor negotiations he was openly told, "You ought to merge with somebody else; we do not like to negotiate with so many small operators."

Those are the things which are making it hard for small and medium-sized businesses to continue to operate. If we do nothing about the basic causes, what good will it do to have detailed studies as to how to administer a merger after the merger has become economically necessary?

It is because I am concerned about small business and about the tax burden that I am anxious to hold down costs as much as possible, and certainly within our own household is the place to start.

I shall support the amendment offered by the distinguished minority leader to reduce the amount of the appropriation; and I commend him for his action.

Mr. LANGER. Mr. President, I have been a member of this committee ever since its inception. I am sure of one thing: that if the distinguished minority leader, my good friend from California, had sat in on the hearings of the committee and had heard what the automobile dealers of California had to say about the work of the committee, he never, never would have offered the amendment.

One of the leading automobile dealers in Huntington Park, Calif., told me that the investigation conducted by the Senator from Wyoming [Mr. O'MAHONEY] alone changed the entire practice of the big three in the sale of automobiles. Before that investigation, one of those companies would load large numbers of automobiles onto a dealer in Huntington Park, or somewhere else, and the dealer had to pay cash when the cars arrived. Otherwise, the manufacturer could cancel the contract, even though the dealer had invested hundreds of thousands of dollars in his business.

I need not go into all the rest of the practices which were conducted at that time by the Big Three, but all those practices have been changed because of the splendid work done by the committee headed, at that time, by the Senator from Wyoming.

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

Mr. LANGER. I yield.

Mr. KNOWLAND. In my opening remarks, I commended the committee for the type of work it had done. I called attention to the fact that it was done under a previous allocation and expenditure of some $241,000. My purpose is not to deny the committee funds, but to keep the funds within a reasonable approximation of what the Senate has granted in past years.

Mr. LANGER. I appreciated the Senator's statement.

I repeat that I believe that if the distinguished Senator from California were thoroughly familiar with the work the subcommittee has done, he would not have offered the amendment. Today, the subcommittee is still investigating the operations of the three big automobile concerns.

I wish to refer to the State of North Dakota, my own State, and to show exactly what the subcommittee's work has meant to North Dakota. For instance, let me refer to Mr. George Dixon, the head of the North Dakota Automobile Dealers Association. When the subcommittee was first created, he was opposed to it. At that time the late Senator Taft was the leader. Mr. Dixon wrote to Senator Taft a letter of opposition to any investigation by the Antimonopoly Subcommittee.

Then Mr. Dixon came to Washington, and testified before the subcommittee headed by the distinguished Senator from Wyoming [Mr. O'MAHONEY].

When Mr. Dixon returned to North Dakota, he held meetings all over the State; and he praised the work of the subcommittee, and he particularly

praised the distinguished Senator from Wyoming.

Next, I wish to refer to the investigation of mortgage credit. The investigation shows that one concern alone, in Florida, made $7 million in a comparatively short time, as a result of the monopoly it had on mortgage credit.

In North Dakota, there were 13 concerns which were known as small-loan sharks. They had a monopoly. We brought a lawsuit there against those finance companies; and the Supreme Court of North Dakota found that they were charging poor veterans 227 percent interest.

In North Carolina, Duke University cooperated with the subcommittee, and assigned some professors to help it. As a result, it was found that in North Carolina the small-loan companies were charging as much as 500 percent interest.

In Kansas, the attorney general, who is a great fighter, assigned his deputy—the deputy attorney general—to assist us. The State of Kansas finally passed a law which wiped out entirely the small-loan sharks; and in Kansas there were scores of cases which showed that the small-loan companies had been charging as much as 300 or 400 percent interest. All that has been wiped out.

Today, there are only four States which themselves have not passed laws wiping out the small-loan sharks. In that connection, all credit should be given to the Senator from Tennessee [Mr. KEFAUVER], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Wisconsin [Mr. WILEY], and the rest of us who have been fighting the small-loan sharks all over the United States.

I may add that the sworn testimony given before our subcommittee by a man who was in charge of the purchase of supplies for the United States Government shows that if the oil companies increase the price of gasoline 1 cent a gallon, the additional cost to the United States Government will be nearly $84 million. Yet here we are squabbling over the expenditure of $50,000 or $60,000 or $70,000.

Mr. KEFAUVER. Mr. President, will the Senator from North Dakota yield to me?

Mr. LANGER. I yield.

Mr. KEFAUVER. Last year at the hearing conducted by the Senator from Wyoming [Mr. O'MAHONEY], we found that a 1-cent-a-gallon increase in the price of gasoline would cost the public $500 million. Does not the Senator from North Dakota recall that?

Mr. LANGER. I referred only to the added cost to the United States Government itself. The man in charge of the purchase of supplies for the United States Government stated that the additional cost to the United States Government would be $84 million. As the Senator from Tennessee knows, the additional cost to the public at large would be $500 million.

I am sorry that my colleague from North Dakota, Senator Young, is not in the Chamber at this time, because I wish to state that a short time ago he issued a newsletter dealing with the price of farm machinery. All Senators who are familiar with farm conditions know that nothing has risen in price more than farm machinery. Let us consider a combine, which a few years ago could be purchased for $3,000 or thereabouts. Today, its price is $5,500. Today, the price of a power drill or press drill is $700. The situation has reached the point where a veteran who wishes to begin farming finds that he has to have $20,000 or $25,000 just for the purchase of farm machinery—just because of the high price of farm machinery—before he can go into the farming business.

We plan to look into the monopoly of farm machinery production by 4, 5, or 6 concerns which set the prices of that machinery, which the farmers absolutely require.

Much as I dislike to disagree with my distinguished friend, the Senator from California [Mr. KNOWLAND], whom I admire so much, and who has been my seatmate for so long, nevertheless I feel that my first duty is to the people of North Dakota and to the farmers of the country. So I wish to see the investigation made, in order to find out why the farmers are being mulcted and why they have to pay $5,500 for a combine.

The distinguished Senator from Tennessee [Mr. KEFAUVER] has gone into all the details of this matter.

I wish to commend publicly the Senator from Illinois [Mr. DIRKSEN]. He has been handicapped; he has not had the services of an economist. He needs to have the services of an able economist upon whose judgment he can rely. Instead, he has had to get along as best he could, with whatever help we had available. I want the Senator from Illinois to have a staff large enough to enable him to go into these matters and to analyze the testimony which is taken from the witnesses.

When we came before the full committee, the Senator from Illinois [Mr. DIRKSEN] said he wanted to have the services of one economist who could be used by the minority, chiefly by himself. In the committee, we voted to increase the amount, so the Senator from Illinois could have the benefit of the services of an economist in whom he could have great confidence.

I state frankly and in all honesty that I do not believe the requested amount will represent a waste of money. I agree with my friend, the Senator from Nebraska.

I am chairman of the Subcommittee on Refugees. Forty-five thousand dollars was appropriated for that subcommittee. But we returned $26,000 of that amount; we did not use the $26,000.

This subcommittee has been very economical, under the administration of the Senator from Tennessee [Mr. KEFAUVER]; and I am sure it will continue to operate in that way.

Mr. KNOWLAND. Mr. President, will the Senator from North Dakota yield to me?

Mr. LANGER. I yield.

Mr. KNOWLAND. Again, I merely wish to call the attention of the Senate to the fact that the amount expended last year by the subcommitee, in carrying on the work the distinguished Senator from North Dakota has mentioned, was $241,000. However, the amount requested this year is $365,000, or an increase of $124,000. So far as I know, even to judge from the testimony given by the distinguished chairman of the subcommittee, the Senator from Tennessee [Mr. KEFAUVER], the only amount the Senator from Illinois [Mr. DIRKSEN] apparently was to be allocated for a minority counsel was approximately $15,000. Yet the requested increase amounts to $124,000.

Mr. LANGER. Mr. President, in my opinion the amount of the requested increase is entirely insufficient. I think the subcommittee should be given several hundred thousand dollars more than it is requesting. As I said a while ago, my colleague, the Senator from North Dakota [Mr. YOUNG], recently issued a newsletter regarding the price of farm machinery; and it shows that the price of farm machinery has nearly doubled. Let me ask my colleague whether that is correct.

Mr. YOUNG. Yes, it has nearly doubled; and in the last 10 years there has been an increase of nearly 60 or 70 percent.

Mr. LANGER. Mr. President, we should find out what has caused the increase.

The other day we found that when the cost of manufacturing an automobile increases a few dollars, the price charged for it is increased several times that amount.

So I sincerely hope the full amount will be allowed the subcommittee, in order to permit it to make the investigation.

The PRESIDING OFFICER (Mr. TALMADGE in the chair). The question is on agreeing to the amendment of the Senator from California.

Mr. DIRKSEN. Mr. President, I find myself in a distressingly awkward position, first because $15,000 of the money in the committee request was, by general agreement, earmarked for a staff member for me. Secondly, I must openly and publicly confess that the request for that amount by the committee was at my very special instance. So that puts me in a slightly awkward position.

I came to my conclusion for various reasons. On two distinct occasions the Senator from North Dakota had requested $1 million for the work of this subcommittee. I apprehend that at some time or other he is likely, as things go on, to get rather close to that sum. I have always thought it was just too much for the members of the committee and for the staff to digest physically.

One reason I made such a special point of the fact that I thought I ought to have some expert staff assistance is that if I really voted my allergy against work, I would vote against any money for this subcommittee, because I think this particular subcommittee has burdened me, ever since I have been on it, more than

have all the other subcommittees put together. I do not think that is an overstatement, as a matter of fact.

The question was raised as to whether or not these staff positions were sinecures. My answer was that it was a matter of deep regret to me that nearly everybody on that staff was such an eager beaver that I was constantly loaded with work.

In the Committee on Rules and Administration, the very pertinent question was raised as to what proposed legislation the committee had reported. One particular measure was pointed out which is presently on the Senate Calendar, a proposed amendment to the Packers and Stockyards Act. It is on the calendar, but it is not there because the junior Senator from Illinois did not do his best to keep it from getting there.

One would think that, since I am in disagreement with the subcommittee, I ought to be in favor of cutting off funds for it. I am not, because I think the work the subcommittee does is important, even though I disagree so generally with my able and affable friend from Tennessee.

There is pending presently in the subcommittee a bill in the form of an amendment to the Robinson-Patman Act. In its present form, if it were left to the junior Senator from Illinois, if he could stop it, it would never get to the Senate floor. One would think that I would be in favor of cutting down the money for the subcommittee, on the basis that if the subcommittee is going to get into mischief and do things I do not like, perhaps the easiest way to stop the committee would be to give it no funds, which would stop it.

Last year there came to the Senate, before the end of the session, the premerger notification bill. It did not get to the Senate until it embraced an amendment which the distinguished Senator from Wyoming opposed. The distinguished Senator is for the bill, and the junior Senator from Illinois is not for the bill. I managed to commandeer enough votes in the committee to get the amendment written into the bill. So it has never gotten any further, and it has not been brought up. But I point out that it is a piece of proposed legislation in which the Department of Justice is interested. The President wants it. The Board of Economic Advisers is for it. But the junior Senator from Illinois is against it. If his conviction amounts to anything, he is going to try to stop it. Thus far I have succeeded in stopping it.

So the subcommittee cannot be blamed for not wanting to fill the Senate Calendar with a lot of proposed legislation. I have used every weapon at my command. I shall use every parliamentary device and what feeble skill I have as a parliamentarian to keep these little brain children from seeing the light of day, if it is possible.

I think that explanation is in order. It is owing to the distinguished Senator from Tennessee, because it has not been due to a lack of diligence on his part that a lot of measures have not come to this floor.

Mr. President, I suggested the amount of $365,000. That figure would involve $15,000 for a staff member. Then I suggested two new lines of work. I wish the junior Senator from Wyoming were present to hear this, because he might violently disagree; but when we had the long hearings on the alleged oil monopolies, with regard to their operations in the foreign field, and the allegations that our oil companies were operating as cartels in the Middle East, in South America, and elsewhere, I had a difficult time in getting out minority views, amounting to 80 pages. We got those views together, and in my judgment the report was a dandy. I think the report blew the majority's case into smithereens, although I am sure my pleasant friend from Wyoming would certainly not agree with me.

However, it seems to me that, in dealing with matters in the monopoly field, it becomes necessary, in order to set the matter in proper perspective, that we get a better picture of conditions abroad. No member of the subcommittee, who has had to do with the alleged monopoly operations abroad, has had an opportunity, so far as I know, to see conditions on the ground, know of the operations, know of our relationships with foreign governments, and then come back and make a report, which, in my considered judgment, would do better justice to the American companies that have been operating in that field.

I marked that matter out, and the Senator from Tennessee agreed it was an appropriate line of endeavor for this committee and that it ought to work on it. In connection with that, I suggested that the mileage travel allowance be increased substantially, because if members of the subcommittee go abroad, the travel expense will increase proportionately.

I also pointed out to the Committee on Rules and Administration that when one looks at the difficulties the United Fruit Co. encountered in Guatemala, on which a consent decree was signed only yesterday, when one considers the expropriation of Dutch property in Indonesia, when one remembers the threats of Nasser to expropriate American properties and properties which are labeled as cartels and American monopolies, I think the time has come, in America's interest, that members of the subcommittee go abroad, since the committee has jurisdiction, and take a far better look at the situation than we have ever had before. I believe that will require some funds.

I do not attempt to persuade the judgment of any Senator present on the floor. I tried to come to a conclusion in a manner which I think is reasonable and fair, against the backdrop of conditions as they exist. I took that attitude notwithstanding the fact that I have religiously and diligently fought the senior Senator from Tennessee, ever since I have been on this committee, whenever we have disagreed. He and I do not see eye to eye on the packers and stockyards bill. We do not see eye to eye on the proposed change in the Robinson-Patman Act. We do not see eye to eye on the premerger notification bill. After 7 or 8 days of testimony, and after hearing heads of the motor companies, and also Walter Reuther, it must have been evident to anybody in the caucus room that my own ideas were contra to those expressed by members on the majority side of the committee. But notwithstanding that fact, this is a field which the Attorney General recognizes as of transcendent importance, because some years ago a commission was created, consisting of 55 brilliant lawyers and jurists, for the purpose of examining and reexamining all the monopoly and antitrust legislation on the statute books and making informal recommendations which would serve as guidelines for the Congress.

So even though at times I feel harassed and even though I feel the subcommittee has burdened my time to the point where I had virtually a 1-week vacation in the adjournment last year, because I came back for the hearings last fall in October and November, I still believe that the $365,000 is a reasonable and very proper amount, and for that reason the junior Senator from Illinois expects to support the resolution.

I offer one other comment, Mr. President, which comes in pursuance of the observations made by the distinguished Senator from Nebraska [Mr. CURTIS]. It was his opinion that probably in one field this subcommittee would do nothing, and that was the field of labor monopoly.

I presume that one could get a pretty good argument on the floor of the Senate as to whether the Committee on the Judiciary actually has jurisdiction in that field. The only guideline we have is what is contained in the Senate Rules, under the jurisdictions set out for the different committees. Under subparagraph 7 as to the jurisdiction of committees, which is a part of rule XXV, among the other jurisdictions there is included the one sentence:

> Protection of trade and commerce against unlawful restraints and monopolies.

That sentence does not say "corporate monopolies." It does not say "corporate restraint." There is no limitation in the language.

I submit to my distinguished friend, the Senator from Nebraska, that in my considered opinion that language is broad enough for the subcommittee to investigate into the whole field of labor monopoly. I think we have a perfect right to do so. Whether we go into that field will be determined finally by the chairman of the subcommittee and by a majority of its members.

If I am asked openly today what my own notions are about the matter, I would vote this afternoon for a proposal, formal or informal, on the part of the subcommittee, to start at least a preliminary investigation in the field of labor monopoly, for when we talk about monopolies in this country let us not forget that they are not limited to corporate monopolies.

When Mr. Reuther points the accusing finger at General Motors and talks about a giant monopoly, that same finger can be reversed, and one can point to a union,

with over 1 million active, dues-paying members, which bargains in the automobile industry, and one can say, "Here is a labor monopoly."

I submit to my very affable chairman that I think it is a line of endeavor which the subcommittee ought to pursue, and if it does burden my time even further I shall be more than delighted to cooperate with the distinguished Senator from Tennessee [Mr. KEFAUVER] in pursuing that line of endeavor.

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

Mr. DIRKSEN. I yield, with pleasure.

Mr. KNOWLAND. It is not often on the floor of the Senate that I find myself in friendly disagreement with my good friend from the State of Illinois. I realize that on this subject, as on most subjects which come before this body, there is ample room for an honest difference of opinion.

I will say to my distinguished friend, the Senator from Illinois, however, that I can well understand the statement he made at the opening of his remarks, that there had been some suggestion the funds might even exceed $1 million. If, indeed, the subcommittee branches out far enough, the sum would exceed $1 million.

I am not necessarily challenging the authority of the subcommittee to branch out into the field of labor monopoly, which is at least a concurrent jurisdiction of the Committee on Labor and Public Welfare, but if the subcommittee does branch out into the field mentioned by my distinguished friend from Illinois, and into the field of expropriation of American property by Mr. Nasser or anyone else abroad who might attempt to expropriate American property—which, indeed, I think, is perhaps properly a field of jurisdiction of the Committee on Foreign Relations of the Senate of the United States—I can see that in a few years, after I have long departed from this body, the sum involved may exceed not only a million dollars but perhaps several million dollars.

I do submit that the problem of keeping our expenditures within reasonable bounds is always a most difficult one, because there are very valid and very cogent arguments which can always be made toward expanding jurisdiction and increasing the expenditures.

If we were considering an amendment today which would drastically cut the funds which the subcommittee has had available to it, and which the subcommittee has expended heretofore, I could understand the problem, and then I would not have offered such an amendment. I do submit, in trying to keep our own housekeeping expenditures at least within reasonable bounds, that when the subcommittee, as I have previously stated, has had in one instance $200,000 and in another instance $207,000, and last year only expended $241,000, I do not think we will be lacking in generosity to the subcommittee if we provide in the amendment that we will allow the subcommittee $250,000. If some emergency should develop and it is necessary to come before this body again, I am sure at that time we could consider, as we would for other committees, the need for additional funds.

I do not wish to prolong the argument today, but I have observed the procedure session after session. The distinguished Senator from Louisiana, who is temporarily not on the floor, has raised this issue. It is not a partisan issue.

I am sure the very fact that my good friend from Illinois is present and has said he is interested in the increase of funds should assure our friends on the other side of the aisle that this is not a partisan matter.

There are several committees where the increase sought seems to be beyond what we feel is a reasonable proportion, and for those we shall have amendments to offer. I am not too sanguine that we will necessarily be successful in that, but I, at least, feel some responsibility as to trying to hold these housekeeping expenditures within reasonable bounds.

Mr. KENNEDY and Mr. HENNINGS addressed the Chair.

The PRESIDING OFFICER (Mr. CLARK in the chair). Does the Senator yield; and if so, to whom?

Mr. DIRKSEN. I yield to the distinguished Senator from Massachusetts [Mr. KENNEDY].

Mr. KENNEDY. I must say to the Senator that after looking over the jurisdictions of the various committees I really do not see how this subcommittee of the Committee on the Judiciary could have any jurisdiction over labor. It seems to me that, if a labor organization owned a business which was a monopoly, the subcommittee might have jurisdiction in that case, or in a case where a labor organization was joined with management in restraint of trade in a conspiracy. We had a good many of those cases in New York, in the electrical industry, some years ago.

So far as labor organizations themselves are concerned it seems to me that they are under the jurisdiction of the legislative Committee on Labor and Public Welfare, and of course under the jurisdiction of the select committee headed by the able Senator from Arkansas [Mr. MCCLELLAN].

I wonder if the Senator from Illinois would object to my asking the Senator from Tennessee [Mr. KEFAUVER] whether he plans, with the money which may be appropriated, to look into the general area which the Senator from Illinois is discussing? I raise this question as a member of the Committee on Labor and Public Welfare and as the chairman of the Subcommittee on Labor of that committee.

Mr. DIRKSEN. I shall be glad to have the Senator from Tennessee respond, but before he does so let me say I disagree very cordially with my distinguished friend, the Senator from Massachusetts. When one is dealing with monopolies, it does not make any difference, in my judgment, whether it is an agglomeration of business units which restrains trade, which constitutes a monopoly, or an agglomeration of labor units, or what it is. Monopoly is monopoly. When it is an unlawful restraint of trade and commerce, I think it clearly comes under the language of the rule with respect to the Committee on the Judiciary.

It would be rather interesting to ventilate that subject for the benefit of our esteemed Parliamentarian, and ultimately obtain a ruling from the Chair on the question; but since the question is moot at the moment, there is no point in pursuing the discussion further.

I now yield to the Senator from Tennessee, to permit him to answer the question which has been propounded.

Mr. KENNEDY. Mr. President, I ask the Senator from Tennessee whether it is planned, with the funds under discussion today, to investigate the subject now under discussion between the Senator from Illinois and myself.

Mr. KEFAUVER. No program was presented to the Committee on Rules and Administration, nor is any presented here for the investigation of labor as a monopoly, pure and simple. In the past we have received testimony with reference to the effect labor has had on the economy, and we shall do so in the future. About 2 weeks ago the Attorney General said that inflation was due to a great extent to poor enforcement of the antitrust laws, and that if we had good enforcement of the antitrust laws we would not likely have inflation.

In connection with prices, we have investigated, and will make findings, as to the part labor plays.

If there were agreements in restraint of trade between a labor union and a corporation, that subject would be in our immediate jurisdiction; and if our investigation showed something of that sort, I think it would come under the jurisdiction of our subcommittee.

However, as to the outright jurisdiction to investigate labor as a monopoly in itself, that is a moot question, and certainly one which should be discussed. We have no program at the present time looking in that direction.

Mr. DIRKSEN. Mr. President, I agree basically with everything my leader from California [Mr. KNOWLAND] has said. I think about the only answer I could make is that I think there is some virtue in the contention of the Senator from Tennessee to the effect that, instead of doing the job piecemeal, if the full amount is available at the beginning of the year, the work program can be planned a little better than otherwise would be possible.

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

Mr. DIRKSEN. I yield.

Mr. HENNINGS. I ask the distinguished Senator from Illinois if it is not true that the entire Subcommittee on Antitrust and Monopoly appeared before the Committee on Rules and Administration, with the exception of the late Senator Neely.

Mr. DIRKSEN. That is correct.

Mr. HENNINGS. I ask the Senator, first, if the members of the subcommittee were not thoroughly interrogated by the several members of the Committee on Rules and Administration.

Mr. DIRKSEN. That is correct.

Mr. HENNINGS. I make the further observation that not only was the interrogation thorough and complete, but the Committee on Rules and Administration reported the resolution favorably by a unanimous vote.

Mr. DIRKSEN. That is correct.

Mr. HENNINGS. I do not know whether the Senator can make that statement of his own knowledge, but I happen to know it, as a member of the Committee on Rules and Administration.

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

Mr. DIRKSEN. I should like to conclude by alluding to two further points. I hope Senators will give ear.

It will be noted that the final date for filing a report by a subcommittee or a committee under this type of resolution is the last day of January of the new year.

We return for the new session during the first week in January. In the odd years, of course, there will be a reorganization, which will require a little time. Inevitably we discover, if we are writing a minority report, that we cannot find time before the end of January to complete that report. As I recall, my friend from Colorado [Mr. ALLOTT] alluded to that very fact in a conference yesterday.

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

Mr. DIRKSEN. I yield.

Mr. ALLOTT. As I understand, two questions were propounded to the chairman of the subcommittee by the junior Senator from Massachusetts. I am not certain that I understand the situation. My vote on this question may be influenced by the answers of the Senator from Tennessee.

If I state the situation erroneously, I should like to be corrected. As I understand the answer of the Senator from Tennessee to the first question, he does have the point of view that his subcommittee has the authority to investigate, on its own initiative, monopoly in the labor field.

Mr. DIRKSEN. I believe so.

Mr. ALLOTT. Was that the reply of the Senator from Tennessee?

Mr. KEFAUVER. I said that, so far as I was concerned, it was a moot question at the present time. It is a question which we shall have to discuss and settle with the other committees.

However, I did say that so far as the power of labor was reflected in concentration of industry, or in raising prices, or in conspiratorial agreements between management and labor, I felt that without question our subcommittee had the right to make investigations.

The other question is one which will be gone into by our subcommittee. It relates to jurisdiction. I am sure we shall also discuss that question with the Committee on Labor and Public Welfare and with the special committee headed by the Senator from Arkansas [Mr. MCCLELLAN].

Mr. ALLOTT. That answers the first question.

The second question is whether the Senator from Tennessee has any intention of entering this field during the present session of Congress.

Mr. KEFAUVER. It is not on the program which we have submitted, but we shall discuss the subject in our subcommittee, and see where we stand in connection with it.

Mr. ALLOTT. Then the Senator would not say at this time that he would not attempt to go into the subject at this session?

Mr. KEFAUVER. As I explained to the Senator a few minutes ago, in the past we have gone into many questions in connection with labor. We shall go into such questions in the future.

With respect to the direct question as to investigation of labor as a monopoly, it has not been discussed in our subcommittee. We have not arrived at any conclusion, and we have not discussed the subject with the other committees or taken it up with the Parliamentarian.

Mr. ALLOTT. If the Senator from Illinois will yield for one further question, I shall appreciate it.

Mr. DIRKSEN. I yield.

Mr. ALLOTT. I ask the Senator from Tennessee what his personal intentions are in this connection. He is the chairman of the subcommittee.

Mr. KEFAUVER. My personal intention is, if any member of the subcommittee has a problem or a suggested line of inquiry which he thinks should be followed, first to examine the question objectively to determine whether or not we have jurisdiction; and if the majority of the members of the subcommittee wish to enter into a certain line of inquiry, that is what we shall do.

Mr. ALLOTT. I thank the Senator. My interest stems from my membership on the Committee on Labor and Public Welfare.

Mr. KENNEDY. Mr. President, as a member of the Committee on Labor and Public Welfare, I feel that before the subcommittee of the Committee on the Judiciary intervenes in an area with respect to which there seems to be some disagreement as to where the proper jurisdiction lies, the question should be brought to the attention of the Senate.

I know that the jurisdiction of the Judiciary Committee is wide. The subject of labor legislation and activities involving improper practices of labor and management are now receiving the attention of two committees of the Senate. I believe that before the Judiciary Committee, which has a very full agenda, decides to intervene in an area in which personally I do not think it has jurisdiction, the question should be brought before the Senate.

A good deal of legislation dealing with this question will be submitted to the Senate. Such legislation will be considered by the Committee on Labor and Public Welfare. If I am to understand that the funds which we are now discussing are to be used to enable the Judiciary Committee to usurp the functions of the Committee on Labor and Public Welfare or the McClellan committee, we ought to know it now. The subject is not completely under the jurisdiction of the Committee on the Judiciary. It is a question for the Senate to decide.

I believe we should get a clear answer as to whether this question will come back to the Senate before we finally decide whether action should be taken and, if so, by which committee the action should be taken.

Mr. DIRKSEN. Of course the Senator from Massachusetts refers to alleged usurpation.

Mr. KENNEDY. That is correct.

Mr. DIRKSEN. If we undertake an inquiry in that field, and it is agreed that there has been some usurpation of jurisdiction, the question can be raised on the floor of the Senate on a point of order, and then of course the whole question of jurisdiction can be thoroughly ventilated and thoroughly cleared up, and a final ruling can be obtained on the question from the Chair. That is the parliamentary way to do it.

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

Mr. DIRKSEN. I yield.

Mr. GOLDWATER. I should like to ask the distinguished Senator from Massachusetts a question in relation to his comments on the jurisdiction of the various committees. Does the Senator from Massachusetts feel that at the present time the McClellan committee has jurisdiction to go into the effects of monopolistic practices on the part of labor unions?

Mr. KENNEDY. The Senator from Tennessee [Mr. KEFAUVER] has described the responsibilities of the Committee on the Judiciary in the field of labor monopoly, and I agree completely with him. The McClellan committee has the responsibility of going into improper practices in the labor and management fields. I certainly feel that a monopoly is an improper practice and is a subject which would come under the jurisdiction of the McClellan committee.

Mr. GOLDWATER. Will the Senator from Illinois yield for one more question of the Senator from Massachusetts?

Mr. DIRKSEN. I yield.

Mr. GOLDWATER. Does the Senator from Massachusetts feel that the Committee on Labor and Public Welfare, of which both of us are members, has the authority, under the interpretation of the rules of the Senate, to investigate the very important field of labor monopoly?

Mr. KENNEDY. I think there is no doubt about it. It comes under the jurisdiction of the Committee on Labor and Public Welfare.

Mr. GOLDWATER. Does the Senator from Massachusetts feel that the Senate now has three committees which can investigate in the field of labor monopoly?

Mr. KENNEDY. No. I believe there is a distinction in the functions of the three committees. I believe the Committee on the Judiciary can investigate a labor monopoly when a labor union, for example, owns a business, or when labor and management join in a conspiracy to restrain trade. There have been a number of such cases, and they have been prosecuted by the Department of Jus-

tice. That is a part of the responsibility of the Committee on the Judiciary.

I believe that the Committee on Labor and Public Welfare has the responsibility of looking into undemocratic procedures on the part of labor, which is what is suggested by the term labor monopoly, and the McClellan committee has jurisdiction in that field.

Mr. GOLDWATER. I am not talking about monopolies as that term applies to practices, but, rather, to activities of labor in the monopolistic field, in connection with restraint of trade, by virtue of the fact that it is a monopoly, let us say, in the labor market. That is what I am talking about.

Mr. KENNEDY. As the Senator knows, the closed shop is prohibited by the Taft-Hartley Act. So I do not understand how we can talk about a monopoly in that field, since management does the hiring. That subject, of course, was gone into in 1947. I believe the jurisdiction of the Committee on Labor and Public Welfare is rather clear in the area we are talking about.

Mr. GOLDWATER. I am anxious to get an answer to this question. I will try to explain it in better terms. Since the enactment of the Taft-Hartley Act in 1947 and the enactment of the other acts in this field since 1934, there has been given to labor, as the Senator from Massachusetts knows, certain powers which other segments of our economy and other segments of our citizenship do not have, such as tax-free status, tax-free funds, and so forth. I am not alluding to my interest in right-to-work legislation. I am alluding now to the monopoly powers that rest in the labor movement by virtue of laws which have been passed by Congress.

I am not saying that those laws should not have been passed at the time. However, I believe the time has come when Congress should consider placing labor unions under the same antitrust laws that corporations have been placed under. It might be interesting in that connection for the Senator to know that in an off-the-record discussion with Jimmy Hoffa during the recent hearings, he agreed that when a labor union reached the point where it acted in restraint of trade, consideration should be given to placing it under the same laws under which corporations must act.

I wonder whether the Senator feels if any of the three committees now have authority to go into that field of investigation.

Mr. KENNEDY. One of the problems we find when we talk about antitrust laws is in connection with their enforcement against unions. Obviously they come under the antitrust laws if they are acting in conspiracy in a business. On the other hand, I do not believe that those laws can be enforced against a trade union, even if it is involved in a strike and thereby creates an effect upon the level of a business. I believe those are matters which come within the jurisdiction of the Committee on Labor and Public Welfare.

The only area in which the Committee on the Judiciary has ever moved in that field has been in connection with the Hobbs bill. That was reported by the Judiciary Committee in the House, and probably also in the Senate. The situation was due to certain circumstances in the House at that time. I do not know of any other time when the Committee on the Judiciary has attempted to accept jurisdiction in that field. I never believed that the Committee on the Judiciary or any other committee had any responsibility over the regulation of labor, as in the case of a labor organization. Therefore I must say that I do not agree with the Senator from Arizona that the antitrust laws should go as far as he has indicated. I hope, as a fellow member of the committee, he will agree to defend the jurisdiction of the Committee on Labor and Public Welfare.

Mr. GOLDWATER. I am not suggesting that either of the committees give up jurisdiction. What I am suggesting to the distinguished chairman of the subcommittee, the Senator from Tennessee [Mr. KEFAUVER], is that this is a little known subject that should be investigated. The hearings which I have attended and the transcripts of the hearings which I have read very clearly indicate to me that it is a labor monopoly. I am not defending one side or the other, but I do say it is obvious to people who have studied the matter that this new monopolistic power is a source of inflation and a source of high prices, and I am merely suggesting to the Senator from Tennessee, and to other Senators on both sides of the aisle, that his subcommittee consider going into that subject matter. I realize that it is a field about which we know very little. There has been only one detailed study made in that field during the last 25 years. I hope the Senator from Tennessee will include the subject in his investigations.

Mr. O'MAHONEY. Mr. President, will the Senator yield to me?

Mr. DIRKSEN. I yield.

Mr. O'MAHONEY. It occurs to me, from listening to the colloquy, that it has been diverting the attention of the Senate from the issue before us today. The issue pending is the amendment of the Senator from California on the question whether there shall be appropriated out of the contingent fund of the Senate either $365,000 or $250,000, on a bill of particulars submitted by the chairman of the Judiciary Committee, the distinguished Senator from Mississippi [Mr. EASTLAND]. The issue, therefore, is whether we shall authorize the additional $115,000 to carry on the work which was laid out in full before us. There can be no doubt that the Committee on the Judiciary has jurisdiction over monopolies, restraints of trade, and the like. However, the vote now will be on the appropriation of the money for the particular purposes set forth in the report of the Committee on the Judiciary and in the report of the Committee on Rules and Administration.

Those reports do not include any investigation of labor at this time. The overall jurisdiction of the committee, of course, covers any sort of restraint of trade. However, before the Committee on the Judiciary could enter into that field it would obviously have to appeal for the money with which to do so. We do not have the money now, and I believe the mind of the Senator from Massachusetts can be set perfectly at rest in that respect. We are here seeking an additional $115,000, which was approved by the Committee on the Judiciary and approved by the Committee on Rules and Administration. That issue is now before us. The committee needs that money to carry out the program set forth in the report.

It does not include any investigation of labor monopoly. If we wanted to enter into such a field, it would be necessary to go back to the Committee on the Judiciary, to the Committee on Rules and Administration, and to the Senate to obtain money with which to carry on, because the fund which has been appropriated for us will be sufficient only to carry on the program we have laid out. So I think the discussion might divert the attention of Senators from the only issue before us.

Mr. DIRKSEN Mr. President, to confess my own dilemma about the position in which I found myself, I found it necessary to make an explanation to the Senate. Without undertaking to influence the judgment of other Senators, I felt this was a reasonable amount, and I suggested the amount which is in the resolution before us. As an individual Member of the Senate, certainly I shall support it.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from California [Mr. KNOWLAND]. On this question the yeas and nays have been ordered.

Mr. O'MAHONEY. Mr. President——

Mr. KEFAUVER. Mr. President, will the Senator yield that I may suggest the absence of a quorum?

Mr. O'MAHONEY. Yes; if the Senator desires to do so.

Mr. KEFAUVER. Mr. President, I shall withhold my suggestion of the absence of a quorum.

Mr. O'MAHONEY. Mr. President. I am very fearful that neither the Senate nor the public has had actually presented to it as yet a dramatic illustration of what we are talking about. I do not hesitate to say that in connection with this fund we may be deciding a critical question in the present posture of trade, commerce, and economic concentration in the United States and in the world.

We all know that we are involved in an economic war with Soviet Russia. I believe that the preservation of freedom throughout the world depends upon our victory at home in the war against economic concentration. There can be no permanent political liberty without economic freedom.

There is another phase of the picture, namely, that Congress is steadily giving away its powers, delegating its powers to

the Executive, and rendering itself unable to decide issues on which the welfare of our people, our constituents in every State, depends.

I hold in my hand the budget of the United States. This document was sent to Congress last month by the President. It contains, minus the index, 955 pages. On page M-4, at the very beginning, where there is a brief résumé of the budget, it is set forth that the new obligational authority asked by the President of Congress amounts to $72.5 billion, and that the budget expenditures, when the document was drafted, were estimated to amount to $73.9 billion. Since that time additional expenditures have been suggested and have been made necessary.

The launching of the Explorer and the efforts which our Department of Defense will make soon to launch other missiles and satellites are a warning to us of what the expenditures will be and how necessary they are.

But who has stopped to compare the cost of Congress with the cost of the executive departments? Of the 955 pages recording the various appropriations which the executive branch of the Government calls upon Congress to make, beginning with page 19, exactly 28 pages are devoted to the expenditures of Congress, the legislative branch of the Government. In the legislative branch are included all the expenditures of the Library of Congress and, if my memory does not fail me, of the Botanic Garden, as well, although that is scarcely a legislative activity.

But here it is: The total sum estimated for expenditure by the legislative branch during the fiscal year 1959 is $126,173,000 compared with $73.9 billion, the total amount of the budget. The comparison indicates how absolutely infinitesimal is the issue which is presented to us this afternoon.

The author of the amendment to reduce the appropriation from $365,000 to $250,000 is asking for a reduction of $115,000; that is all. That amount will not balance any budget. It will not result in any economy. But it will interrupt, it will disorganize, and it might easily destroy the activities of the Subcommittee on Antitrust and Monopoly from the program which has been carefully laid out and approved by two committees to investigate the problem of the economic structure in the United States.

This is an important question. But before I go into it, my eye falls on the Washington Post and Times-Herald of this morning. On the first page, I see an article under the by-line of William F. Abrogast, of the Associated Press. The heading is: "Waste Seen in Spanish United States Base." The article begins:

> Comptroller General Joseph Campbell told Congress yesterday there is no military need for one of the United States bases being built in Spain. He said another is being built at a poor location because Spanish officials wanted a show place near Madrid.

Farther down in the column, I read:

> The Spanish bases are being constructed at a projected cost of about $483 million.

Compare that amount—just one of the little operations in the tremendous scope of military expenditures—with the amount which is at issue in the resolution and with the total estimated expenditure of the entire legislative branch of the Government—the House, the Senate, and the other agencies which are handled under this branch.

Mr. President, we are fighting the fight against totalitarianism.

I think there would be no disagreement on that point. But this is a twofold struggle. We would be mistaken if we dreamed that by the defeat of political dictators we were successful in defeating or holding back or controlling economic dictators.

Mr. KEFAUVER. Mr. President, I rise to a point of order: The Senate is not in order.

The PRESIDING OFFICER. The Senator from Wyoming has the floor. Does he yield to the Senator from Tennessee?

Mr. O'MAHONEY. I yield.

Mr. KEFAUVER. Mr. President, this is a very important speech by a Member of the Senate who has spent almost his entire life studying these problems. I wish there were better order in the Senate.

The PRESIDING OFFICER. The Senator from Wyoming will suspend. Senators who desire to converse will please retire to the cloakrooms.

The Senator from Wyoming may proceed.

Mr. O'MAHONEY. Mr. President, I realize that during the debate in the Senate, there is scarcely a moment when Senators do not have to confer with their staff members; and that does not bother me at all.

The point I am making is designed to call the attention of this body, and also the attention of the country, if possible, to the fact that the policies of this country against the concentration of economic power have been basic, nonpartisan policies. They have been adopted from the beginning of this Government by both parties; and today they are proclaimed even by those who are leading in the fight to concentrate economic power.

When the Sherman Antitrust Act was passed, one House of Congress was controlled by one political party, and the other House was controlled by another political party. Of course, the President was of the same political faith as the Members who controlled one of the two Houses of Congress. As I recall, the Sherman Antitrust Law was passed by the Senate by practically a unanimous vote. All of us say we are opposed to conspiracies in restraint of trade.

I believe that many persons receive the idea that whenever the Antitrust and Antimonopoly Subcommittee holds a public hearing, it is seeking to prosecute someone or to establish a basis for an indictment. However, Mr. President, that has not been the fact, insofar as I have been able to observe. Instead, the purpose of the subcommittee has always been to lay the facts of our economic situation on the table, so that economic leaders, management leaders, consumers, labor leaders, those in the professional ranks, and all other groups of the population may know what the problems before us are.

There has been a great change in the organization of our economy and our trade and commerce since the antitrust laws were passed. They were passed because then, for the first time, national organizations engaged in transportation were expanding beyond the ability of the States to regulate them in the public interest. For example, when the Interstate Commerce Commission was established by law of Congress, the railroads no longer could be regulated in the public interest by the States. So the Interstate Commerce Commission was set up. Railroad transportation was recognized as being an absolutely essential aspect of interstate commerce. So the United States Congress passed that law. It has never been repealed. Congress after Congress has created new commissions to regulate all sorts of traffic and all sorts of communications, because in the situation in which we now live, regulations in the public interest cannot be carried on, except by Federal authority.

It was in 1955, a little more than 2 years ago, that Mr. Cordiner, president of the General Electric Co.—whose ability and leadership I think are recognized throughout the country—filed with the administration a report recommending increased compensation for the officers in our Armed Services. He was recognized as an authority. Mr. Cordiner, when speaking before the School of Business, at Columbia University, in New York City, made the very significant remark that a great change has come over the organization of business in the United States. He said the functions of ownership and of management have been divided. The management of the modern corporation which is operating in interstate or foreign commerce can no longer be called the owners. Mr. Cordiner frankly said that although he himself was the president of that organization, he was still an employee; he was not the owner.

When our Constitution was drafted, that was not the situation. When the Constitution was drafted, there were only five industrial corporations in the Thirteen Colonies. The only other corporations in this country at that time were banks. In each instance, those corporations had to obtain their charters from the States. The Constitution took away from the States the power to regulate trade or commerce in the public interest, when that trade or commerce was either interstate or foreign. But today the States create the corporations which are the agencies by means of which interstate and foreign commerce are carried on. The function which is performed by the Antitrust and Antimonopoly Subcommittee is to examine the nature of the economic structure which has grown up and is growing up about us.

At this moment we are discussing a difference in the amount of $115,000.

The Senator from North Dakota [Mr. LANGER], who has been a supporter of this appropriation from the beginning, in the committee urged a much larger appropriation for this purpose. The committee did not care to recommend as large an appropriation as the one he preferred. I may say that he recommended an appropriation of $1 million. However, we recognized the fact that every Member of the Senate has a mountain of work, both in his own office and in other committees. So we were content to request limited authority in limited fields.

I believe that in making this recommendation to the Committee on Rules and Administration, the Judiciary Committee, acting unanimously, as it did, was acting in a very modest way.

The Senate Committee on Rules and Administration, after hearing the testimony and after examining the bill of particulars, so to speak, voted unanimously to authorize the investigation and for the approval of the requested appropriation.

Therefore, Mr. President, I trust that the Senate will not be misled into thinking that there is anything reasonable—as the Senator from California has said—in requesting that the subcommittee shall have less than $365,000. Why, Mr. President, that amount of money would be scarcely peanuts, in the hands of any of the great aggregations of concentrated trade and commerce organizations which pour their lobbyists into Washington, in an attempt to shape the nature of the laws which shall be passed. Some of the best and most modern office buildings in the city of Washington are filled by the representatives of these corporations, who spend for that purpose far more than is requested by the Rules Committee and the Judiciary Committee for this purpose.

If we do not investigate the matter, who will? Of course, there are many great aggregations of capital which carry on trade and commerce throughout the world, and which would like to have the Antitrust and Monopoly Subcommittee stripped of everything. They do not want the story told in public. But through 20 years I have seen the effect—the salutary effect—of the public story of the way business is carried on. Most of it is, by far, legitimate. Most of the leaders of business management are patriotic citizens, who desire only the best for the country. But there are occasions when abuses take place, and when we hold a hearing and see what is being done, then history shows that frequently business groups affected by that hearing take remedial action themselves, without a single law of Congress being enacted.

I was most grateful this afternoon when I heard the senior Senator from North Dakota [Mr. LANGER] refer to the result of the hearing which the subcommittee held respecting General Motors in 1955. I said then, and I say again, that that hearing was not in any sense a prosecution. It resulted in a bill to authorize the automobile dealers throughout the country to go to court if their contracts with the manufacturers were being violated. So far as I know, Mr. President, there has not been a single suit brought under that law, but the result of the law was an immediate improvement in the relationship between the manufacturers and their dealers.

Now, Mr. President, I wish to make a remark on another aspect of the matter. We talk about little business, and we talk about agriculture. Let us think about little business for a few minutes. Is little business to survive by free action, by freedom, by economic freedom; or will it have to continue to depend upon loans made by the Government? Only a few years ago the Small Business Administration was liquidated by the administration, but immediately the problem was so great that demands poured into Washington for the reestablishment of the administration, whereby the Government would loan money to business. Now that loaning of money is a business operation. It is not an operation of Government. Yet it is done, and has to be done. It is supported by Republicans and Democrats alike, because we have not learned how to make the economic system operate freely.

If we had a free economy, then small business would not have to be running to Washington, rapping on the door of the Treasury of the United States for subsidies; nor would any other group. The ideal of this Government was a government of the people, a government that would regulate the activities of the people in the public interest, a government that would provide and guarantee not only political liberty, but economic liberty as well.

I have no hesitation in saying, Mr. President, that if we do not now adopt the recommendation of the Committee on Rules and Administration and of the Committee on the Judiciary, if we adopt the amendment which has been presented by the Senator from California, the public will interpret the action as a determination by the Senate of the United States that it is no longer interested in the concentration of economic power, that it is no longer interested in making certain that the public interest is protected where great combinations are in the position, here and throughout the world, of exercising the force and power of their great wealth to affect the welfare of all the people and to deny to many of them the freedom to do business as they would like to do.

Mr. ELLENDER. Mr. President, will the Senator yield for a question?

Mr. O'MAHONEY. I yield.

Mr. ELLENDER. I should like to ask my good friend from Wyoming a question with reference to the small-business aspect of the problem about which he has been talking. I can well remember that the same arguments which the Senator has been advancing were advanced by the distinguished Senator from Alabama when he came before the Senate only 2 weeks ago to ask for an additional $90,000, to finance studies by the Select Committee on Small Business of problems of small business. Among the subcommittees of the Small Business Committee is one that devotes time to, and will spend some money on, a study of the monopoly problem.

To what extent will the work now being carried on by the distinguished Senator from Tennessee and the Antitrust Subcommittee of the Small Business Committee conflict?

Mr. O'MAHONEY. If the Senator will read the reports of the Committee on Rules and Administration in both cases, he will find that there is no conflict. There is a specific program laid out for this subcommittee, and that is the program the subcommittee will follow. I assure the Senator there will be no conflict and no duplication.

Mr. ELLENDER. The Senator is devoting a good deal of his argument to his desire to save small business.

Mr. O'MAHONEY. Not at all. The Senator from Louisiana did not come into the Chamber soon enough.

Mr. ELLENDER. I am talking about the argument I have just heard by the Senator from Wyoming.

Mr. O'MAHONEY. I am talking about that argument, too. The Senator from Louisiana did not come into the Chamber soon enough to realize that I was mentioning small business merely as an illustration.

We are constantly appropriating money for small business, because we do not take the trouble or the time to study the question of economic freedom, so that small business may support itself.

Mr. ELLENDER. To what extent was the matter of any possible conflict or overlapping of work between the Antitrust and Monopoly Subcommittee of the Committee on the Judiciary, and the Antitrust and Monopoly Subcommittee of the Small Business Committee brought to the attention of the Committee on Rules and Administration?

Mr. O'MAHONEY. The Judiciary Committee has submitted, through the chairman of the full committee, the Senator from Mississippi [Mr. EASTLAND], and through a statement by the Senator from Tennessee [Mr. KEFAUVER], the chairman of the subcommittee, the full agenda of our committee, and that work does not conflict at all with the work of the Small Business Committee.

Mr. ELLENDER. Can the Senator from Tennessee tell me the difference between the studies that will be made by the Antitrust and Monopoly Subcommittee of the Committee on the Judiciary and the study that is going to be made by the Antitrust and Monopoly Subcommittee of the Small Business Committee?

Mr. KEFAUVER. I have had, and will have, frequent conferences with the Senator from Alabama as to the line of activity that his committee is pursuing, as well as that pursued by our committee. We have not had conflicts in the past. We will not have conflicts in the future.

Our effort is to study the antitrust laws, and their application and concentration. That does, I hope, help small business. As to specific matters, such as the Small Business Administration and how it should operate, or specific detailed remedies for small business,

those are under the jurisdiction of the other committee, not ours.

Mr. ELLENDER. May I ask the Senator from Tennessee another question?

Mr. KEFAUVER. Yes.

Mr. ELLENDER. I intended to ask this question while the Senator had the floor and was making his main presentation.

The Senator spoke of the work which is going to be done by the subcommittee with reference to economic stabilization. There is a special subcommittee of the Committee on Banking and Currency making that same study. To what extent will there be conflict between the studies of economic stabilization to be made by the subcommittee of the Banking and Currency Committee of the Senate and those to be conducted by the subcommittee of which the distinguished Senator is the chairman?

Mr. KEFAUVER. I think there will be no conflicts. There have not been any in the past. We have studied the problems of concentration and monopoly.

Mr. ELLENDER. And mergers?

Mr. KEFAUVER. And mergers.

Mr. ELLENDER. So has the Committee on Banking and Currency.

Mr. KEFAUVER. Their study is largely in connection with monetary matters. I do not think we have had any conflict.

SEVERAL SENATORS. Vote! Vote! Vote!

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.

The question is on agreeing to the amendment offered by the Senator from California to Senate Resolution 231. On this question the yeas and nays have been ordered. The clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. CHAVEZ] and the Senator from Minnesota [Mr. HUMPHREY] are absent on official business.

I further announce that if present and voting, the Senator from New Mexico [Mr. CHAVEZ] and the Senator from Minnesota [Mr. HUMPHREY] would each vote "nay."

Mr. DIRKSEN. I announce that the Senator from Kentucky [Mr. COOPER] and the Senator from Pennsylvania [Mr. MARTIN] are absent on official business.

The Senator from Utah [Mr. BENNETT], the Senator from Vermont [Mr. FLANDERS], and the Senator from New York [Mr. JAVITS] are necessarily absent.

On this vote, the Senator from Kentucky [Mr. COOPER] is paired with the Senator from New York [Mr. JAVITS], and, if present and voting, the Senator from Kentucky would vote "yea" and the Senator from New York would vote "nay."

If present and voting, the Senator from Utah [Mr. BENNETT], and the Senator from Pennsylvania [Mr. MARTIN] would each vote "Yea."

The result was announced—yeas, 28; nays, 61; not voting, 7, as follows:

YEAS—28

Aiken	Case, S. Dak.	Kuchel
Allott	Cotton	Martin, Iowa
Barrett	Curtis	Morton
Bricker	Dworshak	Saltonstall
Bridges	Ellender	Schoeppel
Bush	Goldwater	Smith, N. J.
Butler	Hickenlooper	Watkins
Byrd	Hruska	Williams
Capehart	Jenner	
Carlson	Knowland	

NAYS—61

Anderson	Jackson	Payne
Beall	Johnson, Tex.	Potter
Bible	Johnston, S. C.	Proxmire
Carroll	Kefauver	Purtell
Case, N. J.	Kennedy	Revercomb
Church	Kerr	Robertson
Clark	Langer	Russell
Dirksen	Lausche	Scott
Douglas	Long	Smathers
Eastland	Magnuson	Smith, Maine
Ervin	Malone	Sparkman
Frear	Mansfield	Stennis
Fulbright	McClellan	Symington
Gore	McNamara	Talmadge
Green	Monroney	Thurmond
Hayden	Morse	Thye
Hennings	Mundt	Wiley
Hill	Murray	Yarborough
Hoblitzell	Neuberger	Young
Holland	O'Mahoney	
Ives	Pastore	

NOT VOTING—7

Bennett	Flanders	Martin, Pa.
Chavez	Humphrey	
Cooper	Javits	

So Mr. KNOWLAND's amendment was rejected.

Mr. HUMPHREY subsequently said, during the remarks of Mr. O'MAHONEY on Senate Resolution 236: Mr. President, will the Senator from Wyoming yield to me?

Mr. O'MAHONEY. I yield.

Mr. HUMPHREY. Mr. President, I am very appreciative of the courtesy of the Senator from Wyoming in yielding to me.

I wish to announce that on the question of agreeing to the amendment of the Senator from California [Mr. KNOWLAND] to the resolution (S. Res. 231) providing funds for the Subcommittee on Antitrust and Antimonopoly, I was detained at a staff meeting in the Committee on Agriculture and Forestry, and I did not hear the bells ring. If I had been in the Chamber at that time, I would have voted against the amendment and in favor of supporting the recommendation made by the committee. I regret that I was not in the Chamber at that time.

Mr. O'MAHONEY. Mr. President, when I yielded to the Senator from Minnesota, I fondly believed he was going to announce his support of the amount requested in the resolution now before the Senate.

Mr. HUMPHREY. I may say that the Senator from Wyoming knows I always enjoy supporting the propositions that he offers to the Senate.

Mr. O'MAHONEY. I thank the Senator.

RECEIPT BY RACEHORSE OWNERS OF SUBSIDIZED FEED UNDER THE EMERGENCY DROUGHT RELIEF PROGRAM

Mr. WILLIAMS. Mr. President, a few days ago I called the attention of the Senate to the fact that Rex Ellsworth, the former owner of the racehorse Swaps, the winner of the Kentucky Derby in 1955, received $28,914 under the Government emergency drought relief program, with $26,049 of the amount representing subsidy feed payments and $2,865 representing free hay.

Following my statement to the Senate the other day I received a newspaper article stating that the owner of the Ellsworth Ranch and recipient of the relief payment from the Government calls my charges fantastic. I shall incorporate Mr. Ellsworth's statement into the RECORD, but first I should like to comment on a portion of it. According to the article Mr. Rex C. Ellsworth was quoted as saying that my charges that the famous racehorse was once on relief are fantastic. I agree with that phrase it was fantastic to find this million dollar ranch on the relief rolls.

Mr. Ellsworth further explained that his racehorses did not eat this relief feed because:

> The horses get only the best oats and timothy from the northern highlands. As I understood, the (drought relief) program was developed by the Government to help cattle raisers and the cattle industry.

He is also quoted as having said:

> When I put in for that relief, I had already sold Swaps. Everybody knows that. And I'd laid out a tremendous amount of money for brood mares I bought from the Aga Kahn.

Then he goes on to say:

> We bought this ranch in Seligman, Ariz., for a lot of money. It cost around $1 million. We scraped up every penny we had to buy that ranch and when we got that drought money we really needed it.

That is what Mr. Ellsworth has to say about a drought relief program, passed by Congress, to assist bona fide farmers who were in desperate need of such assistance in order to maintain their basic herd.

In other words, it was Mr. Ellsworth's idea that after having spent $1 million to buy the ranch and after buying a few brood mares from the Aga Kahn, and apparently being down to his last million dollars, he had every right to go to the Government for relief.

In this case it is not so much the money involved as it is the fact that the recipient of this relief should think that there is nothing wrong with what he has done. We have found other similar examples of persons with substantial means applying to the Government for relief and signing the required application blanks in order to get this kind of relief from the Government.

In order to keep the record straight, I shall incorporate in the RECORD the full application blank which was signed by Mr. Ellsworth. However, first I will quote from the application blank to show what Mr. Ellsworth actually signed in

order to get the money he received from the Government. I am quoting from the application blank:

I hereby make application for the purchase of this amount of feed under the emergency feed program. Without the assistance applied for under the emergency feed program, I will be unable to maintain my basic foundation herd and continue the livestock operation which I have been conducting for (blank) years.

That is the form that Mr. Ellsworth, the owner of this million-dollar ranch, signed. I ask unanimous consent that the complete application blank be printed in the RECORD at this point.

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

Form FHA-937
(Rev. 6-15-56)

Position 3

Form approved.
Bureau of Budget No. 40-R2689.1.

UNITED STATES DEPARTMENT OF AGRICULTURE

FARMERS HOME ADMINISTRATION

APPLICATION AND CERTIFICATION
EMERGENCY FEED PROGRAM

(If both hay and grain are needed, file separate application for each)

Name

Address

County

1. Number of livestock in basic herd now on hand:

Beef	Dairy					
----------	----------	Cows	----------	Ewes	----------	Nannies
----------	----------	Heifers		Ewe lambs for		Kids for
----------	----------	Calves for replacement	----------	replacement	----------	replacement
----------	----------	Bulls	----------	Rams	----------	Billies

2. Other livestock owned: Kind and number

3. Feed on hand: Tons hay | Tons silage | Other—Kind and quantity

4. Feed crops growing:

Kind	Acres	Expected yield per acre (Tons, bushels, etc.)
Hay----------	----------	----------
Silage----------	----------	----------
----------	----------	----------
----------	----------	----------

5. Applicant certification:
I certify that the above information is correct and that my principal occupation is farming or ranching, and that I do not have a supply of feed on hand to maintain my basic herd of livestock, listed in Item 1, until----------, 19---. In order to provide a supply of feed for this livestock, in addition to the feed I have on hand and that to be harvested during the above period, I will need (complete either "a" or "b"):
a. ----------tons of hay. b. ----------pounds of surplus grains designated by the Commodity Credit Corporation.
I hereby make application for the purchase of this amount of feed under the Emergency Feed Program.
Without the assistance applied for under the Emergency Feed Program I will be unable to maintain my basic foundation herd and continue the livestock operation which I have been conducting for----------years.
I will not sell or otherwise dispose of any of the feed herein applied for except by feeding it to my basic herd in----------County.
Date----------, 19---. Applicant----------

6. Committee action: We, the undersigned committeemen, certify that the above-named applicant
☐ is eligible for assistance under the emergency feed program and hereby approve (his) (her) application for----------tons of hay. ----------pounds of surplus grains designated by the Commodity Credit Corporation.
☐ is NOT eligible for assistance under the emergency feed program.
Comments:

Signed----------

Date----------, 19---

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield.

Mr. CASE of South Dakota. Does Mr. Ellsworth state whether he had sought to borrow any money on his ranch after he paid $1 million for it, in order to obtain feed for his livestock?

Mr. WILLIAMS. He does not say, but I assume that he did not ask for a loan, because in his statement, as quoted in the press, he said he felt that the cattle prices looked low and therefore felt he was entitled to go to the Government for relief. He doesn't even mention the drought as having affected his operations but merely refers to possible low cattle prices. Apparently he felt that the Government had a responsibility to guarantee profitable operations on his million-dollar ranch and racing stable. The article which I will later put in the RECORD also points out that he sold the racehorse Swaps in 1957, the same year in which he obtained the relief, and that he sold the horse for $1 million. The earnings of the racehorse before sale had been around $800,000.

Nevertheless, he was so greedy that he had to apply to the Government for relief. He unhesitatingly signed the application to go on the Government relief rolls. Certainly such action cannot be justified. I am glad to note that the Department of Agriculture is asking him to repay that money.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield.

Mr. CASE of South Dakota. Was the application for relief examined by the county committee? Who approved the application?

Mr. WILLIAMS. The application was approved by the county committee, and I have asked the Department of Agriculture to investigate the background of this approval.

I may point out to the Senate that this is not the first example we have had of such action. Three years ago I pointed out that the owners of the King Ranch in Texas, which is larger in area than the whole State of Delaware, went on the relief roll and obtained about $35,000 in relief. They owned the famous racehorse High Gun, winner of the Belmont Stakes.

Many taxpayers are getting a little tired of these subsidies being paid to owners of racehorses.

Mr. CASE of South Dakota. I am sure the Senator from Delaware would agree that the program is a worthy program so far as the bona fide farmers are concerned, especially those who need the relief granted by the legislation. I hope the Senator from Delaware makes it perfectly clear that this was an action taken by a ranch owner, not by horses that were hungry.

Mr. WILLIAMS. Of course I pointed out that the racehorse did not eat any grain. Mr. Ellsworth said it was not good enough for his horse, but he accepted the relief for his other animals. His statement is that:

The horses get only the best oats and timothy from the northern highlands.

That relief money was for his ranch.

Mr. CASE of South Dakota. For his cattle, in other words.

Mr. WILLIAMS. That was for the cattle on his ranch.

Mr. CASE of South Dakota. But the cattle did not know where the feed came from.

Mr. WILLIAMS. This is a glaring abuse of a well-intentioned program. I supported the program at the time it was enacted, and I would support it again.

I do not recall that there was any objection to the legislation when it was passed. It was intended, however, to help only bona fide farmers in the drought area when they needed such assistance in order to carry them through the drought crisis. It was a well-intentioned program. Certainly by no stretch of the imagination was it intended that such a program be used as it was in this case.

Last year I pointed out another instance wherein one recipient received $800, even though the only animals he owned were a polo pony and a bird dog. He used the money he received from the Government to buy mallets and a saddle for his polo pony. These abuses will never be really controlled until Congress passes a law which will require some form of State participation in the cost of these relief programs. If the people at the local level have to put up some of the money and must obtain an appropriation in their own State legislatures, they will see to it that millionaire ranchers and racehorse owners are kept off the relief rolls.

Mr. CASE of South Dakota. I commend the Senator from Delaware for his diligence in this matter. The point at which I might differ with him, particularly, is in the use of the word "abuse." I think it was not merely an abuse of the program, considered on the basis of what the Senator said; it was a violation of the regulations which surrounded the program. I do not see any connection between the application which was signed and the facts as related. It would appear to me that the gentleman was not in need of the relief which he sought.

Mr. WILLIAMS. I agree with the Senator that perhaps the word "abuse" was not strong enough. I am asking the Department of Justice to review the whole case as to the certification, to see whether or not any penalty is involved in the signing of an application blank stating the need for benefits from these relief programs. Mr. Ellsworth's application certainly cannot be justified by any stretch of the imagination.

Mr. CASE of South Dakota. Certainly a declaration which resulted in payment of money by the Government under a fraudulent representation seems to be more than an abuse.

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

Mr. WILLIAMS. I yield.

Mr. SYMINGTON. Let me congratulate the senior Senator from Delaware. Once again he points out the questionable administration of the agricultural programs. I believe this is the third or fourth such violation the Senator has discovered.

Does the Senator not believe it would be a good idea to see if the money could be recovered, from the standpoint of the Comptroller General.

Mr. WILLIAMS. Steps are already being taken by the Department to collect the money. I think it can be collected. Unquestionably, it should be collected.

As the Senator has said, this is not the first time such a practice has occurred. The same program has been abused many times. What gave me great concern was that abuses of this type of program have extended back for several years. The same man is administering the program under the present administration as had charge of it under the preceding. He should have been fired before, and he ought to be fired today.

Mr. SYMINGTON. It is true, is it not, that this program is simply one of many, and that as we proceed in getting information the Senator from Delaware and the Senator from Missouri apparently cannot learn about these things through the Department; we learn about them from the public press.

Mr. WILLIAMS. Much of the information comes from the outside; the Senator is right about that. To me, that is unfortunate because I think the Department has some responsibility always to clean itself up from within. I should add, however, that many employees in the Department are just as resentful of this practice as we are.

The Department's eligibility requirements for relief under this program as set forth in a directive to the personnel in the field is as follows:

I quote from administration letter 343, dated July 22, 1954. I quote from paragraph IV, on page 2:

Eligibility: Subject to the following conditions, any established farmer or stockman (partnership or corporation) whose principal occupation is farming or ranching and whose financial condition is such that he requires assistance under this program in order to maintain his foundation herd of livestock and continue his livestock operations, is eligible for assistance under the emergency feed program.

The words are: "Any farmer whose financial condition is such that he requires assistance."

Certainly, using Mr. Ellsworth's own definition of his eligibility, the fact that he had just spent his last million dollars in buying a couple of ranches in Arizona and the remainder of his reserve cash to buy some brood mares from the Aga Khan, did not establish eligibility under this definition of the program.

Mr. CASE of South Dakota. Mr. President, the Senator from Missouri has suggested that the average person has to learn some of these things through the press and radio. I think there should be added to that statement that the average Member of Congress and of the public sometimes has to learn of these things from JOHN WILLIAMS, a very distinguished Senator from Delaware.

Mr. WILLIAMS. I thank the Senator from South Dakota.

Mr. President, I ask unanimous consent that two newspaper articles, one from the Washington Post and one from the New York Post, in which are found Mr. Ellsworth's explanation, be printed at this point in the RECORD.

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

[From the Washington Post and Times Herald of February 5, 1958]

RECEIVED FREE HAY, OATS—SENATOR SAYS SWAPS, ONE OF RICHEST HORSES, WAS ON GOVERNMENT RELIEF

(By Dick West)

Senator JOHN J. WILLIAMS (Republican, of Delaware) charged yesterday that Swaps, one of the Nation's richest racehorses, had been getting free oats and hay from the Government.

WILLIAMS told the Senate he was sure that as the racing fans watched this horse they did not realize he was on Government relief.

The Senator said Rex Ellsworth and his brother Reed, Seligman, Ariz., ranchers, who sold Swaps to Mr. and Mrs. John Galbreath last year were approved to receive more than 2 million pounds of subsidized feed under the drought-relief program.

He said the payments were stopped after an inquiry was made, but not before the owners had received $26,049 in subsidy feed payments and $2,865 worth of free hay.

WILLIAMS pointed out that Swaps, 1955 Kentucky Derby winner, collected $848,000 in prizes for his owners during his brilliant turf career.

"The emergency drought relief program was definitely never intended for the benefit of racehorses," he said.

The Senator said farmers and ranchers applying for such assistance were required to sign a statement that the aid was necessary to maintain their basic herds.

WILLIAMS read from the drought relief application form the required statement that "without the assistance applied for under the emergency feed program, I will be unable to maintain my basic foundation herd and continue the livestock operation which I have been conducting for — years."

"Mr. Ellsworth must have had his tongue in cheek at the time he signed the application blank claiming inability to pay for his own feed," the Senator said.

He also recommended that the case be referred to the Justice Department not only for collection of the money which has been improperly paid to Mr. Ellsworth but also for checking the validity of the statement as contained in the application blank signed by him.

"FANTASTIC," SAYS REX ELLSWORTH

CHINO, CALIF., February 3.—Sportsman-rancher Rex C. Ellsworth, who no longer owns any part of Swaps, declared today that a Senator's charges the famous racehorse once was on Government relief were fantastic.

"I think it's a little bit little for the Senator to say that," Ellsworth said at his ranch here. "In the first place, my brother, Reed, and I bought only grain—maize—from Texas, and I wouldn't feed that to my horses.

"The horses get only the best oats and timothy from the northern highlands. As I understood, the (drought relief) program was developed by the Government to help cattle raisers and the cattle industry.

"Well, we needed that help last year," he declared.

Ellsworth said it was not a matter of whether the cattle raisers have money to buy grain.

"If their cattle are losing money, they should be allowed to get cheap grain from the Government," he said.

[From the New York Post of February 5, 1958]

OWNER SAYS SWAPS WASN'T ON RELIEF

CHINO, CALIF., February 4.—Rex Ellsworth, former owner of the 1955 Kentucky Derby winner, Swaps, said today charges his famous horse once was "on Government relief" were "fantastic."

Senator WILLIAMS, Republican, Delaware, yesterday said Ellsworth and his brother, Reed, were given $26,049 in subsidy feed payments and $2,865 worth of free hay under the drought relief program.

"The emergency drought relief program was definitely never intended for the benefit of race horses," Williams told the Senate, adding he was "sure that as the racing fans watched this horse [Swaps] they did not realize he was on Government relief."

To get drought assistance, ranchers or farmers have to sign statements saying the aid is necessary to maintain their herds and that they are not able to pay for their own feed. Williams said Ellsworth "must have had his tongue in cheek at the time he signed."

"When I put in for that relief," Ellsworth told the Post, "I had already sold Swaps. Everybody knows that. And I'd laid out a tremendous amount of money for brood mares I bought from the Aga Khan.

"We bought this ranch in Seligman, Ariz., for a lot of money. It cost around $1 million. We scraped up every penny we had to buy that ranch and when we got that drought money, we really needed it."

Ellsworth said he signed the statement of inability to pay for feed in good faith.

"There was nothing under the table, everything was above board and the three Government men knew just what the situation was," he said.

"The payments to us were stopped months ago," he added.

Williams yesterday said the payments were stopped after an inquiry was made and that he felt the case should be referred to the Justice Department for collection of the money.

"I don't feel like giving that money back," Ellsworth said.

During his racing career, Swaps earned $846,000. He was sold to Mr. and Mrs. John Galbreath last year for an unknown sum which is thought to be in the neighborhood of $1 million.

INVESTIGATION OF THE ADMINISTRATION OF THE ANTITRUST AND MONOPOLY LAWS OF THE UNITED STATES

The Senate resumed the consideration of the resolution (S. Res. 231) to investigate the administration of the antitrust and monopoly laws of the United States.

The PRESIDING OFFICER. The resolution is open to amendment. If there be no amendment to be proposed, the question is on agreeing to the resolution.

The resolution was considered and agreed to, as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134 (a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to make a complete, comprehensive, and continuing study and investigation of the antitrust and antimonopoly laws of the United States and their administration, interpretation, operation, enforcement, and effect, and to determine and from time to time redetermine the nature and extent of any legislation which may be necessary or desirable for—

(1) clarification of existing law to eliminate conflicts and uncertainties where necessary;

(2) improvement of the administration and enforcement of existing laws;

(3) supplementation of existing law to provide any additional substantive, procedural, or organizational legislation which may be needed for the attainment of the fundamental objects of the laws and the efficient administration and enforcement thereof.

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: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; 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 $365,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

CONSTITUTIONAL GOVERNMENT—ADDRESS BY SENATOR THURMOND

Mr. BYRD. Mr. President, I ask unanimous consent to have printed in the body of the RECORD the text of an able address on the subject Constitutional Government, delivered by the distinguished Senator from South Carolina [Mr. THURMOND] at the Harvard Law School Forum, Harvard University, on December 6, 1957.

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

CONSTITUTIONAL GOVERNMENT

(Address by Hon. STROM THURMOND, of South Carolina, to Harvard Law School Forum, Harvard University, Cambridge, Mass., December 6, 1957)

I am happy to have this opportunity to speak on the subject of constitutional government. I am particularly happy to be able to do so at the Harvard Law School. For it is here at Harvard that so much has been done, and that so many have labored in the never-ending fight to insure that the precious heritage of our constitutional rights shall be preserved intact for the future.

The list of those associated with the Harvard Law School and Harvard University who have labored zealously in behalf of the precious rights to the individual is a long and impressive one.

I wish to impress upon you fully, at the outset, that I have a full awareness and that the people of the South have a full awareness of the vital importance of preserving the constitutional rights of the individual, that is, civil liberties. I emphasize this point, because I do not want what I am going to say tonight to be taken in any way as an attempt to minimize the importance of the efforts which have been made toward safeguarding the rights of the individual citizen.

But I do want to make myself clear on this: In order to be true defenders of the Constitution, true supporters of Constitutional Government in the fullest sense, it is necessary that we look at the entire Constitution and defend all of it, and not merely certain sections which best suit our own political or social views. We cannot be selective in our approach to the Constitution. Yet, it is my feeling—and I think that there will be general agreement on this point—that many great liberal minds, here at Harvard as elsewhere, have tended, in their efforts in behalf of Constitutional Government, to emphasize the rights of the individual, the individual's civil liberties.

Important as this aspect of Constitutional Government is, it should not be stressed to the point of neglecting—or actually disparaging—other important aspects of the Constitution. It is about one such vital facet of the Constitution which has not only been neglected but has actually been deliberately whittled away (often, sad to say, directly because of the emphasis on individual rights), that I wish to speak tonight.

I should like to pause here a moment to note that the motto which appears on the shield, or arms, of this great university is veritas—truth. Let us all bear that word in mind when we set out to examine the Constitution. Let us be dispassionate in our approach to this basic document of our political system. Regardless of our personal feelings as to politics, race, or ideology, let us look the Constitution squarely in the face. Let us admit this fundamental truth about the Constitution: Namely, that in addition to its concern with the rights of the individual citizen, the Constitution looks also to the rights and integrity of the several States.

By no fair view of the Constitution are the States supposed to be mere administrative subdivisions of an all-powerful Central Government, exercising whatever powers they may have strictly at the sufferance of the Central Government. Yet that stage is rapidly being reached and, curiously and tragically, seems almost to be promoted by many of those who, where the individual's rights are concerned, are the quickest to proclaim the sanctity of the Constitution. Whatever one's views on the current social and political issues, fairness and truth demand that this fundamental concept be kept in mind: These States are States and not mere provinces.

The very bedrock of the Constitution is its establishment of our dual system—the division of powers between the States and the Federal Government. The second major feature of the Constitution is the tripartite principle, that is, the principle of the independence of the three branches of the Federal Government. These two devices together make up the system of checks and balances which the Founders strove to provide, in order that no tyrannical power apparatus should ever be created in America.

The wisdom of the checks-and-balances system seems so obvious that it is scarcely believable that it should at this day need any advocacy or defense. Yet, in recent years, men apparently have been willing, in order to obtain some temporary—and usually illusory—advance in the field of individual rights, to jeopardize this entire intricate structure, so vital to all our freedoms. When men fall into this error they not only violate to the very core the Constitution which they claim to serve, but, in the long view, they also place the precious human rights of the individual in the greatest jeopardy possible. For individual rights are in the most mortal danger when a power apparatus has been built up which has no checks, no balances, which relies solely on the discretion of the men who happen to be in control of it. The importance of the checks-and-balances system and of strict adherence to constitutional methods has probably never been better expressed than by President George Washington who, in his Farewell Address, declared as follows:

"The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasions of the others, has been evinced by experiments ancient and modern; some of them in our country, and under our own eyes. To preserve them must be as necessary as to institute them. If, in the opinion of the people, the distribution, or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil, any partial or transient benefit which the use can at any time yield."

The protestations of certain so-called liberals to the contrary notwithstanding, the greatest bulwarks of individual rights and

freedoms in the long run are the twin principles of States' Rights and independence of the three branches of Government. The genuine liberal who is truly interested in buttressing the rights of the individual and our precious civil liberties can best do this, first, by fighting with all his might to preserve the rights and integrity of the States, and, secondly, by resisting firmly any and all attempts on the part of any one of the three branches of the Federal Government to usurp the powers of one of the other branches.

At this point, it seems to me to be peculiarly appropriate to remember the eloquent statement by an alumnus of this university, the late President Franklin D. Roosevelt, who gave this forceful warning:

"* * * to bring about Government by oligarchy masquerading as democracy, it is fundamentally essential that practically all authority and control be centralized in our National Government. The individual sovereignty of our States must first be destroyed, except in mere minor matters of legislation. We are safe from the danger of any such departure from the principles on which this country was founded just so long as the individual home rule of the States is scrupulously preserved and fought for whenever it seems in danger."

Since, then, an honest and true appraisal of the Constitution requires us to protect the rights of the States as well as the rights of the individual, let us shift our attention for a moment away from those sections of the Bill of Rights dealing with the individual which have received so much attention in recent years—such as the 1st and 5th amendments—to the 10th amendment.

The 10th amendment has been sadly neglected. It has received little attention from the modern-day liberal, and very little support from any source (outside the South) in the recent past. One former Justice even went so far as to dismiss the 10th amendment as a "mere truism."

The 10th amendment is not a mere truism. It was not included in the Bill of Rights just to bring the number of amendments to a round 10. It was put there for a purpose, to give emphasis and clarification to the fundamental nature of the Constitution and thus to reassure the States. The 10th amendment provides that "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." In other words, the only powers possessed by the Federal Government are those which were, by means of the instrument known as the Constitution, delegated to it.

Nowhere in the Constitution, nor in any amendment thereto, is the Federal Government given any power in the field of public-school education. This is one of the fields that is reserved to the States. Public-school education has been universally acknowledged as being peculiarly within the province of the State and local governments. For the Federal judiciary now to arrogate unto themselves control over the basic educational policies of the States, to the extent of usurping the administrative function of determining what child, or classes of children, shall attend which schools, is to do grave violence to the Constitution.

Now, to this argument some will reply that, whatever the facts as to the 10th amendment, the Federal courts were given the powers which they are now seeking to exercise in the educational field, by the adoption of the 14th amendment.

Let me say that I am not here to discuss the history of the 14th amendment, nor to raise the question of whether, in the light of the force and fraud and peculiar circumstances surrounding its purported adoption, this amendment has ever really been legally incorporated into the Constitution. This question has been thoroughly and ably dealt with by many scholars and many political writers—recently, among others, by the distinguished editor and columnist, Mr. David Lawrence. Regrettably, the correctness of their conclusions runs up against the hard facts of political life and the likelihood that, should the South plead in court the illegality of the 14th amendment, the court would evade the question as being: not justiciable. In any event, for the purposes of this discussion, we need not raise the question of the legal existence of the 14th amendment.

I say we need not, for this reason. Even those who accept the 14th amendment without a qualm, even those who classify themselves as unquestioning followers of John Marshall and Alexander Hamilton, in short, even the most ardent Federalists should view with grave concern the decision of the Supreme Court in *Brown* v. *Board of Education*. They should also view with concern the decisions in several other cases of the past few years and, for that matter, the entire recent trend of the Federal judiciary.

For we have here a serious question, a grave question, of usurpation of power. That this trend on the part of the judiciary would eventually arise was forecast long ago by Thomas Jefferson, when he declared:

"It has long, however, been my opinion * * * that the germ of dissolution of our Federal Government is in the Constitution of the Federal judiciary. An irresponsible body * * * working like gravity by night and by day, gaining a little today and a little tomorrow, and advancing its noiseless step like a thief, over the field of jurisdiction until all shall be usurped from the States and the Government of all be consolidated into one."

This usurpation must be resisted. Responsible citizens have long been aware that the judiciary can no more be given free rein than either of the two other branches of Government. But, blinded by widespread misconceptions as to the role of the Supreme Court and by such cliches as "the Constitution is what the Supreme Court says it is," the people have failed to maintain any adequate checks or safeguards against encroachment by the Federal judicial branch.

These safeguards must be provided, these checks must be maintained, if we are to remain a free people. In the words of the late John W. Davis, one of the greatest constitutional lawyers our country has produced:

"Americans can be free so long as they compel the governments they themselves have erected to govern strictly within the limits set by the Bill of Rights. They can be free so long, and no longer, as they call to account every governmental agent and officer who trespasses on these rights to the smallest extent. They can be free only if they are ready to repel, by force of arms if need be, every assault upon their liberty, no matter whence it comes."

As citizens, and especially as lawyers, we have a duty to repel these assaults on our liberty made by the Federal judiciary. As citizens and as lawyers, we have a duty to see to it that there shall be no docile acceptance of any Supreme Court ruling which clearly and palpably violates the intent of the framers of the basic law, no acceptance of any so-called interpretation of the Constitution which amounts to judicial legislation.

In this connection, while on the subject of intent as a limitation on the interpreting power, I wish to quote at some length from an editorial which appeared not long ago in the Saturday Evening Post (issue of June 8, 1957). The editorial was written by the Honorable Hamilton A. Long, a distinguished authority on the Constitution and a member of the New York bar.

"Few subjects are surrounded by more confusion than the function of the United States Supreme Court in interpreting the Constitution. There can be no doubt, however, that the Court has no right to change this basic law or to violate the intent of those who initially adopted it or of those who later amended it. Only the people can change the Constitution, by amendment.

"For the Supreme Court to try to bypass this process, by interpreting the Constitution contrary to that original intent, is to usurp power never given it.

* * * * *

"Although the Constitution has not been amended to increase Federal powers since 1920, the Supreme Court in 1937 abandoned its policy of respecting the original intent of the Constitution—as amended—in defining them.

"* * * Many of these increases (in Federal power) might have been made eventually, but the proper method to make them is provided in the Constitution and should have been followed. For the Court to attempt to make them by 'interpretation' is government by usurpation, the opposite of constitutionally limited government.

"* * * This generation, like those which preceded it, is the custodian of the liberties of the people and the restraints on government power which alone can protect them. When we permit judges to 'interpret' these guaranties so as to make them ineffective, we help sabotage our own and posterity's liberties."

The duty of members of the bar is to uphold, not all Federal laws and decisions, but those (and only those) made pursuant to the Constitution. No reasonable man can construe a decision as being made in pursuance thereof where the Supreme Court's interpretation violates the plain and obvious intent of the framers and adopters—as the school segregation decision (*Brown* v. *Board of Education*) completely violates, beyond any real dispute, the plain intent of those who brought into being the 14th amendment.

Decisions which are not rendered pursuant to the Constitution, like Federal laws which do not conform to the Constitution, are acts of usurpation. It is the duty of members of the bench and bar to speak out against these acts of usurpation instead of, by silent acquiescence, lending them support.

In these troubled times, when our judicial system is floundering and the Constitution is in grave danger, it would be well for all of us to remember these words, from a letter of opinion by the Honorable J. Lindsay Almond, then attorney general and now Governor-elect of the Commonwealth of Virginia:

"Under our constitutionally ordained system of government, * * * I draw and adhere to a basic and fundamental distinction between that which issues from and under the authority of the Constitution and that which is created through usurped power under the pretended color of but ultra vires of the Constitution. That authorized by the Constitution is de jure law and binding. That not authorized is de facto law and binding only through the sheer force of power."

The segregation decision, Mr. Almond goes on to say, "* * * is devoid of constitutional derivation or support. As hereinabove pointed out, it is presently binding by virtue of superior force shackled upon a sovereign State through usurpation of authority and arrogation of power transcending the Constitution of the United States, and in abnegation of every apposite legal precedent known to American jurisprudence."

I have dealt at some length with the subject of usurpation by the judicial branch. I do not, however, wish to give the impression that it is from the judiciary alone that we need fear attempts to infringe upon our freedoms and do violence to the Constitution. Serious offenses against the basic law

have been committed in recent months by both the other branches of the Federal Government—the executive and the Congress.

In the case of the executive, of course, I am alluding to the President's action of 2 months ago in ordering Federal troops to occupy the capital city of one of our sovereign States. I have been unable to find any constitutional or statutory authority giving the President the right to use Federal troops in the enforcement of a court order not based on a law of the United States—that is, an act of Congress. Due to the fact, however, that it was my original intention to discuss with you tonight another aspect of this problem—the civil-rights bill—I would rather defer discussion of the troop question until I have an opportunity to devote more time to that subject, which from a legal standpoint is a very intricate one.

The violation of the Constitution which I should like to discuss with you at this time is the passage last summer, by the Congress, of the so-called civil-rights bill, H. R. 6127.

This bill, as finally passed by Congress and signed by the President, contains several objectionable features, some of which in my opinion render it unconstitutional. That the bill is unconstitutional is in itself, of course, more than sufficient reason for opposing it—and I opposed it all the way in the Senate, and still oppose it. But, in addition to being unconstitutional, this bill was also both unnecessary and unwise; and before going into the question of its unconstitutionality, I should like to take a few moments here to discuss these other objectionable qualities.

First, as to why this bill was unnecessary.

The right of all qualified citizens to vote is protected by law in each of the 48 States, and by Federal laws where applicable. I refer you, for example, to title 18, section 594 of the United States Code, which reads as follows:

"Whoever intimidates, threatens, coerces, or attempts to intimidate, threaten, or coerce, any other person for the purpose of interfering with the right of such other person to vote or to vote as he may choose, or of causing such other person to vote for, or not to vote for, any candidate for the office of President, Vice President, presidential elector, Member of the Senate, or Member of the House of Representatives, Delegates or Commissioners from the Territories and possessions, at any election held solely or in part for the purpose of electing such candidate, shall be fined not more than $1,000 or imprisoned not more than 1 year, or both."

If anyone should try to claim that these long-standing laws are inadequate, I think that a review of the facts and statistics should be sufficient to rebut their contention. According to recent figures, Negro registration in the Southern States has risen sharply since 1952, to a total of 1,238,000 in 1957. If that figure seems small compared to the total number of Negroes of voting age in the South, I suggest that, before rushing to accuse southern registrars of wholesale fraud or intimidation, our critics should remember that not only do many Negroes fail to meet the basic voting qualifications which are applied alike to members of both races, but also that many Negroes simply lack sufficient political consciousness to spur them on to participate in political and civic affairs. I might point out here that a great number of those who lack this political consciousness probably also lack certain other qualities prerequisite to casting a truly intelligent ballot, and thus that the cause of good government would not necessarily be served by a sudden vast swelling of the registration lists through artificial politically inspired stimuli.

Proof that Negroes were voting in the South in substantial numbers years prior to the passage of the civil-rights bill can be found in an article which was published in a Columbia, S. C., newspaper, following the general election of 1952.

The November 8, 1952, issue of the Lighthouse and Informer, a newspaper published by and for Negroes carried an analysis of the election in South Carolina. A story which appeared on page 1 read as follows:

"* * * There was no doubting that South Carolina's Negro voters were the only reason the State managed to return to the Democratic column.

"Late figures Wednesday afternoon gave Gov. Adlai Stevenson 165,000 votes and Gen. Dwight D. Eisenhower 154,000. Some 9,000 other votes were cast for the Republican Party for General Eisenhower but cannot be added to the 154,000 cast by South Carolinians for Eisenhower.

"The more than 330,000 votes counted in 1,426 of the State's 1,563 precincts represented the largest cast in the State since Reconstruction Days.

"Estimates placed the Negro vote at between 60,000 and 80,000 who actually voted."

Those are the words of the newspaper, not mine. I have no doubt that the Negro vote in the 1952 general election and the one in 1956 was heavy in South Carolina. The reports which came to me indicated a large turnout.

Second, as to why this civil-rights bill is unwise.

Part I of the bill, providing for the creation of a Commission on Civil Rights, is a good place to start. I could spell out a number of strongly objectionable and unwise features regarding specific subsections of this part I, and I did so on the floor of the Senate, but in view of considerations of time, I shall confine myself to this general observation as to the unwisdom of establishing this Commission.

The Commission can go far afield from a survey on whether the right to vote is protected. Through the power granted in section 104 (a) of part I, the Commission could exert its efforts by indirect means, toward bringing about integration of the races in the schools and elsewhere. In so doing, the Commission would be bound to create further suspicion and tension between the races.

Unbiased persons who are familiar with the segregation problem, and who have observed the detrimental result of the Supreme Court decision, know that a traveling investigating commission not only is unnecessary, but that it could, in concert with a meddling Attorney General, bring about chaos in racial relations. To bring about such a situation in our country is certainly not the part of wisdom—even if it be the part of practical politics in certain big-city States.

There are several grounds on which this bill has been challenged as unconstitutional. These range from questions of unconstitutional delegation of Congressional powers, through what possibly amounts to double jeopardy, on down to the lack of a guaranty of jury trial in cases which are criminal in nature. Under this bill, State administrative remedies will be abrogated; the Attorney General will be empowered to proceed on suspicion, against "persons about to engage" in certain activities; and suit may be filed on behalf of persons not requesting the same. I shall not engage in a detailed discussion of every one of those points. Suffice it to say that even those features which may not actually be unconstitutional are at least hardly consonant with established ideas of judicial administration. I should like, however, to take a few moments at this point to emphasize some facts in regard to one aspect which clearly involves a violation of the Constitution, namely, the question of the right to jury trial—a right which has been severely abrogated by the terms of the final, so-called compromise, version of the civil-rights bill.

In my view, this so-called compromise is no less than an attempt to compromise the United States Constitution itself.

In effect, it is an illegal amendment to the Constitution because that would be the result insofar as the constitutional guaranty of trial by jury is concerned.

Article III, section 2, of the Constitution provides that "the trial of all crimes"—I repeat, all—"except in cases of impeachment, shall be by jury."

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

The fifth and seventh amendments to the Constitution provide additional guaranties of action by a jury under certain circumstances. The fifth amendment refers to the guaranty of indictment by a grand jury before a person shall be held to answer for a crime. The seventh amendment guarantees trial by jury in common-law cases.

These guaranties were not included in our Constitution without good and sufficient reasons. They were written into the Constitution because of the abuses against the rights of the people by the King of England. Even before the Constitution and Bill of Rights were drafted, our forefathers wrote indelibly into a historic document their complaints against denial of the right of trial by jury.

That document was the Declaration of Independence.

After declaring that all men are endowed with certain unalienable rights, including life, liberty, and the pursuit of happiness, the signers of the Declaration pointed out that the King had a history of "repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these States." Then they proceeded to the listing of a bill of particulars against the King.

He was charged with "depriving us in many cases of the benefits of trial by jury."

When our forefathers won their freedom from Great Britain, they did not forget that they had fought to secure a right of trial by jury. They wrote into the Constitution the provisions guaranteeing trial by jury. Still not satisfied, they wrote into the Bill of Rights 2 years later the three specific additional provisions for jury action.

The specific provisions in the Constitution and the Bill of Rights guaranteeing trial by jury have not been repealed. Neither have they been altered or amended by the constitutional methods provided for making changes in our basic law if the people deem it wise to make such changes.

Nevertheless, in spite of the prevailing constitutional guaranty of trial by jury, we are here presented with a proposal which would compromise the provisions of the Constitution—yes, in my opinion, amend the Constitution illegally.

This compromise provides that in cases of criminal contempt, under the provisions of this act, "the accused may be tried with or without a jury" at the discretion of the judge.

It further provides "that in the event such proceeding for criminal contempt be tried before a judge without a jury and the sentence of the court upon conviction is a fine in excess of $300 or imprisonment in excess of 45 days, the accused in said proceeding, upon demand therefor, shall be entitled to a trial de novo before a jury."

The first of the provisions I have just cited, giving discretion to a judge whether or not a jury trial is granted in a criminal case, is in direct conflict with the Constitution.

The Constitution does not provide for the exercise of any discretion in a criminal case as to whether the person accused shall have a jury trial. The Constitution says "the trial of all crimes except in cases of impeachment shall be by jury."

The sixth amendment says "in all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury."

The Constitution makes no exception to the trial by jury provision in criminal cases in the event contempt is involved. Let me repeat and let me emphasize. The Constitution says "the trial of all crimes shall be by jury"—not all crimes except those involving contempt, but all crimes.

What power has been granted to Congress to agree to this proposal to compromise the constitutional right of trial by jury? The only way to amend the Constitution is by the amending process as set forth in the instrument itself. As the directly elected representatives of the people, the Congress should have been the last body to attempt to infringe upon this authority which the Constitution vests solely in the people. Yet we have seen them do so, and apparently with the approbation of many segments of the public which ought to know better.

I have dealt long enough, I think, on this particular case of undermining our Constitution. I simply wished to show, by mentioning these three examples—the segregation decision, the use of troops by the executives, and the civil rights "compromise," that all three branches of Government have been guilty, in the recent past, of offenses against the Constitution.

We are indeed at a late hour to defend our liberties. Much of our constitutional structure has been already eroded away. So much the more urgent, then, that we rededicate ourselves to the cause of constitutional government, and that we do so now.

Earlier in this address, in urging that we be fair and true in examining and upholding the Constitution in its entirety instead of in a selective fashion, I mentioned that word "veritas," which appears on the shield of this university. This brings to my mind another simple, short inscription, one which stands out in bold letters on the base of the tallest monument in the city of Charleston, S. C. The words read: "Truth, justice, and the Constitution."

The monument is that of John C. Calhoun, South Carolina's, and probably America's, foremost political thinker, a man who strove with all his power to preserve the Union. The position of Calhoun is basically the position of the Southern States today. All that they ask—and on this much they insist—is truth, justice, and the Constitution; but when they say the Constitution, they mean the whole Constitution, not just those selected portions which protect individual rights and civil liberties, but also those basic portions which protect the integrity and rights of the several States, which are themselves in the long run the surest bulwarks of the people's rights and freedoms.

INVESTIGATION OF THE ADMINISTRATION OF THE PATENT OFFICE

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1221, Senate Resolution 236.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). Without objection, it is so ordered.

The Senator from Montana has moved that the Senate proceed to the consideration of Calendar No. 1221, Senate Resolution 236, which will be stated by title for the information of the Senate.

The CHIEF CLERK. Calendar No. 1221, Senate Resolution 236, to investigate the administration of the Patent Office and review statutes relating to patents, trademarks, and copyrights.

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

The motion was agreed to; and the Senate proceeded to consider the resolution (S. Res. 236) to investigate the administration of the Patent Office and review statutes relating to patents, trademarks, and copyrights.

Mr. KNOWLAND. Mr. President, the pending business is Calendar No. 1221, Senate Resolution 236, is it not?

The PRESIDING OFFICER. That is correct.

Mr. KNOWLAND. Mr. President, I should like to address an inquiry to the distinguished Senator from Wyoming [Mr. O'MAHONEY]. I may say that in the case of the pending resolution, I am even less sanguine, as a result of what happened to the last suggestion made for a reduction in the amount proposed for one of the subcommittees. But I wish to call the attention of the Senate to the fact that the funds authorized last year under Senate Resolution 55 amounted to approximately $80,000, whereas the funds expended last year amounted to $73,770. I wonder whether the Senator from Wyoming feels that the subcommittee could get by with $80,000, rather than with the proposed increase to $135,000, which would constitute a very major increase in the funds available to this subcommittee.

Mr. O'MAHONEY. Mr. President, perhaps I should first state, as justification for the request which has been made, and which has been approved by the Committee on Rules and Administration, the fact that last year we did what we said we would: We did not spend as much as was appropriated for our use. But we requested the funds early in 1957, in order that we might carry out the program which was planned. That program has been carried out.

In this case, I can make a statement which it was not possible to make during the debate on the last item. That statement is that the publications which the Subcommittee on Patents has secured have already earned an income for the Superintendent of Documents, during less than 1 year, in the amount of more than $4,000. These documents were written by distinguished persons, such as Dr. Vannevar Bush; Dr. George E. Frost; Dr. P. J. Federico, of the Patent Office; Mr. Raymond Vernon; and Dr. Archie Palmer; and we have 14 studies of this kind, for which there has been a tremendous demand.

In addition to those, which brought in more than $4,000, two more now are ready for distribution. One of them is study No. 7, entitled "Efforts To Establish a Statutory Standard of Investigation," written by Victor L. Edwards, of the Legislative Reference Service of the Library of Congress. It will be for sale at 15 cents a copy, in the Office of the Superintendent of Documents.

The next is study No. 8, entitled "The Role of the Court Expert in Patent Litigation," written by Leo H. Whinery. It will be for sale at 30 cents a copy.

To indicate the demand for many of the documents which are directly concerned with the patent service, let me point out that in the case of the first six documents, including Senate Report No. 72, on "Patents, Trademarks, and Copyrights," 22,961 had been sold by the 8th of January of this year; and they are still being sold.

As a result of this work, we have half a dozen bills already pending; and there will have to be hearings on them.

In addition—as was pointed out by the Committee on Rules and Administration, in its report—the new developments of the past year with respect to technology and the race between the United States and Soviet Russia have raised considerable interest in the work which must be done.

The Senator from Missouri [Mr. HENNINGS], in submitting his report, has pointed out:

> This resolution would empower the Subcommittee on Patents, Trademarks, and Copyrights of the Committee on the Judiciary to expend not more than $135,000 on its program of investigations and studies of the American patent system, particularly as its technological advancement and status might now directly relate to the recent impact of Russian technology on American invention and science.

We have discovered that at the present time at least 7,500 patents are owned by the Government of the United States. Most of them have been developed in the various departments, for various purposes. Some of them have been developed in the Defense Department. It is anticipated that before the end of this year there will be approximately 10,000 such patents. One of the subjects we must develop this year is a method by which to encourage inventors to devote their talents to the invention of techniques, machines, or other devices which would be of aid in the defense of the United States. These would naturally fall into a classified character; and since they are classified, there is no possibility of having the inventors profit, under the present system. We are striving to find the best way to handle that matter.

Likewise—because, as I have said, 7,500 patents are now owned by the United States, and there will be 10,000 before the end of the year—I wish to point out that the Government receives no income from them. One of the principal objects of the committee for this year will be the making of a study of the best practicable method to provide an income to the United States from the patents it

owns. I do not think they should simply be available without any repayment to the United States.

That, in brief, is the reason why we believe the amount requested should be provided.

Mr. KNOWLAND. I still wonder whether the distinguished Senator from Wyoming might come to an adjustment of the matter, and whether he could agree to a compromise proposal to allow $100,000 this year, or an increase of approximately $20,000 over and beyond what the subcommittee had last year. I assume the subcommittee will not retrace its steps of last year.

Mr. O'MAHONEY. Oh, no; there will be no retracing.

Mr. KNOWLAND. Can the Senator from Wyoming at least make an effort—as did the Senator from Alabama [Mr. SPARKMAN]—to cooperate and to try to find a means of arriving at some reduction?

Mr. O'MAHONEY. But this is one of the most technical and one of the most difficult subjects before any of the committees of Congress. It requires a great deal of study and a great deal of time. It requires competent assistants. We have a competent staff. I assure the Senator from California that the greatest care was exercised in developing the budget. It was subject to consideration by the full Judiciary Committee, and received its approval. It was also subject to consideration by the Committee on Rules and Administration, and received its approval.

So in this case, after two full standing committees of the Senate have approved this amount, I really do not think that I, merely as chairman of the subcommittee, should now be asked—after such careful scrutiny has been given to the matter—to agree that a cut be made, just for the purpose of making a cut.

I assure the Senator from California that economy will be exercised.

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

Mr. O'MAHONEY. I yield.

Mr. ELLENDER. The Senator has stated that at present he has a competent staff. Is that correct?

Mr. O'MAHONEY. Yes.

Mr. ELLENDER. Was that staff provided with the moneys that were made available to the subcommittee during the last session of Congress?

Mr. O'MAHONEY. No increase in the staff is requested.

Mr. ELLENDER. What will the extra $55,000 be used for?

Mr. O'MAHONEY. There is included an added contribution to the civil service retirement fund.

Mr. ELLENDER. How much does that amount to?

Mr. O'MAHONEY. That amounts to $6,967.76.

Reimbursable payments to agencies will, according to our estimates, amount to $2,000, because we draw on various agencies of Government, and we must, of course, reimburse them.

Mr. ELLENDER. Is that an extra item?

Mr. O'MAHONEY. No; there was some reimbursement last year. What it amounted to, I do not recall.

Then there is an item for travel, inclusive of field investigations. There was an increase in that item. That amounts to $6,000.

Then there is an item for hearings, inclusive of reporters' fees, amounting to $5,000.

There is an item for witness fees and expenses, $3,000.

The contingent fund item is set at $2,635.96.

As stated in the report, I point out that the Senator from Wisconsin [Mr. WILEY] and I have jointly introduced several bills. They include a bill to improve the operations of the Patent Office; a bill to establish the Patent Office as an independent agency; a bill to remove a bottleneck in the processing of patents by enlarging the membership of the Patent Office Board of Appeals to enable that Office to obtain and keep qualified personnel through an increase in the salaries of certain officers; a bill to speed up the processing of patent applications. There are about 215,000 cases now pending. We must find a way to speed up those operations.

Mr. ELLENDER. I think those who operate the Patent Office came before the Appropriations Committee sometime ago and stated that, if we provided more money for the Patent Office, the processing of applications could be expedited. What does the Senator expect to develop in the attempt to have the investigations completed more quickly than they would be if they proceed as they are now being held?

Mr. O'MAHONEY. Well, they are not being held.

Mr. ELLENDER. As has been stated, they need more money; and what will an investigation do in that regard?

Mr. O'MAHONEY. I will say to the Senator from Louisiana that the patent system is one of the oldest systems in the Government. The provision for the patent law was a result of one of the clauses in the Constitution itself. Half a dozen times it had been estimated that the Office of Patents was no longer usable. We find the problem is steadily growing more difficult, much more complex, and much more necessary of attention from Congress. The applications which are made to the Appropriations Committee by the various departments are under the supervision of the Budget. They are under the supervision of the creators of the departments. It seemed to the committee, in fostering the bills, it was necessary that special action should be taken, as defined in the measures that the Senator from Wisconsin [Mr. WILEY] and I have introduced, and there will have to be hearings on those bills.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. JOHNSTON of South Carolina. I wished to verify the fact that, so far as processing of patents is concerned, we are very much behind. The Patent Office is living with old laws that have existed for some time, and which ought to be changed. I think it is necessary that patents be processed much faster than is the case at the present time.

Mr. O'MAHONEY. The Senator is correct. It is not to be accomplished by providing more money, but by passing a publications bill, which will speed operations. Hearings will be required on that bill. We are dealing with comparatively small items here. I hope the Senate is ready to take affirmative action on the resolution.

Mr. ELLENDER obtained the floor.

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

Mr. ELLENDER. I yield to the Senator from California.

Mr. KNOWLAND. I send an amendment to the desk, and ask to have it stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. It is proposed, on page 2, in line 18, to strike out the figure "$135,000" and insert in lieu thereof the figure "$80,000."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from California.

Mr. ELLENDER. Mr. President, for the past 7 or 8 years, I have been questioning the constantly increasing authorizations of money for special subcommittees. I have not met with much success in reducing the trend toward ever-greater expenditures and constantly swelling staffs. I have frequently been discouraged, but I do not propose to stop. I hope that the Senate will someday come to its senses and begin to exercise a little prudence in providing more and more of our taxpayers' money to finance temporary investigations which seem to go on and on and on.

I have served in the Senate since 1937. I have seen the amounts provided for so-called special investigations grow from $170,000 in 1940 to more than $3 million last year.

As the Senate knows, this is over and above amounts regularly made available to standing committees of the Senate. Every major committee, as well as the Small Business Committee, obtains from the Senate $110,000, in round figures, for its operations and $10,000 to hold hearings. There are few committees which do not come before the Senate annually to ask for authority to create subcommittees, and to spend money over and above those amounts authorized by the Reorganization Act.

The Committee on the Judiciary of the Senate leads the list of committees which receive large amounts of money for special subcommittees.

Last year the Judiciary Committee spent, aside from the $110,000 which it regularly obtains from the Senate, $994,291.45. If the resolution now before the Senate is adopted, that amount will be increased to $1,124,000 for the year ahead, and includes sums available for the 10 subcommittees receiving funds for special investigations.

As was pointed out a while ago, the Antitrust and Monopoly Subcommittee allowance was raised by $135,000, in round figures, over last year's allowance. As I pointed out during debate earlier this

afternoon, that subcommittee deals with antitrust investigations.

Last week we adopted a resolution to provide $90,000 for the Select Committee on Small Business. That sum was in excess of the regular appropriation which is made available to the Select Committee on Small Business. The $90,000 which was provided last week for the Select Committee on Small Business included money, among other things, for a subcommittee to study the antimonopoly-antitrust question. I cannot for the life of me see any basic difference in jurisdiction between the Select Committee on Small Business and the subcommittee of the Judiciary Committee, headed by the distinguished Senator from Tennessee. There is bound to be duplication.

As the Senator from Tennessee stated, a good deal of work will be necessary to look into the problem of economic stabilization. That problem has been studied and is now being studied by the Committee on Banking and Currency. I assume that this afternoon we shall consider a resolution to provide $70,000 for that committee, for a study which involves some of the same issues which have been outlined by the distinguished Senator from Wyoming, as well as by the distinguished Senator from Tennessee.

We have a continuous procession of subcommittees being organized and operating throughout the Congress. Last year the subcommittees spent $2,909,000. That was in 1 year.

If the resolutions which are now before us are all adopted as presented, the total amount required will be $3,072,000. That is $169,000 more than was provided last year.

I predict that a good many subcommittees will return to the Senate next year and request more money. They usually do. Many of these same subcommittees will be before us next year with their hands out for more money. My guess is that expenditures for special subcommittees next year will be far in excess of the $3,072,000 which is now being provided.

Mr. President, I again point up the fact that every year the Committee on the Judiciary increases the expenditures of its subcommittees. I again point out that that committee will receive this year $1,124,000, which represents more than one-third of the total amount of money provided by the Senate for all the subcommittees of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from California [Mr. KNOWLAND].

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

The question is on agreeing to the amendment offered by the Senator from California [Mr. KNOWLAND].

Mr. O'MAHONEY. Mr. President, the amendment which has been offered, if it were adopted, would be a decision on the part of the Senate to repudiate the action of the Judiciary Committee and the action of the Committee on Rules and Administration. Both those committees, standing committees of the Senate, created by the Senate under the standing rules, have recommended to the Senate that a certain sum be allowed to the committee.

The criticism has been made that the Judiciary Committee as a whole has received a very large sum from the contingent fund. I point out that the Judiciary Committee handles 70 percent of all the legislation which comes to the floor of the Senate.

Mr. President, I am ready to vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from California [Mr. KNOWLAND]. (Putting the question.)

Mr. KNOWLAND. Mr. President, I ask for a division.

The Senate proceeded to divide.

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

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

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

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). A quorum is present. The question is on agreeing to the amendment offered by the Senator from California [Mr. KNOWLAND].

Mr. KNOWLAND. I request a division.

On a division the amendment was rejected.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was agreed to, as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee theerof, is authorized under sections 134 (a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to conduct a full and complete examination and review of the administration of the Patent Office and a complete examination and review of the statutes relating to patents, trademarks, and copyrights.

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: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; 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 $135,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. O'MAHONEY subsequently said: Mr. President, I ask unanimous consent to have printed at the conclusion of the vote on the last resolution the list of studies contained in the Research Study Program which have been published and are to be published under the direction of the Senate Subcommittee on Trademarks and Copyrights.

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

RESEARCH STUDY PROGRAM OF THE SENATE SUBCOMMITTEE ON PATENTS, TRADEMARKS AND COPYRIGHTS

The following studies have been printed and distributed:

Study No. 1: Proposals for Improving the Patent System, by Dr. Vannevar Bush.

Dr. Bush's study embraces proposals to strengthen patent validity and protect against the misuse of patents, including their use for monopolistic purposes. He also takes up the underlying purpose and objectives of the patent system, its relationship to basic and applied science and their shifting roles, and its relationship to the independent as compared to the corporate inventor. Fifteen cents.[1]

Study No. 2: The Patent System and the Modern Economy, by George E. Frost.

Mr. Frost discusses the present patent system as it relates to our modern economy and competitive philosophy and practices. First he examines its effect as a stimulus to competitive research, inventions, and development. Second he examines its role in the competitive economy and its relation to antitrust, monopoly, and competition. Lastly, he turns to a study of the administration of the patent system. Twenty-five cents.[1]

Study No. 3: Distribution of Patents Issued to Corporations (1939–55), by the Patent Office (Commissioner Watson and P. J. Federico).

This is a statistical study of patents issued to corporations between 1939 and 1955.

[1] Copies of this study are available at the price indicated, from Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The substantial ownership of patents by corporations, and their heavy concentration in a fairly small number of corporations, underlines the need for more attention to the role corporations play in the patent system and the patent system plays in corporate affairs. Fifteen cents.[1]

Study No. 4: Opposition and Revocation Proceedings in Patent Cases, by P. J. Federico.

This study reviews the opposition, revocation, and nullification procedures of England, Germany, Sweden, and the Netherlands. The study also compares these proceedings to the interference and "public use" proceedings that exist under the United States system. Fifteen cents.[1]

Study No. 5: The International Patent System and Foreign Policy, by Raymond Vernon.

Mr. Vernon examines the economic effect of foreign patenting by United States citizens, and domestic patenting by foreign citizens, involving such patents to United States policies on foreign trade, investment, and restrictive business practices. With the Lisbon Conference scheduled for October 1958 this discussion of the international convention and the international role played by patents, is most timely. Twenty cents.[1]

Study No. 6: Patents and Nonprofit Research by Dr. Archie M. Palmer.

Dr. Palmer examines the patent holdings, policies, and practices of numerous educational institutions, experimental stations, and other nonprofit research organizations. With increasing attention being given to the contributions by educational institutions to technological development, the patent practices and policies of such institutions becomes increasingly important. Twenty-five cents.[1]

The following studies are being printed and will be available shortly:

Study No. 7: Efforts to Establish a Statutory Standard of Invention, by Victor L. Edwards, of the Legislative Reference Service, Library of Congress.

This study is the first in a series prepared by the Legislative Reference Service, dealing with Congressional efforts, successful and unsuccessful, to legislate on various important features of the patent system. The study clearly points up the difficulties that attend efforts to pin down the invention concept and the annotations bring out the fact that enactment of section 103 has contributed little to solving the problems that exist. Fifteen cents.

Study No. 8: The Role of the Court Expert in Patent Litigation, by Leo H. Whinery.

Professor Whinery's study deals with another of the basic unsolved problems of the patent system, namely, a litigation process which leaves complex, technical-fact issues to be determined by nontechnically trained judges. Professor Whinery was the first Armstrong fellow to undertake a study of this problem, pursuant to a grant made to Columbia University Law School, by Maj. Edwin Armstrong. The present study is the outcome of that research and deals with both the advantages and dangers in the use of neutral experts. The analysis is based upon a study of actual cases in which such experts have been used. Thirty cents.

Study No. 9: Recordation of Patent Agreements—A Legislative History, by Michael Daniels and Victor L. Edwards, of the Legislative Reference Service of the Library of Congress.

A study of proposals in Congress, since 1935, to require recordation of patent agreements in order to discourage the use of patents to restrict competition. Included is comment upon TNEC hearings on this subject, proposals to regulate restrictive patent agreements on the international level, and related provisions of the International Trade Organization charter. A brief bibliography is appended to the study.

Study No. 10: Exchange of Patents and Technical Information With Foreign Nations, by Michael H. Cardozo.

A study of governmental measures to facilitate and protect the flow and interchange of patent rights and technical information in connection with our foreign-based defense programs, starting with lend-lease and continuing down through the present NATO and mutual-defense programs. Recent developments suggest that there may be a substantial increase in this type of activity in the future, as a result of the sputnik-inspired program to expand scientific and technical interchange with our European friends.

Study No. 11: The Impact of the Patent System on Research, by Seymour Melman.

Professor Melman examines the part played by the patent system in stimulating and encouraging, or failing to stimulate or encourage, invention and research in our modern industrial society. He examines its impact upon both the individual who does the work and the institution that supports it. He directs his analysis primarily to the two very important areas of basic research, educational institutions and the research laboratories of large industrial corporations.

Study No. 12: Compulsory Licensing of Patents—A Legislative History, by Catherine S. Corry of the Legislative Reference Service of the Library of Congress.

This legislative history of Congressional activity deals with one of the hardy perennials of patent controversy, i. e., compulsory licensing of patents. Starting with the Oldfield proposals in 1911, it reviews the suggestions that have been made since that date, ranging from across-the-board compulsory licensing proposals to the narrower suggestions of licensing patents to combat suppression, to promote antitrust objectives or to aid national defense. Finally, it discusses the varied proposals for administering Government-owned patents. There is appended a bibliography.

Study No. 13: Patent Office Fees—A Legislative History, by Victor L. Edwards of the Legislative Reference Service of the Library of Congress.

This legislative history is a listing of Patent Office fee proposals presented to Congress from 1922 to date. The study discloses the longstanding nature of the Patent Office budgetary inadequacies and of the controversy, still argued today, over the question whether primary Patent Office support should come from the patentees and others served by it, or from the general public through taxation.

Study No. 14: Economic Aspects of Patents and the American Patent System: A Bibliography, by Julius W. Allen of the Legislative Reference Service of the Library of Congress.

This study comprises a bibliography of 447 selected articles and books on various economic aspects of patents, with each reference followed by a brief description of its contents. Categories listed include the history of patents, the concept of invention, patents and technology, Government research and patents among others.

[1] Copies of this study are available at the price indicated, from Superintendent of Documents, Government Printing Office, Washington 25, D. C.

EMPLOYMENT OF TEMPORARY PERSONNEL BY THE COMMITTEE ON RULES AND ADMINISTRATION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1229, Senate Resolution 250.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The CHIEF CLERK. A resolution (S. Res. 250) authorizing the Committee on Rules and Administration to make expenditures and employ temporary personnel.

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

The motion was agreed to, and the Senate proceeded to consider the resolution.

Mr. CURTIS. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. On page 2, line 11, after "employee," it is proposed to insert: *"Provided further,* That the total number of employees shall not exceed three unless a greater number is authorized by a majority vote of the Committee on Rules and Administration."

Mr. CURTIS. Mr. President, the resolution provides for money for the Subcommittee on Privileges and Elections of the Committee on Rules and Administration.

I am not satisfied with the rate of expenditure which is taking place in that committee, but we are faced with a situation whereby if the amount were reduced we would not attain the objective we seek.

The Subcommittee on Privileges and Elections must have an appropriation on a standby basis. It might become necessary after Congress had adjourned, and in the course of the elections, to hold an investigation. There might be a contest over a Senate seat. There are several very sound reasons for the present practice, namely, the practice of appropriating money for the Subcommittee on Privileges and Elections to have on hand in case it is needed.

Based upon the performance of last year, I wish to state my position in opposition to what has taken place. I believe I am correct in saying that the Subcommittee on Privileges and Elections did not hold a meeting in 1957. It asked for a greater amount of money, which we were able to reduce in part last year.

I thought this nonworking subcommittee had a staff of three persons. Actually, there is no need for that large a staff. But as the year drew to a close, I investigated and found that the subcommittee has a staff of six. There are 2 professional members, each of whom is paid a salary of more than $10,000. As of 10 days ago, when I got this information, there were four additional persons. This makes a staff of six for a committee that has had no duties to perform.

It was suggested in the Committee on Rules and Administration that it might be in order for me to offer an amendment to reduce the figure of $150,000 to a much smaller amount. That would not reach the problem, because if we continued to carry a staff having no duties to perform, we would still have to request more money before Congress adjourned.

I believe the amendment I have offered is a very reasonable one. I hope the majority will accept it. It merely provides that the full amount shall be made available; but until such time as the entire Committee on Rules and Administration, by a majority vote, shall take action, the size of the staff shall not be more than three. If circumstances arose which placed a problem before the committee a week or a month from now, or at any other time, the Committee on Rules and Administration could take action by a mere majority vote. To fail to offer the amendment would be to acquiesce in what is going on now in the committee. That I cannot do.

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

Mr. CURTIS. I yield to the distinguished Senator from Louisiana.

Mr. ELLENDER. Last year there was no election. I wonder who appointed the six persons. How was it done? I wonder if the Senator could tell us what those persons did.

Mr. CURTIS. I cannot give the Senator the information. I do not know. None of them were minority employees. I think three persons were working after the subcommittee concluded its work last January. But upon inquiry in December, I found there were six. I do not say that this subject was never mentioned in a committee meeting, but it was never mentioned in any committee meeting when I was present, or which was called to my attention, and I attend most of them.

I believe I am correct in stating that the Subcommittee on Privileges and Elections did not meet during the period we are discussing, which was from January 3, 1957, until the end of the year.

Mr. ELLENDER. I presume the reason why the subcommittee did not meet was that there was no election in that year; therefore, there was no use for the money. Am I correct in that understanding?

Mr. CURTIS. Yes; there was no work to be done.

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

Mr. CURTIS. I yield.

Mr. MANSFIELD. I call the attention of the Senator to the fact that we did have meetings in 1957. They were not subcommittee meetings, but they were full committee meetings, when bills were introduced by the Senator from Tennessee [Mr. GORE], the Senator from Missouri [Mr. HENNINGS], who is chairman of the full committee, and the Senator from Nebraska [Mr. CURTIS]. One other bill, S. 2151, was introduced.

If my memory serves me correctly, there were four meetings of the full committee to consider subjects which ordinarily would have been considered by the subcommittee. But because of the importance of those matters, they were considered in the full committee. I think the Senator from Nebraska recalls them.

Mr. CURTIS. I recall them very well. But the subcommittee has a staff. The subcommittee never assembled as a subcommittee to perform any work.

Mr. MANSFIELD. Not in 1957. But we certainly met many times in 1956, when there was a need for meetings. I call the Senator's attention to the fact that at that time the staff numbered 45.

Mr. CURTIS. I am aware of that, and I was not in harmony with it. I was out of harmony with the report which was submitted.

Mr. MANSFIELD. I must take exception to that statement, because the Senator from Nebraska was not out of harmony with the Gore report until the report was issued and brought to the floor. At the time of the hearings, the Senator from Nebraska raised no objection. But once the report was brought to the floor, objections were raised; and the result of those objections was that we could not get an additional number of the reports published. I think the total number published was 1,000.

Mr. CURTIS. I am sure the distinguished Senator wants to keep the record correct.

Mr. MANSFIELD. I do.

Mr. CURTIS. If the Senator will examine the report, he will see, in the report itself, that I dissent from it.

Mr. MANSFIELD. But it was after the report was completed, not during the course of the hearings, because the Senator was there—I know I was—and we were in agreement all the time.

Mr. CURTIS. I could not have dissented from the report until it was written. I admit that I dissented after the report was written.

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

Mr. CURTIS. I yield to the distinguished Senator from Missouri.

Mr. HENNINGS. I thank my colleague from Nebraska. I appreciate what the Senator has said, because I am the chairman of the Committee on Rules and Administration and have had 6 years of experience on the Subcommittee on Privileges and Elections.

As we all know, that is a committee which sometimes has unwelcome chores and a great deal of other work to do which is unpleasant. By reason of the inherent nature of the work of the Subcommittee on Privileges and Elections, it requires a staff to investigate. I believe the Illinois primaries will be held in April. I am sure that the distinguished Senator from Illinois [Mr. DIRKSEN] will bear me out in that statement. So the committee must have a standby staff.

I was not chairman of the full committee during the period when there was a relatively large staff under the administration of the Senator from Tennessee [Mr. GORE] as chairman of the subcommittee. He succeeded me in that position.

Some of us have felt that there must be a nucleus of a staff, so that if complaints should arise, investigators could be sent out to investigate.

We know that many primaries are now underway, in a sense. I do not know of any earlier ones than the primaries in the State of Illinois; but many candidates have filed, or at least have announced their candidacy, for election to the United States Senate. We simply cannot go out on the streets and find persons who are experts on the general, overall problems and laws relating to elections.

As I understand, the subcommittee now is busy with several projects. I believe that the chairman, the Senator from Montana [Mr. MANSFIELD], will bear me out on this statement. I understand that a number of things are now in process. There is presently on the calendar a so-called clean elections bill, which the full committee reported late in the summer. Of course the committee staff is available to the members of the minority, as well as to the members of the majority. I, individually, would be very happy to have on the committee staff itself a staff member from the minority, if the Senator from Nebraska has someone to suggest.

I think the amount requested has been justified. I do not believe it is unreasonable to have on the subcommittee's staff six employees who are familiarizing themselves with the very technical aspects of our national elections, as related to expenditures, campaign procedures, and so forth, which are of concern to the Senate, in connection with the effort to improve our general election machinery.

Although I am no longer a member of the subcommittee, I cannot believe that the amount requested is really excessive.

I recall that during the contest between the senior Senator from New Mexico [Mr. CHAVEZ] and General Hurley, the subcommittee had to make a number of trips to the State of New Mexico. I am sure that my distinguished friend, the Senator from Wyoming [Mr. BARRETT], will bear out my statement. On 2 or 3 occasions we had to request additional funds. I believe we spent approximately $250,000 on just that one election contest. I shall not attempt to state how successful we were; but certainly we tried, under the leadership of the distinguished Senator from Wyoming, to do the best job we knew how; and we needed a staff if we were to do the job properly.

I believe that the investigations are made under those conditions and in that atmosphere.

Although I shall not attempt to bring too much persuasion to bear upon my friend, the Senator from Nebraska, I hope the amendment will either be withdrawn or will be rejected, because I believe that if it were agreed to, it would hamper the work of the members of the subcommittee.

Our distinguished chairman, the Senator from Montana [Mr. MANSFIELD], has kept his hand on what is going on. There are a great many facets to this problem.

So I believe it would be a great mistake to add to the resolution any provision which would tend to inhibit or restrict the activities of a subcommittee of the Senate such as this one, which may have to go into action tomorrow. As the Senator from Nebraska knows, the subcommittee may have to go into an investigation next week. We never know when such things will develop. It is not possible to hire a capable staff on the spur of the moment.

Mr. CURTIS. Mr. President, I have followed with interest what the dis-

tinguished Senator from Missouri has had to say.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator from Nebraska yield to me?

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). Does the Senator from Nebraska yield to the Senator from South Carolina?

Mr. CURTIS. I yield.

Mr. JOHNSTON of South Carolina. I believe the amendment would make it impossible to hire more than three staff members for the subcommittee, without having the full committee present and without having the full committee pass on the matter. Is that true?

Mr. CURTIS. Under the provisions of the amendment the full committee would have to authorize a number greater than three.

Mr. JOHNSTON of South Carolina. Does the Senator from Nebraska mean that there would have to be a full committee meeting?

Mr. CURTIS. Yes.

Mr. JOHNSTON of South Carolina. This is an election year; that is why I have asked this question. The amendment would mean, as I understand it, that if, during this election year, some question about an election arose, it would be necessary to call together the full committee, before an investigation of election irregularities in some State could be made.

Mr. CURTIS. The full committee meets regularly. Undoubtedly it will take this very action before the Congress adjourns.

All the amendment requests is that the question of how large a staff the subcommittee shall have shall be resolved by the full committee.

I wish to read the list of the members of the committee, which includes some of the most distinguished Members of this body: The Senator from Arizona [Mr. HAYDEN], the Senator from Rhode Island [Mr. GREEN], the Senator from Missouri [Mr. HENNINGS], the Senator from Montana [Mr. MANSFIELD], the Senator from Georgia [Mr. TALMADGE], the Senator from Kentucky [Mr. COOPER], the Senator from New Jersey [Mr. CASE], and the Senator from New York [Mr. JAVITS]. They are my colleagues on the committee. I trust their judgment. But I do not believe I would wish to approve the requested appropriation authorization without having someone pass on the staff of the subcommittee, if the committee did not meet, and when I had no evidence of what work the staff had been doing, and inasmuch as I did not know that 50 percent of its work even existed.

So, Mr. President, I believe that my amendment is a very reasonable one. It would permit this distinguished group to decide this question.

Therefore, Mr. President, I hope the majority will accept the amendment.

Mr. MANSFIELD. Mr. President, I am very much impressed and pleased with the reading of the names of the distinguished Senators who comprise the Committee on Rules and Administration. One of the most distinguished members of the committee is the Senator from Nebraska [Mr. CURTIS], himself. However, he either neglected or forgot to identify himself as a member.

Let me point out that this distinguished committee had before it, when the resolution was being considered, all the information it needed; and I had available the names of all the employees of the subcommittee, the salaries they received, the length of time they had been on the payroll, and the activities which were within their ken.

Mr. GREEN. Mr. President, will the Senator from Montana yield to me?

Mr. MANSFIELD. Mr. President, if I may yield briefly to my distinguished friend, the Senator from Rhode Island, I shall continue after he has made his remarks.

Mr. GREEN. I thank the Senator from Montana. Since my name has just been brought into the discussion, I desire to make a few remarks.

Mr. President, the Committee on Rules and Administration approved this request for funds by the Subcommittee on Privileges and Elections.

It is fully recognized that the full sum of $150,000 may not be used if no contested elections arise. The subcommittee must be prepared, however, to employ additional staff personnel if investigations and contests do arise.

Since election day follows the adjournment date of Congress, it is necessary to appropriate a sufficient amount before Congress adjourns.

Furthermore, there must be on the subcommittee payroll a permanent staff to meet all contingencies and to carry out the year-round duties conferred upon the subcommittee by the Senate, such as investigations of campaign contributions and expenditures, hearings and studies of proposed amendments to the Corrupt Practices Act, the Hatch Act, and other measures within the jurisdiction of the subcommittee.

A staff of six lawyers, investigators, research specialists, and clerical assistants is reasonable, in view of the responsible work of the subcommittee.

I recommend that the resolution, as reported by the Committee on Rules and Administration, be agreed to.

Mr. MANSFIELD. Mr. President, I thank the distinguished Senator from Rhode Island, the chairman of the Foreign Relations Committee, and one of the senior members of the Committee on Rules and Administration, for the contribution he has made this afternoon.

I should like to repeat, Mr. President, that all the information which the distinguished Senator from Nebraska has laid before the Senate this afternoon was discussed in the committee, and the only member who did not vote in favor of the resolution was the Senator from Nebraska himself. Of course, he is the ranking minority member of the committee. Although he did not vote for the resolution, neither did he vote against it; he withheld his vote, but at that time he made his position known.

The pending resolution will authorize the Subcommittee on Privileges and Elections to specialize in all matters referred to it, all investigations and all contests, and all other matters involving only one subject; namely, elections.

Every even-numbered year, the subcommittee must be prepared to inquire into campaign financing or to investigate complaints arising out of one or more elections.

The chairman of the Committee on Rules and Administration pointed out that in the investigation of the Chavez election, some 5 years ago, the cost for that one investigation alone was in the neighborhood of $235,000, I believe.

The functions of the Subcommittee on Privileges and Elections require a staff of qualified and experienced lawyers, investigators, researchers, accountants, and secretaries. However, the staff is so reduced in nonelection years that it is only with great difficulties, and after hasty—and sometimes faulty—consideration of applicants, that a staff is assembled during election years.

In January of 1956, the staff consisted of only 3 members; but by September of that year it had increased to a maximum of 45 members.

New staff members had to be trained to do a job in a short time—September 1956 to January 1957, about 5 months.

Had more experienced permanent staff members been available, time and money could have been saved. An efficient and systematic investigation is the result of trained personnel.

The military, the police and fire departments, the Federal court system, and many Federal agencies employ the necessary specialists to perform their assigned functions, and when activity is relatively slow, those personnel are utilized in every manner possible.

Similarly, the Subcommittee on Privileges and Elections must have at all times a basic staff of specialists competent to carry out the assigned duties of the subcommittee.

There are countless requests for information on subcommittee matters: Letters and cards asking for copies of documents, reports and hearings; calls for interpretation or advice on Federal and State election laws; bills, resolutions and petitions calling for amendments and modifications of Federal laws; and hearings and staff studies on matters of interest to the members of the subcommittee or its parent committee.

All these matters must be given consideration and disposed of by the staff during the entire year, and not only during the latter part of an election year.

When the subcommittee is relatively inactive, some staff members are assigned to the offices of the Senators or are given other work on behalf of the Senators of the subcommittee or its parent committee.

The 15 standing committees of the Senate are not always as active when Congress has adjourned as they are during the session. Nevertheless, the professional and clerical staff members are retained because they have the knowledge and experience to prepare for and handle efficiently the work of the forthcoming year.

Without a minimum of qualified and trained personnel, a committee is ineffective. The staff of the subcommittee, numbering six at present, is not capable of being reduced without being seriously

impaired in operating skill and effectiveness.

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

Mr. MANSFIELD. I am delighted to yield.

Mr. CURTIS. I should like to have a little information about the staff. I am acquainted with three of its members. Of the other three members of the staff, how many are experienced lawyers and investigators, which the Senator has stated we need as a standby staff?

Mr. ELLENDER. Can the Senator give us the names of them? I should like to have them.

Mr. MANSFIELD. The name of the chief counsel is James H. Duffy.

Mr. CURTIS. I myself know of only three.

Mr. MANSFIELD. Let me give the whole list of the staff:

James H. Duffy, chief counsel. Sadi J. Mase, associate counsel. Alice Clark, chief clerk. David J. Humphrey, clerical assistant and investigator. He was hired, I believe, last August or September. Norma Kath, clerical assistant. Clara R. Gale, research assistant. Miss Gale has been with the committee only for a few weeks. She has not yet had an opportunity to engage actively in the work of the subcommittee, but will be given time to familiarize herself with its functions. Her education and background of experience as a research analyst and in legislative research qualify her for employment on the staff, and her services will be of value when the committee conducts hearings and investigations of the kind which develop during election years.

I believe Mr. David Humphrey was hired last September. Since he was assigned to the subcommittee, he has assisted in reorganizing files, and has had the responsibility of maintaining the documents and hearings of the subcommittee. He has familiarized himself with the functions of the subcommittee, and assists the members of the subcommittee, as well as other Members of the Senate, in handling agricultural matters for their individual offices. His experience as an investigator with the Department of Agriculture and with the Subcommittee on Government Employment Security of the Post Office and Civil Service Committee will be of benefit to the subcommittee should we get into an election contest or have an investigation into campaign practices.

Mr. CURTIS. Coming back to my question then, of the last three employed, how many of them are lawyers and trained investigators? A plea has been made for a standby staff of lawyers and trained investigators.

Mr. MANSFIELD. It is my understanding that Mr. Humphrey is an investigator, and the only investigator we have on the committee at the present time.

Miss Gale has done investigative work.

As to Mr. Kath, I can give no information.

Mr. CURTIS. The Senator has stated that one of the staff had been engaged in agricultural work.

Mr. MANSFIELD. That is correct. The sheet I have before me states that Mr. Humphrey has assisted members of the subcommittee, as well as other Members of the Senate, in handling agricultural matters for their individual offices. His experience as an investigator with the Department of Agriculture and with the Subcommittee on Government Employment Security of the Post Office and Civil Service Committee will be of benefit to the subcommittee should we get into an election contest or have an investigation into campaign practices.

Mr. CURTIS. I still would press for the adoption of my amendment. It would give to the full committee the opportunity to pass on this question, and at the same time it would be possible for the Senate not to approve the practice which has been engaged in by the committee in recent months.

Mr. MANSFIELD. Mr. President, the Senator from Nebraska has made his position clear. I have endeavored to make mine clear. I ask for a vote on the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Nebraska [Mr. CURTIS]. [Putting the question.]

Mr. KNOWLAND. Mr. President, I ask for a division.

The Senate proceeded to divide.

Mr. KNOWLAND. 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	Green	McNamara
Allott	Hayden	Monroney
Anderson	Hennings	Morse
Barrett	Hickenlooper	Morton
Beall	Hill	Mundt
Bennett	Hoblitzell	Neuberger
Bible	Holland	Pastore
Capehart	Hruska	Payne
Carroll	Humphrey	Potter
Case, N. J.	Jackson	Proxmire
Case, S. Dak.	Jenner	Purtell
Church	Johnson, Tex.	Robertson
Clark	Johnston, S. C.	Schoeppel
Cotton	Kefauver	Smathers
Curtis	Kennedy	Smith, Maine
Dirksen	Kerr	Smith, N. J.
Douglas	Knowland	Sparkman
Dworshak	Kuchel	Stennis
Eastland	Lausche	Symington
Ellender	Long	Talmadge
Ervin	Magnuson	Thurmond
Frear	Malone	Watkins
Fulbright	Mansfield	Wiley
Goldwater	Martin, Iowa	Williams
Gore	McClellan	Yarborough

The PRESIDING OFFICER. A quorum is present. The question is on agreeing to the amendment offered by the Senator from Nebraska [Mr. CURTIS].

Mr. KNOWLAND. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. CURTIS. Mr. President, I shall take only a brief moment to state the substance of my amendment.

The proposal before us is to make available $150,000 for the Subcommittee on Privileges and Elections. My amendment does not disturb that amount. The money should be available on a standby basis in case it should become necessary to conduct an investigation or deal with an election contest, perhaps at a time when Congress is not in session.

However, there is a situation confronting us which I should like to explain to the Senate. The Subcommittee on Privileges and Elections did not hold a meeting last year after January 31, when it concluded its work for the previous year. Perhaps a staff of one or two is all that is needed. I was under the impression that the subcommittee was continuing with a staff of three. In December, however, I discovered that the subcommittee, which did not meet all year, and had very little work to do, had a staff of six.

I believe it is true that at the present time the subcommittee has a staff of six, although it has not had any meetings during the past year. To reduce the amount asked for would not be wise, because the money might be needed later in the year. At the same time, to continue to spend it now, when no investigations are under way and there is no election contest to investigate, would likewise be unwise, and leave the subcommittee without any funds.

My amendment merely provides that the number of employees shall not exceed three, unless a greater number is authorized by a majority vote of the Committee on Rules and Administration. Certainly that is a fair proposal. The Committee on Rules and Administration meets regularly.

A short time ago I named the distinguished Senators who serve on the committee. I wish to do so again. Some very distinguished Senators serve on that committee. They are Senators HENNINGS, HAYDEN, GREEN, MANSFIELD, TALMADGE, COOPER, JAVITS, and CASE of New Jersey. Those are the Senators who serve with me on the Committee on Rules and Administration.

All my amendment would do would be to provide that the number of employees shall not exceed three, unless the full committee, by majority vote, shall authorize a greater number of employees. A situation might arise which would induce the committee to take such action at any time, perhaps next week, or perhaps before Congress adjourns.

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

Mr. CURTIS. I yield.

Mr. KERR. As I understand, the Senator is a member of the Committee on Rules and Administration. Is that correct?

Mr. CURTIS. That is correct.

Mr. KERR. He has been a member of that committee for how long?

Mr. CURTIS. For 3 years.

Mr. KERR. As I understand, he made his discovery last December. Is that correct?

Mr. CURTIS. I was under the impression that the subcommittee had a staff of three. When I started to look into the question of funds for the committee, I discovered that the subcommittee, which had held no meeting during the past year, had a staff of six.

Mr. KERR. Is the Senator from Nebraska a member of the subcommittee?

Mr. CURTIS. I am.

Mr. KERR. How long has the subcommittee had six staff members?

Mr. CURTIS. I do not know. I believe the Senator from Montana [Mr. MANSFIELD] may be able to enlighten us on that point. I understood that one of

the employees was taken on in August and another one later in 1957.

Mr. KERR. But the Senator from Nebraska did not discover that until December. Is that correct?

Mr. CURTIS. Congress was not in session. I do not believe I have ever seen members of the staff.

Mr. KERR. But the Senator from Nebraska did discover it in December. Is that correct?

Mr. CURTIS. I believe it was in December.

Mr. KERR. That was the statement the Senator made.

Mr. CURTIS. Yes.

Mr. KERR. And he has been a member of the subcommittee all that time. Is that correct?

Mr. CURTIS. Yes. If I had not made inquiry with regard to the payroll of the committee, I would not have discovered it even up to this date, because the subcommittee does not meet. I do not see the need for such a staff.

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

Mr. CURTIS. I yield.

Mr. HENNINGS. I wish to make my position clear. Some Senators who are now in the Chamber were not present when I made my earlier statement and during the previous colloquy. I shall not repeat it in full. However, I have had service with the subcommittee for about 6 years. In 1955 I was chairman of the subcommittee. I served on the subcommittee during the Hurley-Chavez contest, when the subcommittee was presided over by our learned and distinguished friend, the Senator from Wyoming [Mr. BARRETT]. At that time there were 60 staff members on the subcommittee. I believe we spent about $230,000 on that occasion. I was a member of the subcommittee not only during the Hurley-Chavez contest, but also during the contest between former Senator Tydings and the present Senator from Maryland [Mr. BUTLER], in 1952. Then there was the investigation of Senator Joseph McCarthy. We also considered questions relating to the election in Michigan, as the distinguished Senator from Michigan will recall.

The subcommittee handles an enormous amount of business and correspondence. I may say parenthetically—and I do not mean to reflect upon either the good faith or the intentions of my good friend from Nebraska—that the United States Senate should not sit in solemn deliberation on a question concerning a subcommittee of a committee of the Senate, particularly with reference to whether that subcommittee should employ a staff of three members, or six.

The Senator from Nebraska has been good enough to compliment the composition of the Committee on Rules and Administration, on which I have the honor to serve as chairman. I wonder if the Senator does not think that this is really committee business.

Mr. CURTIS. That is what I wish to make it. My amendment would do just that.

Mr. HENNINGS. The Senator was in committee when the subject was discussed. I see in the Chamber the distinguished Senator from Maine [Mrs. SMITH] who also has served on the Privileges and Elections Subcommittee with great distinction to herself and to her State. I believe I hold the record in years of service. I have served on the subcommittee for 6 years. I did not ask for the assignment.

I believe we should have a standby staff for whatever may happen. A number of primary elections contests will be held this year, and it is necessary to have some staff members on hand who have some familiarity with election laws and election procedures in the event that a contest should arise. The distinguished Senator from Oklahoma [Mr. MONRONEY] was also a member of the subcommittee and served with great credit and distinction. He also has an understanding of the problems.

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

Mr. CURTIS. I yield briefly.

Mr. MONRONEY. The Senator from Missouri is a distinguished constitutional lawyer. Is it not a fact that, in the final analysis, what the distinguished Senator from Nebraska is proposing is that a subcommittee which has the right to recommend to the Senate that a Senator not be seated is not to be trusted with the employment of three staff members?

Mr. HENNINGS. The Senator from Oklahoma has well stated the question. I do not mean to reflect on the Senator from Nebraska, but he was present at the meeting when this subject was discussed. He said he would not vote against it in committee but that he had certain reservations about it.

I am not critical of the Senator from Nebraska. However, I do think this is committee business. If a committee of the Senate cannot be trusted, we can follow the same procedure with respect to every other committee of the Senate, and ask whether a certain employee is needed, whether the employee reports on time, and what kind of work he does, and what time he leaves the office. That is not business for the Senate to consider. The Subcommittee on Privileges and Elections reported the resolution without a dissenting vote, including that of my good friend from Nebraska. It came to the conclusion that the resolution related to a subject which was fully discussed. The Senator from Nebraska says that the subcommittee held no hearings last year. Perhaps that is a bit unfair to my distinguished friend, the Senator from Montana [Mr. MANSFIELD], because we did hold hearings on the so-called clean elections bill—S. 2150—in the full committee. We reported a bill which is now on the calendar.

Mr. CURTIS. Mr. President, a short time ago I yielded to the distinguished Senator from Oklahoma, who inquired about the necessity of having a staff adequate to handle the situation in case a contest should arise. I can advise the distinguished Senator that prior to his entrance into the Chamber the Senator from Montana told us what the staff members were doing. I asked him whether they were trained lawyers and investigators. I am sorry the Senator was not here to hear that information.

With regard to my position in the Committee on Rules and Administration, I said then and I say now that I have no opposition to granting the money requested. I think it should be made available.

I stated my opposition to the staff that I discovered, stating that I did not believe there were duties for them to perform. Very frankly, I declined to offer an amendment to reduce the amount, and I am not doing so now. I am ready to vote.

Mr. MANSFIELD. I note that the Senator has used the word "discovered." I want the Senator to know that there was nothing hidden about the six employees on the payroll. There were three for a while; then there were four; finally there were six.

The Senator from Nebraska has repeated on the floor what he said in the committee. I, too, am sorry that this question was not settled in the committee, but it is too late now. The matter is now before the Senate. I think the issue is clear. I think everyone has his or her mind made up. I hope the vote will be taken, and the matter settled.

Mr. CURTIS. The issue on which we are voting is one of approving the staff which has been described, or the alternative of suggesting that the size of the staff be determined by a majority vote of the committee. I do not believe the amendment would cripple the work of the committee. I hope the amendment will be agreed to.

Mr. MANSFIELD. So far as the majority vote of the committee is concerned, at its last regular meeting the committee, with one exception—the Senator from Nebraska—voted for the $150,000 and the six-employee staff. Is that not correct?

Mr. CURTIS. Not completely.

Mr. MANSFIELD. Wherein am I mistaken?

Mr. CURTIS. I do not think we had an opportunity to draft an amendment which would have placed the question in issue as it has been done now.

Mr. MANSFIELD. That is true; but every member of the committee knew there were six members on the staff. Every member of the committee knew that $150,000 was being asked for. This is a standing subcommittee; it is not a select committee. It is a permanent subcommittee. Some Senator must serve as chairman; Senators must man it; someone must direct it.

So far as the committee was concerned, they knew there were six members of the staff; they knew that $150,000 was being asked for; and by a vote of 8 to 0 they reported the resolution favorably. The only Senator who did not vote, among the nine members, was the Senator from Nebraska, who abstained from voting, but who made his position very, very clear.

Mr. CURTIS. That is correct.

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

Mr. CURTIS. I yield.

Mr. AIKEN. I entered the Chamber only a short time ago. Possibly the Senator from Nebraska has already answered the question I wish to ask. Am I to understand that he is proposing to

reduce from six to three persons the staff of the subcommittee which will investigate the elections which will take place next November? Is that the proposal of the Senator from Nebraska?

Mr. CURTIS. My amendment proposes to reduce the staff to three until the full Committee on Rules and Administration, by a majority vote, authorizes a greater number, which it can do at any time.

Mr. AIKEN. As I understand, the staff would not have cases on which to work until next fall.

Mr. CURTIS. That I do not know. Something might arise very shortly. I believe I am correct in saying that in the first 6 months of 1956, which was an election year, the subcommittee had a staff which was much smaller than the present staff.

Mr. AIKEN. Inasmuch as the staff would investigate and challenge elections, is it evenly divided as between the two parties?

Mr. CURTIS. No. I have not availed myself of the opportunity to appoint a minority staff member, because there has been nothing to do. The committee did not meet during 1957.

Mr. AIKEN. More than one minority member would be needed. I was a member of the Subcommittee on Privileges and Elections several years ago, and there were two members on the staff. I believe the present distinguished Governor of Arizona was the chairman of the committee at that time, and the staff consisted of one Republican and one Democrat, who got along very well together. After the election, when Congress met, we found that we had 96 Senators.

Mr. CURTIS. I think if we are faced with a contest, the staff membership question can be settled.

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

Mr. CURTIS. I yield.

Mr. HENNINGS. I am not a member of the subcommittee; I am chairman of the full Committee on Rules and Administration, although I served for 6 years on the subcommittee. The distinguished Senator from Vermont asked whether this subcommittee would have to do with anything other than what might happen next November at the regular general election. I think the Senator from Nebraska made it abundantly clear, but to make the assurance doubly sure, I will say to the Senator from Vermont that we might be called on to conduct an investigation and an inquiry into an election in the State of the distinguished Senator from Illinois [Mr. DIRKSEN]. I believe the primaries in that State will be held in April. Such an investigation might arise very soon.

From my experience as chairman of the subcommittee, I should say that it would be difficult to go out on the street, here and there, and try to recruit a staff. We are talking about three persons; that is all the discussion is about. There are six on the staff; the Senator from Nebraska is talking about taking three off.

Mr. DIRKSEN. There will be a primary in April in Illinois; but am I to understand that the Senator's subcommittee would investigate a primary election?

Mr. HENNINGS. Oh, indeed; that is a part of the function of the subcommittee.

Mr. DIRKSEN. I do not know whether there is any authority to do so. I do not know whether there is anything in the law to warrant the investigation of a primary election.

Mr. HENNINGS. It has been done. It has been done in my own State.

Mr. AIKEN. I asked the question for a different reason. I wanted to know what the six members of the staff would do between now and November.

This afternoon I voted against one appropriation for an investigation, and I shall vote this time for the amendment of the Senator from Nebraska, because I think Congress is showing a tendency to run pretty wild in making appropriations for our use on the Hill. I do not believe we can run very wild ourselves and then expect to hold the executive branch in line when it comes to appropriations. I am becoming a little disturbed over the situation.

Mr. CURTIS. I yield the floor.

Mr. MANSFIELD. This is a general-election year.

Mr. AIKEN. I am not questioning the amount.

Mr. MANSFIELD. This is not a select committee; it is a standing subcommittee.

Mr. AIKEN. I would question the hiring of more personnel at this time than there is actually work for.

Mr. KERR. Mr. President, the distinguished Senator from Illinois asked if this subcommittee had any function to perform in connection with a primary election. My first acquaintance with this subcommittee was in connection with my own primary election. It came as quite a shock to me that Republican staff members of the Republican subcommittee came into Oklahoma in 1948 in the primary election. They were not satisfied with doing that; they then went on to the State just south of the Red River.

Mr. ANDERSON. Texas?

Mr. KERR. To Texas. [Laughter.]

Then they went on to the State of my colleague, the distinguished Senator from New Mexico [Mr. ANDERSON].

I do not know whether or not there is authority of law for this subcommittee to spend money in connection with the investigating of primaries; but I say to the wide, wide world that there is precedent for it. [Laughter.]

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Nebraska [Mr. CURTIS]. The yeas and nays having been ordered, the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Virginia [Mr. BYRD], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Ohio [Mr. LAUSCHE], the Senator from Montana [Mr. MURRAY], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Georgia [Mr. RUSSELL], and the Senator from North Carolina [Mr. SCOTT] are absent on official business.

I further announce that, if present and voting, the Senator from New Mexico [Mr. CHAVEZ], the Senator from Montana [Mr. MURRAY], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from North Carolina [Mr. SCOTT] would each vote "nay."

Mr. DIRKSEN. I announce that the Senator from Kentucky [Mr. COOPER] and the Senator from Pennsylvania [Mr. MARTIN] are absent on official business.

The Senator from Massachusetts [Mr. SALTONSTALL], the Senator from Vermont [Mr. FLANDERS], and the Senators from New York [Mr. IVES and Mr. JAVITS] are necessarily absent.

The Senator from Ohio [Mr. BRICKER], the Senator from New Hampshire [Mr. BRIDGES], the Senator from Connecticut [Mr. BUSH], the Senator from Maryland [Mr. BUTLER], the Senator from Kansas [Mr. CARLSON], the Senator from North Dakota [Mr. LANGER], the Senator from West Virginia [Mr. REVERCOMB], the Senator from Minnesota [Mr. THYE], and the Senator from North Dakota [Mr. YOUNG] are detained on official business.

If present and voting, the Senator from Ohio [Mr. BRICKER], the Senator from Kentucky [Mr. COOPER], the Senator from Pennsylvania [Mr. MARTIN] and the Senator from Massachusetts [Mr. SALTONSTALL] would each vote "yea."

The result was announced—yeas, 25, nays, 49, not voting, 22, as follows:

YEAS—25

Aiken	Dworshak	Mundt
Allott	Goldwater	Potter
Barrett	Hickenlooper	Purtell
Bennett	Hoblitzell	Schoeppel
Capehart	Hruska	Smith, N. J.
Case, S. Dak.	Jenner	Watkins
Cotton	Knowland	Williams
Curtis	Martin, Iowa	
Dirksen	Morton	

NAYS—49

Anderson	Hill	Morse
Beall	Holland	Neuberger
Bible	Humphrey	Pastore
Carroll	Jackson	Payne
Case, N. J.	Johnson, Tex.	Proxmire
Church	Johnston, S. C.	Robertson
Clark	Kefauver	Smathers
Douglas	Kennedy	Smith, Maine
Eastland	Kerr	Sparkman
Ellender	Kuchel	Stennis
Ervin	Long	Symington
Frear	Magnuson	Talmadge
Fulbright	Malone	Thurmond
Gore	Mansfield	Wiley
Green	McClellan	Yarborough
Hayden	McNamara	
Hennings	Monroney	

NOT VOTING—22

Bricker	Flanders	Revercomb
Bridges	Ives	Russell
Bush	Javits	Saltonstall
Butler	Langer	Scott
Byrd	Lausche	Thye
Carlson	Martin, Pa.	Young
Chavez	Murray	
Cooper	O'Mahoney	

So Mr. CURTIS' amendment was rejected.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 250) was agreed to, as follows:

Resolved, That the Committee on Rules and Administration, or any duly authorized subcommittee thereof, is authorized under sections 134 (a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a

complete study of any and all matters pertaining to—

(1) the election of the President, Vice President, or Members of Congress;

(2) corrupt practices;

(3) contested elections;

(4) credentials and qualifications;

(5) Federal elections generally;

(6) presidential succession.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1958, to January 31, 1959, 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: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; 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 $150,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATION BY COMMITTEE ON BANKING AND CURRENCY

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1255, Senate Resolution 214.

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). The resolution will be stated by title.

The CHIEF CLERK. Calendar No. 1255, Senate Resolution 214, authorizing the Committee on Banking and Currency to investigate certain matters under its jurisdiction.

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

The motion was agreed to; and the Senate proceeded to consider the resolutiton (S. Res. 214) authorizing the Committee on Banking and Currency to investigate certain matters under its jurisdiction, which had been reported from the Committee on Banking and Currency without amendment, and subsequently had been reported from the Committee on Rules and Administration without amendment.

Mr. JOHNSON of Texas. Mr. President, if there is no objection, I should like to have action taken on the resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

Mr. ELLENDER. Mr. President, I notice that the resolution calls for $30,000 less than was allowed last year.

Mr. FULBRIGHT. Yes. The amount now called for is the smallest amount for this purpose that I can remember; it is $30,000 less than was allowed last year. We cannot recall a time when a smaller amount was requested for this purpose. The committee now has the smallest number of employees it has ever had.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 214) was agreed to, as follows:

Resolved, That the Committee on Banking and Currency, or any duly authorized subcommittee thereof, is authorized under sections 134 (a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to—

(1) banking and currency generally;

(2) financial aid to commerce and industry;

(3) deposit insurance;

(4) the Federal Reserve System, including monetary and credit policies;

(5) economic stabilization, production, and mobilization;

(6) valuation and revaluation of the dollar;

(7) prices of commodities, rents, and services;

(8) securities and exchange regulation;

(9) credit problems of small business; and

(10) international finance through agencies within the legislative jurisdiction of the committee.

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: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; 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. Expenses of the committee, under this resolution, which shall not exceed $70,000 shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

PUBLIC AND PRIVATE HOUSING

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1256, Senate Resolution 207.

The PRESIDING OFFICER. The resolution will be stated by title.

The CHIEF CLERK. Calendar No. 1256, Senate Resolution 207, to investigate matters pertaining to public and private housing.

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

Mr. KNOWLAND. Mr. President, we have no objection to having the resolution taken up. This is the resolution upon which the Senator from Alabama had a colloquy with me, the other day, here on the floor. He said he would be willing to accept an amendment providing for $90,000, which is the amount the committee had last year.

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

The motion was agreed to; and the Senate proceeded to consider the resolution (S. Res. 207) to investigate matters pertaining to public and private housing, which had been reported from the Committee on Banking and Currency without amendment, and subsequently had been reported from the Committee on Rules and Administration without amendment.

Mr. JOHNSON of Texas. Mr. President, if the Senator from California will submit his amendment, we shall act on it.

Mr. KNOWLAND. Mr. President, I offer the following amendment: On page 2, in line 18, strike out "$104,000" and insert in lieu thereof "$90,000."

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 2, in line 18, it is proposed to strike out "$104,000" and to insert "$90,000."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from California.

The amendment was agreed to.

The PRESIDING OFFICER. The question now is on agreeing to the resolution, as amended.

The resolution (S. Res. 207) as amended, was agreed to, as follows:

Resolved, That the Committee on Banking and Currency, or any duly authorized subcommittee thereof, is authorized under sections 134 (a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to public and private housing.

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: *Provided,* That the minority is authorized to select one person for appointment, and the person so elected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; 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.

INVESTIGATION BY COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1257, Senate Resolution 224.

The PRESIDING OFFICER. The resolution will be stated by title.

The CHIEF CLERK. Calendar No. 1257, Senate Resolution 224, authorizing the Committee on Interstate and Foreign

Commerce to investigate certain matters under its jurisdiction.

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

The motion was agreed to; and the Senate proceeded to consider the resolution, which had been reported from the Committee on Interstate and Foreign Commerce with an amendment, on page 3, in line 4, after the word "exceed" to insert "$225,000"; and which had subsequently been reported from the Committee on Rules and Administration without additional amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the Committee on Interstate and Foreign Commerce, which will be stated.

The CHIEF CLERK. On page 3, in line 4, it is proposed to insert "$225,000."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. ELLENDER. Mr. President, I believe the resolution calls for an increase in the amount of $25,000 over the amount provided last year. According to information before me, the Senate last year provided $200,000 for this subcommittee; this year $225,000 is requested.

Mr. KNOWLAND. Mr. President, my record shows that last year the Senate authorized $225,000. Therefore, the pending resolution calls for the same amount the Senate authorized last year, as I understand.

Mr. ELLENDER. Last year the Senate authorized for this purpose the expenditure of $200,000, did it not?

Mr. KNOWLAND. No; last year the Senate authorized for this purpose an appropriation of $225,000. The committee spent less than that amount, and returned part of the amount authorized for its use.

Mr. ELLENDER. Then the information provided me is in error.

Mr. KNOWLAND. Mr. President, we have no objection to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the Committee on Interstate and Foreign Commerce.

The amendment was agreed to.

The PRESIDING OFFICER. The question now is on agreeing to the resolution, as amended.

The resolution (S. Res. 224), as amended, was agreed to, as follows:

Resolved, That the Committee on Interstate and Foreign Commerce, or any duly authorized subcommittee thereof, is authorized under sections 134 (a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to—

(1) interstate commerce generally;
(2) foreign commerce generally;
(3) maritime matters;
(4) interoceanic canals;
(5) transportation policy;
(6) domestic surface transportation, including pipelines;
(7) communications;
(8) Federal power matters;
(9) civil aeronautics; and
(10) fisheries and wildlife.

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: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; 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 $225,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

ADDITIONAL FUNDS FOR THE COMMITTEE ON FINANCE

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1258, Senate Resolution 245.

The PRESIDING OFFICER. The resolution will be stated by title.

The CHIEF CLERK. A resolution (S. Res. 245) authorizing the Committee on Finance to expend an additional $10,000 from the contingent fund of the Senate during the 85th Congress.

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

The motion was agreed to; and the resolution was considered and agreed to, as follows:

Resolved, That the Committee on Finance is hereby authorized to expend from the contingent fund of the Senate, during the 85th Congress, $10,000 in addition to the amount, and for the same purposes, specified in section 134 (a) of the Legislative Reorganization Act, approved August 2, 1946.

ADDITIONAL FUNDS FOR THE COMMITTEE ON LABOR AND PUBLIC WELFARE

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1259, Senate Resolution 252.

The PRESIDING OFFICER. The resolution will be stated by title.

The CHIEF CLERK. A resolution (S. Res. 252) to provide additional funds for the Committee on Labor and Public Welfare.

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

The motion was agreed to; and the resolution was considered and agreed to, as follows:

Resolved, That the Committee on Labor and Public Welfare is hereby authorized to expend from the contingent fund of the Senate, during the 85th Congress, $10,000 in addition to the amount, and for the same purpose, specified in section 134 (a) of the Legislative Reorganization Act approved August 2, 1946.

ADDITIONAL CLERK HIRE FOR COMMITTEE ON LABOR AND PUBLIC WELFARE

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1260, Senate Resolution 254.

The PRESIDING OFFICER. The resolution will be stated by title.

The CHIEF CLERK. A resolution (S. Res. 254) to authorize additional clerk hire for the Committee on Labor and Public Welfare.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas [Mr. JOHNSON].

The motion was agreed to; and the Senate proceeded to consider the resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

Mr. HILL. Mr. President, under the resolution the committee would not be adding any personnel other than those we have had since the 83d Congress.

Mr. ELLENDER. Does that statement apply to all three resolutions?

Mr. HILL. No. I understand that the Senate is not to take up our third resolution. The resolution now before the Senate authorizes the continuance in service of four clerical assistants who were hired in the 83d Congress. Their employment continued through the 84th Congress. They were retained in the first session of the 85th Congress. It is proposed now to continue their employment in the 2d session of the 85th Congress.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was agreed to, as follows:

Resolved, That the Committee on Labor and Public Welfare is authorized, from February 1, 1958, through January 31, 1959, to employ four additional clerical assistants to be paid from the contingent fund of the Senate at rates of compensation to be fixed by the chairman in accordance with section 202 (e), as amended, of the Legislative Reorganization Act of 1946, and the provisions of Public Law 4, 80th Congress, approved February 19, 1947, as amended.

COMMEMORATION OF FIRST FLIGHT OF AN AIRPLANE ON AN ARMY INSTALLATION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1252, House bill 6078.

The PRESIDING OFFICER. The bill will be stated by title.

The CHIEF CLERK. A bill (H. R. 6078) 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.

Mr. JOHNSON of Texas. Mr. President, I merely desire to make that bill the unfinished business.

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

The motion was agreed to; and the Senate proceeded to consider the bill.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I should like to make an announcement. I should like to have the attention of the distinguished minority leader and the distinguished chairman of the Committee on Post Office and Civil Service.

As is customary, the leadership conferred and agreed on the period of February 10 to February 15 as one when we would not bring before the Senate any highly controversial legislation. So far as it is within my power, there will be no yea-and-nay votes. Of course, there may be quorum calls. Those quorum calls may not be withdrawn. I shall attempt to avoid as many quorum calls as possible during that week, in order to extend the customary cooperation to my friends on the minority who have speaking engagements throughout the country on Lincoln's Birthday.

I expect the Senate to be in session several days during the week. There will be some speeches, and perhaps a call of the calendar for the consideration of noncontroversial legislation, or legislation that appears to be noncontroversial.

I am hopeful that when we return to the consideration of controversial legislation, beginning with February 17, or 18, at least, the majority leader can bring before the Senate the pay bills for the postal and classified Government workers.

I expect that proposed legislation to be motioned up on Tuesday, February 18. Certainly, I shall do everything I can to hit that target. It may be 2 or 3 days later, but I expect it to be in the vicinity of February 18, or the week of February 18.

I am very much interested in getting prompt action on the bill, as I know other Senators are, because I am aware of the economic pressures which have been squeezing our Federal employees.

This type of legislation always involves many difficulties in scheduling. Many individuals must be consulted and an agreement must be reached as to the appropriate time for debate. As nearly as possible, I have already worked out that problem with the distinguished minority leader and the chairman of the Committee on Post Office and Civil Service.

The question has arisen as to whether such legislation must be tied to a postal rate increase. That is out of the hands of the majority leader. However, the only language I know is the language of candor. I have been informed by Members on both sides of the aisle that when the leadership motions up the postal pay legislation, there will be amendments offered in the form of postal rate increases. I am betraying no secret when I say Senators have already served notice to that effect upon me. I want each Member of the Senate to be aware of the facts.

There is no way that I know of in which a Senator can or should be precluded from offering an amendment. It would not accord with the traditions of the Senate to determine in advance what changes can be proposed to any specific piece of legislation.

I am informed by the distinguished chairman of the Committee on Post Office and Civil Service that he hopes to conclude hearings on Thursday of next week, and that he expects to report a rate increase bill at the earliest possible date. I hope the committee may be able to get together and report a postal rate bill, because I think it would be much better if the Senate could act upon a bill reported by the committee and thoroughly considered by the committee, rather than upon amendments offered only from the floor.

I have discussed that problem with the chairman of the Committee on Post Office and Civil Service several times. He has assured me that he will do his best to conclude hearings next week. He hopes that during the week of February 18 he can have a postal rate bill on the calendar. If that is true, perhaps we shall be able to consider pay legislation on its merits and the rate legislation independently.

If such a bill is not reported and placed on the calendar, I think all Members should be on notice that Senators will offer amendments in the form of postal rate increases, and that very likely there will be a number of yea-and-nay votes on that subject that week.

Mr. JOHNSTON of South Carolina. Mr. President, I should like to reply to what the majority leader has just said. I am glad to know the pay bills in regard to Government employees, both classified and postal workers, which are now pending on the Senate Calendar will be taken up. First, I should like to make one thing crystal clear. Pay increases for postal or other Federal employees should not and must not depend on increased revenues from postage rates. Unless we wish to limit future pay adjustments for the employees of the Agriculture Department until that Department's budget is balanced, or of the employees of the Internal Revenue Service unless and until taxes are increased, and so on down the line, we had better not set this dangerous precedent.

As to postal rate increases, I should like to read to the Senate a press release sent out of my office dated January 21, 1958:

> Senator OLIN D. JOHNSTON (Democrat, of South Carolina), chairman of the Subcommittee on Postal Rates of the Senate Committee on Post Office and Civil Service, announced today that the Postmaster General, Arthur E. Summerfield, would appear before the subcommittee, Friday morning, January 24, 1958, at 10 a. m., in room 135 of the Senate Office Building, to explain the administration's new proposal to increase postal rates.
>
> Senator JOHNSTON, also chairman of the standing Committee on Post Office and Civil Service, stated "the subcommittee met this morning and, after a full discussion, decided to begin the hearings with General Summerfield Friday morning after which all interested witnesses will be requested to conclude their testimony by the end of February."
>
> Senator JOHNSTON declared, "It is my intention to end these hearings at the earliest possible date and to present a committee proposal to the Senate early in March."

Mr. President, I served notice on the Senate and the public that the committee had decided to conclude its hearings on this matter by the end of February, and I said that it is my intention to present a committee proposal to the Senate early in March.

This is a highly complex subject. The committee has spent many long hours studying this problem. A definite postal policy has never been decreed by the Congress. It is my hope that the hearings now scheduled for Thursday of this week and Tuesday and Thursday of next week should complete the testimony necessary to enable the committee to make a decision on this matter at an early date. I am sure the members of the subcommittee will have a general idea as to what they want to propose to the Senate when we complete the hearings next Thursday.

I intend to call the committee together immediately following the termination of the hearings on February 13, and give the members of it every opportunity to make a decision in this matter, based upon the knowledge and facts gained during the long months of hearings and study.

In the meantime, I urge each and every Member of the Senate to read the article on this subject placed in the CONGRESSIONAL RECORD by the distinguished junior Senator from Oregon on January 31, 1958. The article relates in some detail the problems that confront us at the present time.

I hope we can handle this problem in an orderly manner. I can assure the Senate that present indications are that we shall probably be able to report a bill which will involve approximately half a billion dollars.

Mr. JOHNSON of Texas. During the week of February 18?

Mr. JOHNSTON of South Carolina. Somewhere near that date. Of course, I cannot speak for all the committee members.

Mr. JOHNSON of Texas. Mr. President, I appreciate the Senator's cooperation. I want all Senators to be on notice that we shall take up the postal pay legislation during the week of February 18. We hope also to be able to consider immediately thereafter a bill which the committee has reported on postal rate legislation.

AMENDMENT OF CODE, RELATING TO PROMOTION OF RESERVE COMMISSIONED OFFICERS OF THE AIR FORCE

Mrs. SMITH of Maine. Mr. President, at the request of the National Guard Association through Maj. Gen. George M. Carter, the adjutant general of the State of Maine, I introduce for appropriate reference, a bill to amend title 10 of the United States Code with respect to the promotion of Reserve commissioned officers of the Air Force.

The bill was drafted and prepared by the National Guard Association which informs me that it contains amendments to the Reserve Officer Personnel Act

which would answer the most distressing problems confronting the Air National Guard and the Air Force Reserve at the moment.

The National Guard Association further informs me that each of the provisions embodied in the proposed bill were included as recommendations in the report of the Department of the Air Force Reserve Officer Personnel Act Committee (ad hoc) and adopted by the Air Staff Committee on Air National Guard and Air Force Reserve Policy.

I am introducing this proposed legislation at this time in the hope of expediting consideration, discussion and action on this important matter at this session of Congress as I have been further informed that there is considerable conjecture as to whether a departmental bill on this subject will be forwarded to Congress before the close of this session.

For the maximum clarification of the purposes of this bill, I ask unanimous consent to have the bill printed in the RECORD at this point, together with letters received from Maj. Gen. George M. Carter, the adjutant general of Maine, and Brig. Gen. John L. Strauss, general counsel of the National Guard Association.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and letters will be printed in the RECORD.

The bill (S. 3240) to amend title 10, United States Code, with respect to the promotion of Reserve commissioned officers of the Air Force, and for other purposes, introduced by Mrs. SMITH of Maine, by request, was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That title 10, United States Code, is amended as follows:

(1) Chapter 51 is amended—

(A) by amending section 1007 to read as follows:

"SEC. 1007. Commissioned officers: retention in active status while assigned to Selective Service System or serving as United States property and fiscal officers.

"Notwithstanding chapters 337, 363, 573, 837, and 863 of this title, a Reserve commissioned officer, other than a commissioned warrant officer, who is assigned to the Selective Service System or who is a property and fiscal officer appointed, designated, or detailed under section 708 of title 32, may be retained in that assignment or position until he becomes 60 years of age."; and

(B) by striking out the following item from the analysis:

"1007. Commissioned officers: retention in active status while asigned to Selective Service System."

and inserting the following new item in place thereof:

"1007. Commissioned officers: retention in active status while assigned to Selective Service System or serving as United States property and fiscal officers."

(2) Section 8212 is amended—

(A) by inserting the figures "8370 (a) and (c), 8372 (b), 8374" immediately before the figure ", 8375"; and

(B) by inserting the following immediately before the period at the end of the first sentence: ", and to the extent necessary to allow the appointment of Reserve officers to fill prescribed mobilization or active duty requirements".

(3) Section 8363 is amended by striking out the figure "8372" in subsection (c) and inserting the figures "8366, 8372, or 8373" in place thereof.

(4) Chapter 837 is amended—

(A) by adding the following new section at the end thereof:

"SEC. 8394. Officers promoted under section 8366 of this title: retention in unit.

"(a) Notwithstanding any other provision of law except sections 8842–8844 of this title, an officer of any unit of the Air Force Reserve organized to serve as a unit, or an officer of the Air National Guard of the United States, who is promoted to the Reserve grade of captain under section 8366 of this title, and for whom there is no vacancy in a grade above first lieutenant in his unit, may be retained in the grade of captain in his unit until he is promoted to the Reserve grade of major or until he completes 14 years of service computed under section 8366 (e) of this title, whichever is earlier.

"(b) Notwithstanding any other provision of law except sections 8842–8844 of this title, an officer of any unit of the Air Force Reserve organized to serve as a unit, or an officer of the Air National Guard of the United States—

"(1) who is promoted to the Reserve grade of major under section 8366 of this title;

"(2) who is designated under section 8067 of this title; and

"(3) for whom there is no vacancy in a grade above captain in his unit; may be retained in the grade of major in his unit until he is promoted to the Reserve grade of lieutenant colonel or until he completes 21 years of service computed under section 8366 (e) of this title, whichever is earlier.

"(c) An officer of the Air National Guard covered by this section may be federally recognized, and retained as provided in this section, in the grade of captain or major, as the case may be, regardless of the existence of a vacancy in that grade, or in any higher grade, in his unit."; and

(B) by adding the following new item at the end of the analysis:

"8394. Officers promoted under section 8366 of this title: retention in unit."

(5) Chapter 863 is amended—

(A) by adding the following new section at the end thereof:

"SEC. 8854. Transfer from an active status of certain officers of the Air National Guard of the United States or Air Force Reserve.

"Notwithstanding any other provision of law, a Reserve officer who is a civilian employee of the Air National Guard or an Air Force Reserve technician, and who is under 60 years of age, may not be removed from an active status without his consent, because of any provision of this title, except for physical disability or because of failure of promotion to the Reserve grade of captain, major, or lieutenant colonel. A vacancy may be specifically created, if necessary, to give effect to a mandatory promotion of an officer covered by this section."; and

(B) by adding the following new item at the end of the analysis:

"8854. Transfer from an active status of certain officers of the Air National Guard of the United States or Air Force Reserve."

The letters presented by Mrs. SMITH of Maine are as follows:

NATIONAL GUARD ASSOCIATION
OF THE UNITED STATES,
Washington, D. C., February 4, 1958.

The Honorable MARGARET CHASE SMITH,
United States Senate,
Senate Office Building,
Washington, D. C.

DEAR SENATOR SMITH: In reply to your communication of February 3, concerning the bill forwarded to you by General Carter, of Maine, which would amend certain provisions of title 10, United States Code, in respect to the promotion of Reserve commissioned officers of the Air Force, I should like to take the liberty of acquainting you with some of the background which culminated in its development.

Prior to the enactment of the Reserve Officer Personnel Act of 1954, the National Guard Association and others, notably the Department of Defense and the Department of the Air Force, recognized its possible unfavorable impact in special areas upon certain of the Reserve components. Testimony before the Armed Services Committee of the Senate during its consideration of H. R. 6573 clearly revealed the degree of misgivings which had arisen concerning the then proposed act. After H. R. 6573 was enacted into Public Law 773, 83d Congress, and prior to the effective date of the law, certain technical amendments were introduced by the Department as S. 1718, and enacted as Public Law 115, 84th Congress. The announced position of the Department of Defense at that time was to the effect that it would continue to operate under the terms of the act, as amended, for a period of 2 years, in order to gain additional experience before seeking further amendments.

During the ensuing period, the operation of certain provisions of the act upon organized Ready Reserve units of the Air Force, and in particular on the Air National Guard, became almost devastating in effect. As a result of agitation in the field and specific recommendations of the Air Staff Committee on Air National Guard and Air Force Reserve Policy, there was established and convened in the Department of the Air Force during the fall of 1956 a Reserve Officer Personnel Act Committee (ad hoc), consisting of representatives from the Air Force Reserve, Air National Guard, Regular Air Force, Air Staff Committee on Air National Guard and Air Force Reserve Policy, Air Force Association, Reserve Officers Association, and the National Guard Association. This ad hoc committee developed a series of proposed amendments to the Reserve Officer Personnel Act, which were adapted by the Air Staff Committee on Air National Guard and Air Force Reserve Policy and recommended by that body to the Secretary of the Air Force as required legislation.

Proposed legislation was drawn and submitted to the Reserve Forces Policy Board in the Office of the Secretary of Defense. Meanwhile, the other services had been engaged in developing needed amendments to the basic statute, and ultimately the whole was incorporated into a completed document.

It is impossible to say at this time when or if the departmental bill will be forwarded to Congress for introduction.

While the proposed bill prepared by this association and submitted to you by General Carter is not intended to be a full and complete panacea, it does contain amendments to the Reserve Officer Personnel Act which would answer the most distressing problems confronting the Air National Guard and the Air Force Reserve at the moment. Moreover, each of the provisions embodied in the proposed bill were included as recommendations in the report of the Department of the Air Force Reserve Officer Personnel Act Committee (ad hoc) and adapted by the Air Staff Committee on Air National Guard and Air Force Reserve Policy.

The proposed bill is admittedly confusing, in that it is drawn as amendments to title 10, United States Code, and a study of that document apparently indicates many drafting deficiencies in the bill. The reasons are obvious. Existing title 10 of the code was enacted by the Congress as Public Law 1028 of the 84th Congress, approved on August 10, 1956. That codification law as embodied in H. R. 7049 included only those laws which

were enacted or by their terms effective on or before March 31, 1955. Thus, the Reserve Officer Personnel Act, which became effective on July 1, 1955, is not included therein. Nevertheless, the codification cleanup bill, H. R. 8943, which was passed by the House of Representatives on August 5, 1957, and which is now pending before the Judiciary Committee of the Senate, codifies into title 10 of the code all laws enacted or made effective subsequent to March 31, 1955, up to and including December 31, 1956. It is in this latter document that the provisions of Public Law 773, 83d Congress (ROPA), may be found. Inasmuch as H. R. 8943 will undoubtedly be enacted into Public Law at an early date, and prior to any action taken on amendments to the Reserve Officer Personnel Act, our proposed bill is keyed to title 10 as though H. R. 8943 had actually been enacted.

The National Guard Association firmly supports the provisions of the proposed bill. We believe that it will provide, in great part, an answer to certain problems confronting the Air National Guard under the provisions of the basic statute.

I trust that this communication presents the answers to your questions and would consider it a distinct pleasure to discuss this matter further with you or the members of your staff, at your convenience.

Sincerely,

JOHN L. STRAUSS, *General Counsel.*

OFFICE OF THE ADJUTANT GENERAL,
Augusta, Maine, January 29, 1958.

The Honorable MARGARET C. SMITH,
United States Senate,
Washington, D. C.

DEAR SENATOR SMITH: For the past 3 years the Reserve forces of the Air Force have been operating under the restrictive provisions of the Reserve Officers Personnel Act of 1954, which became effective on July 1, 1955. Even prior to its effective date, a bill was introduced by you to provide certain clarifying and technical amendments, and this became law on June 30, 1955. This bill did not, in our opinion, correct all the deficiencies inherent in ROPA, but did aid in its administration. Consequently, the units of the Ready Reserve remain under the heavy burden of the unfavorable aspects of the law.

In July of 1955, all promotions to unit vacancies were temporarily suspended by direction of the Air Force through the National Guard Bureau. This action was taken because the initial impact of the mandatory promotions was expected to exceed the grade authorizations as set forth in section 503 of ROPA. Later, in mid-1956, the freeze was lifted on promotions to captain and colonel. The restrictions on promotions to major and lieutenant colonel remains to this date and there seems to be no relief in sight except through legislative action by the Congress.

As a matter of interest, there are 10 qualified captains and majors of the Maine Air National Guard who are occupying position vacancies calling for the next higher grade. These officers cannot, of course, be promoted except under the mandatory provisions of the act. This is a grave injustice to these competent officers. Most have had both World War II and Korean service. I do not have figures available on the total number of unit officers similarly affected nationwide, but it is known to be substantial.

In the fall of 1956 the Chief of Staff of the Air Force appointed a committee to examine the Reserve Officers Personnel Act in its entirety. It also served as a clearinghouse for the many proposals for amendment which were being generated at all levels of the Reserve force structure. Recommendations were submitted by:

1. Air staff working group on amendments to ROPA.

2. Air Force Association.

3. National Guard Association of the United States.

4. Reserve Officers Association of the United States.

The committee itself was composed of a representative group of officers, including representatives from the Air National Guard and the Air Force Reserve.

The committee's report contained some 25 to 30 specific recommendations. It is our understanding that the substance of these recommendations will be included in the approved Department of Defense legislative program, and will be introduced sometime during the current session. We do not know whether this is likely to be done in time to permit hearings to be completed this session.

To guard against the possibility of high priority defense matters crowding the docket at the expense of any extensive ROPA hearings, the attached abbreviated legislative amendments are recommended. These proposals, if adopted, would eliminate the most immediate and serious deficiencies now encountered in the administration of the act. To the best of our knowledge, they will not be inconsistent with the Department of Defense recommendations, and, so far as we have been able to learn, will not create controversy within the Air National Guard and the Air Force Reserve, and the organizations representing them.

The attached bill was prepared by the legal staff of the National Guard Association of the United States. Our understanding is that it will also be introduced in the House. This bill would, if adopted, accomplish four objectives:

1. Permit the retention of United States property and fiscal officers until age 60.

This concerns United States property and fiscal officers who perform a vital function for the Air National Guard and Army National Guard and for the Federal Government. Each is the accountable officer for all Federal property issued by the Army and Air Force to the Army National Guard and Air National Guard of the State or Territory. Each United States property and fiscal officer must be a member of the Army National Guard or Air National Guard of his State on active duty and assigned to his position at the request and with the concurrence of the appropriate State or Territory authorities.

The grade of such officers is currently controlled pursuant to law by agreement between the Secretaries concerned. In the majority of cases these officers are serving in the grade of lieutenant colonel or colonel and are senior officers of long experience and mature judgment. Their importance to the guard program should not be underestimated. Their elimination from active status and coincidental release from active duty by virtue of the mandatory service and grade retirement provisions of the act would be extremely detrimental to the guard program and increase the difficulties of obtaining qualified officers to serve in this capacity. Precedence for the recommendation concerning these officers exists in the treatment of civilian employees of the Air National Guard and of officers assigned to the Selective Service System.

2. Remove officers of organized units of the Air National Guard and Air Force Reserve from the general grade limitations imposed on Reserve officers of the Air Force.

This proposal merely clarifies the law to provide a separate grade authorization for the Ready Reserve, in line with provisions found in the Army title. It will mean that vacancies existing in Ready Reserve units can be filled by promotion, notwithstanding the fact that authorized numbers in grades may have been exceeded by the working of other provisions of the law. This proposal would relieve the situation here in Maine previously referred to. The promotion to these officers of our Maine Air National Guard is, naturally, of great concern to us. It would have a substantial morale effect, since these officers are justifiably embittered at a system which denies them promotion because the positions are occupied by officers in other than the Ready Reserve and whose participation and contribution is certainly of a much lesser degree.

3. Provide for the retention of certain officers beyond the present phased promotion limitation.

This provision concerns the phased, or mandatory, promotion system which promotes officers without regard to whether they are, in fact, promoted out of their unit of assignment. This is a healthy situation in the case of older officers who have held their grade and position for long periods as it reduces stagnation in these units and vitalizes the mobilization Reserve. It should be noted that the vitalization principle of ROPA is generally accepted and endorsed.

However, since only a small portion of the positions in the Air National Guard and Air Force Reserve units are in grades higher than lieutenant an undesirable situation results. A first lieutenant is mandatorily promoted to captain upon completion of 7 years of service. Since the average officer is first commissioned at age 23, he reaches the grade of captain at age 30. If there is no unit vacancy above the grade of first lieutenant, he must leave the unit at a relatively early age after only a few years of experience.

However, if he could be retained during his captaincy, he would remain with his unit until he completed 14 total years of service or, on the average, 37 years of age. In this way, the vitalization concept of ROPA would be preserved, yet the young officer, expensively trained, could be retained during the peak of his productivity.

For officers in a unit vacancy of captain who are mandatorily promoted to major, and no unit vacancy exists, retention would be permitted for 21 years, or, on the average, until 44 years of age.

4. Provide for the retention of civilian employees and technicians of the Air National Guard and the Air Force Reserve.

This refers to a savings clause in ROPA for those Air National Guard officers who were employed by the State as Air National Guard technicians from being separated from an active status because a mandatory promotion placed them in a grade higher than called for in the position they occupy. This savings clause was of immediate necessity at the time it was enacted. However, a situation which will arise in the future was apparently overlooked. Actually the employment of these people is predicated on each individual holding a commission in an active status. If they lose that commission, they likewise are no longer qualified to hold the civilian position.

Most retirement plans for State employees require attainment of age 60 for eligibility. As this savings clause does not protect these technicians who complete the maximum years of service (30 years if a colonel; 28 years if in lower grades) many will lose their active status prior to age 60 and thereby might lose their rights to State retirement. It can be said that this will invariably happen to those who were originally commissioned prior to age 30. This group, of course, is in the large majority.

As the Air Reserve technician plan is patterned after the Air Guard technician plan, the same conditions will affect these officers as to their Federal civil service status.

This will extend the savings provisions to all Air National Guard technicians and preclude removal from an active status because of length of service. Because the same situation will prevail for Air Reserve technicians when the plan for their use is approved, they too are included in these savings provisions.

We sincerely hope that you will, on basis of the information herein contained, find it possible to introduce this bill in the Senate and lend your support to hearings and action in this session.

Even in the so-called missile age, a strong Air National Guard is essential to our defense structure. We will be happy to furnish any additional details required.

GEORGE M. CARTER,
Major General, The Adjutant General.

NEED FOR PAY INCREASES FOR POSTAL AND CLASSIFIED CIVIL SERVICE EMPLOYEES, AND INCREASED ANNUITIES FOR RETIRED CIVIL SERVICE EMPLOYEES

Mr. SMATHERS. Mr. President, there is pending on the Senate Calendar legislation to provide pay increases for postal and classified civil-service employees, as well as legislation to provide an increase in the annuities which our retired civil-service employees are now receiving. Since the soaring costs of living have placed a financial hardship on both active and retired Federal employees, I cannot urge too strongly that the Senate act promptly and favorably on this legislation.

My years of service on the Post Office and Civil Service Committee gave me an opportunity to become familiar with the problems of both our active and retired Federal employees. It equipped me to place a proper evaluation on whether those problems are being resolved in a timely and equitable manner. One of the most pressing and seemingly continuing problems is the matter of pay and annuities which they are receiving. They have seen prices on the continual rise and yet their wages and annuities have remained more or less constant.

Last year the administration unfortunately took a firm position against an increase of any kind. I did not agree with that position for I thought it was completely wrong. I am very happy to note that the administration has had a change of heart and now is supporting pay-increase legislation.

I have carefully studied the postal pay and classified pay increase legislation. I believe it is equitable, and reasonable, and its passage certainly is long overdue. I will support both of these measures and I hope my colleagues on both sides of the aisle will see fit to do likewise. This is an instance in which equity transcends political considerations. The pending bills deserve and should receive our united support.

Mr. President, I would not wish to conclude my brief remarks without indicating how happy I am that legislation to provide an increase in annuities for civil service retirees has been cleared by the Democratic Policy Committee, and is also scheduled for floor action at an early date. I am very familiar with and have long been acutely conscious of the plight of these senior citizens who have devoted the best days of their lives in the service of the Federal Government. Many of them are in desperate financial circumstances. To help alleviate their plight, it is also essential that we act with the utmost speed on such legislation.

Mr. President——

The PRESIDING OFFICER. The Senator from Florida has the floor.

NATIONAL MENTAL HEALTH WEEK

Mr. SMATHERS. Mr. President, once again I rise to speak in behalf of the Nation's most neglected unfortunate sick—the millions of mentally ill.

A year ago, when I introduced a joint resolution for the proclamation of National Mental Health Week, I reported tentative evidence indicating a break in the steep 25-year climb of the Nation's mental hospital rolls. At that time, I stated that, during 1956, the resident population of these hospitals had fallen by 7,000—and that this was the first such decline in the entire period. But then, taking heed of the cautionary comments of the National Association for Mental Health, I pointed out that it was then too early to determine whether this decline was some statistical accident resulting from a combination of undiscernible circumstantial factors—or whether it was indeed an indication of a true break.

It gives me great gratification to now report that, in 1957, mental hospital rolls fell once more. Complete figures for the year—and for all mental hospitals—are not yet available. But reports from 20 representative States for the period up to October 1957, show an additional decline of 2,500 patients. If we project this decrease for the entire year, and for all 48 States, we may conclude that during 1957, mental hospital rolls dropped for the second consecutive year and in the amount of some 6,000 patients.

Perhaps this decline may not appear too significant or substantial when we compare it with the total resident mental hospital population of 750,000—and perhaps this comparison may tend to dull our optimism somewhat.

But, if that be our inclination, then let us consider some other facts. First, let us remember that for 25 years up to 1956, mental hospital rolls rose by an average of 12,000 patients each year. Then let us remember that the decline in hospital rolls during 1956 and 1957 took place despite an increase in hospital admissions during these 2 years. Considering these facts, the decline reflects progress and affords hope in combating this disease.

What does this decline really mean? It means that despite an increase in the incidence of hospitalization for mental illness, there has been a decrease in the number of patients who remain hospitalized because of mental illness. It means that thousands of human beings are being freed from the nightmare and torture of mental illness.

It means that the concept of custodial care for the mentally ill is slowly, but certainly, being converted into the concept of medical treatment for the mentally ill. It means that more and more patients are being given the treatment which they need—the treatment which science has already made available, but which has been withheld from so many because the hospitals lacked the necessary professional staff and medical equipment.

We must remember, however, that the gains which are being made still affect only a small percentage of the hospitalized mentally ill. Most of the patients who are being discharged from the mental hospitals are new patients, for it is the tragic fact that most mental hospitals have only enough staff and equipment to give adequate care and treatment to their new patients—and not even to all of these.

This means that hundreds of thousands of elderly men and women—patients—are being denied a chance to get well. It is, of course, entirely proper to raise the question as to whether these older patients could benefit by treatment, even if the hospitals did have the necessary staff and equipment. In answer to this question permit me to submit information provided by the National Association for Mental Health. This information reflects that in the past few years hundreds of patients, who have been hospitalized from 5 to 50 years, have recovered and gone home. But these were the fortunate few. These were patients in hospitals which have pushed their treatment program—so far as possible—to include some of the older patients. If this can happen in some hospitals, then it can happen in all. It is safe to say, that with even a slight further extension of treatment, tens of thousands of elderly mental-hospital patients could be rescued from mental illness within the next few years.

Though the tide of mental illness has begun to turn, it still remains the Nation's No. 1 health problem. The gains which have been made are real but they are small. There has been no major breakthrough—only a small breach.

All of what I have said applies as well to those mentally ill who are not in need of hospitalization. I refer to the 16 million other Americans suffering from disabling mental disorders. They, too, could be helped if there were more mental health clinics in their communities and more guidance and counseling services in the schools and in industry. But here again, there is a continuing shortage—a continuing inadequacy. Many of those suffering today from minor mental disorders, and who are unable to get the treatment they need, will some day become applicants for admission to mental hospitals.

Current treatments for mental illness, including shock therapy and psychotherapy, are effective only for some mental disorders, and for only some mental patients. This points to the urgent need of expanded research designed to improve current treatment methods and to find new ones for those patients who cannot yet be helped.

And let us not forget too, the thousands of recovered mental patients who break down again, after their discharge from the hosiptal, because they are unable to get a welcome, a home or a job on their return to their community.

There is every reason for us to be hopeful about the final outcome in the fight against mental illness—but then, we must recognize, as we heed the lesson which medical history points out—that gains do not come by themselves—so, once more, I call attention to Mental Health Week, an annual nationwide observance directed by the National Association for Mental Health in cosponsor-

ship with the National Institute of Mental Health. This year, the week of April 27 has been set aside for the purpose of focusing the attention of the people of America on the necessity of continuing the fight against mental illness.

To express the sense of the Congress concerning this serious problem with which the Nation is confronted, I desire to introduce at this time for appropriate reference a joint resolution, which is cosponsored by my able and distinguished colleague, the senior Senator from Florida [Mr. HOLLAND], and request that it be printed in the RECORD, and lie at the desk for 3 days in order to permit such other of my colleagues who desire to do so, to join as cosponsors.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD, and lie on the table, as requested by the Senator from Florida.

The joint resolution (S. J. Res. 148) requesting the President to proclaim the week April 27 to May 3, 1958, inclusive, as National Mental Health Week, introduced by Mr SMATHERS (for himself and Mr. HOLLAND), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Whereas there is presently a great need for nationwide action for the prevention, treatment, and cure of mental illness; and

Whereas the National Association for Mental Health and the State and local mental health organizations associated therewith are working diligently in the fight against mental illness; and

Whereas the mental health fund is in dire need of public support in order to improve conditions in mental hospitals, provide more adequate treatment for the mentally and emotionally ill, carry on research in the field of the prevention, treatment and cure of mental illness, and promote mental health education: Now, therefore, be it

Resolved, etc., That the President of the United States is authorized and requested to issue a proclamation designating the week beginning April 27 and ending May 3, 1958, as National Mental Health Week, and urging the people throughout the Nation to cooperate in the fight for the prevention, treatment, and cure of mental illness, and inviting the communities of the United States to observe such week with appropriate ceremonies and activities.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

ADDITIONAL BILL AND JOINT RESOLUTION INTRODUCED

The following additional bill and joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mrs. SMITH of Maine (by request):

S. 3240. A bill to amend title 10, United States Code, with respect to the promotion of Reserve commissioned officers of the Air Force, and for other purposes; to the Committee on Armed Services.

(See the remarks of Mrs. SMITH of Maine when she introduced the above bill, which appear under a separate heading.)

By Mr. SMATHERS (for himself and Mr. HOLLAND):

S. J. Res. 148. Joint resolution requesting the President to proclaim the week April 27 to May 3, 1958, inclusive, as National Mental Health Week; to the Committee on the Judiciary.

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

ADJOURNMENT

Mr. SMATHERS. Mr. President, I move that the Senate now stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 34 minutes p. m.) the Senate adjourned until tomorrow, Thursday, February 6, 1958, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 5, 1958:

DIPLOMATIC AND FOREIGN SERVICE

Everett F. Drumright, of Oklahoma, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to China, vice Karl L. Rankin.

Howard P. Jones, of Maryland, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Indonesia, vice John M. Allison.

Walter K. Scott, of Maryland, to be an Assistant Secretary of State, vice Isaac W. Carpenter, Jr., resigned.

FEDERAL RESERVE SYSTEM

Abbot L. Mills, Jr., of Oregon, to be a member of the Board of Governors of the Federal Reserve System for a term of 14 years from February 1, 1958. (Reappointment.)

DEPARTMENT OF THE NAVY

Rear Adm. Paul D. Stroop, United States Navy, to be Chief of the Bureau of Ordnance in the Department of the Navy for a term of 4 years.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 5, 1958:

DIPLOMATIC AND FOREIGN SERVICE

The following-named persons to be Ambassadors Extraordinary and Plenipotentiary of the United States of America to the country indicated:

James W. Riddleberger, of Virginia, to Greece.

Parker T. Hart, of Illinois, to Hashemite Kingdom of Jordan.

John Wesley Jones, of Iowa, to United Kingdom of Libya.

Lester D. Mallory, of Washington, to Guatemala.

Edward J. Sparks, of New York, to Venezuela.

The following-named person to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to the country indicated:

Clifton R. Wharton, of California, to Rumania.

DEPARTMENT OF JUSTICE

Lawrence Edward Walsh, of New York, to be Deputy Attorney General.

Malcolm R. Wilkey, of Texas, to be an Assistant Attorney General.

DIPLOMATIC AND FOREIGN SERVICE

ROUTINE APPOINTMENTS

The following-named persons, who were appointed during the last recess of the Senate, to the offices indicated:

To be consuls general

Frank A. Waring, of California.
Samuel D. Boykin, of Maryland.
Edward C. Crouch, of the District of Columbia.
Graham R. Hall, of Arkansas.
John F. Killea, of Texas.
Walter W. Orebaugh, of Oregon.
Donald A. Dumont, of New York.

To be Foreign Service officer of class 2, consul, and secretary

John Miles, of Illinois.

To be Foreign Service officers of class 3, consul, and secretary

James G. Byington, of Connecticut.
Harold A. Chastka, of South Dakota.
Mrs. Alice T. Curran, of New York.
Clyde E. Holmes, of Washington.
Wallace Irwin, Jr., of New York.
Benton D. Morgan, of California.
Jameson Parker, of the District of Columbia.
William J. Stibravy, of New Jersey.

To be Foreign Service officer of class 4, consul, and secretary

Mrs. Margaret Rupli Woodward, of the District of Columbia.

To be Foreign Service officers of class 5, consul, and secretary

Stephen Duncan-Peters, of New York.
Miss Elizabeth McGrory, of California.

To be consuls

Paul J. Hoylen, of Maryland.
Andrew I. Killgore, of Alabama.
Anthony E. Starcevic, of California.

To be Foreign Service officers of class 6, vice consul of career, and secretary

Miss Maurine Crane, of Utah.
Dudley E. Cyphers, of Florida.
Eric W. Fleisher, of Maryland.
Wayne B. Gentry, of Washington.
James M. Hall, of Washington.
Miss Roberta L. Meyerkort, of Mississippi.
Miss Ruth G. Michaelson, of Michigan.
Philip M. Nagao, of California.
Gabriel J. Paolozzi, of Nevada.
Paul Sadler, of Tennessee.
Mrs. Helen S. Steele, of California.

To be Foreign Service officers of class 8, vice consul of career, and secretary

Terrell E. Arnold, of California.
David P. Banowetz, of Louisiana.
Harry E. Bergold, Jr., of New York.
Miss Emma Bernardon, of New York.
Jay H. Blowers, of Florida.
James Bernard Bockian, of New Jersey.
Miss Helen Brady, of Pennsylvania.
William E. Breidenbach, of New York.
Peter S. Bridges, of Illinois.
Miss Lucy Therina Briggs, of Maine.
Jere Broh-Kahn, of Ohio.
Carroll Brown, of Alabama.
Eugene B. Bruns, of Maryland.
Jerald G. Clemans, of California.
John R. Clingerman, of Michigan.
Emmett M. Coxson, of Illinois.
William F. Crary, of Florida.
Robert R. Dennis, of Pennsylvania.
Francis De Tarr, of California.
Miss Helen Marie Donovan, of New Jersey.
Miss Suzanne E. Dress, of Pennsylvania.
Robert W. Duemling, of California.
William L. Dutton, Jr., of Iowa.
Richard A. Dwyer, of Indiana.
Miss Phyllis E. Elliott, of Missouri.
Ollie B. Ellison, of Illinois.
Raymond C. Ewing, of California.
Miss Anne Ladd Frederick, of Massachusetts.
Howard V. Funk, Jr., of New York.

Herbert Donald Gelber, of New York.
Terry G. Grant, of Illinois.
Kurt F. Gross, of Wisconsin.
Miss Thurza Maureen Harris, of Kansas.
James R. Holway, of Illinois.
James F. Hughes III, of New York
David Korn, of Missouri.
David C. Lacey, Jr., of Ohio.
George M. Lane, of Massachusetts.
Frederick H. Lawton, of New Jersey.
Melvin H. Levine, of Massachusetts.
William H. Luers, of Illinois.
Edward J. Malonis, of Massachusetts.
Wade H. B. Matthews, of North Carolina.
James A. Mattson, of Minnesota.
John C. Monjo, of Connecticut.
John T. Morgan, of Illinois.
Miss Dorothy H. Myers, of Maryland.
Richard A. Neale, of California.
George Clay Nettles, of Alabama.
George W. Ogg, of Virginia.
Oscar J. Olson, Jr., of Texas.
James R. Panks, of Washington.
Thomas J. Pape, of Texas.
Edward L. Peck, of California.
Neale J. Pearson, of Florida.
Lawrence Pezzullo, of New York.
Homer R. Phelps, Jr., of New York.
Martin Polstein, of New York.
William H. Price, of Florida.
Frederick S. Quin, of New York.
William E. Rau, of Missouri.
Thomas J. Riegert, of Ohio.
John T. Rogerson, Jr., of Florida.
John Hall Rouse, Jr., of Maryland.
David D. Shobe, of Illinois.
Walter John Silva, of Massachusetts.
Clint E. Smith, of New Mexico.
Donnell D. Smith, of Rhode Island.
David C. Sperling, of Connecticut.
Linwood R. Starbird, of Maine.
Ronald Lewis Steel, of Illinois.
Donald C. Tice, of Kansas.
Blaine C. Tueller, of Utah.
Leonard B. Weddle, of Indiana.
Albert W. Whiting, of Kansas.
Stephan Charles Williams, of New York.
Herbert Gilman Wing, of Pennsylvania.

To be consuls

Thomas J. Barrett, Jr., of Pennsylvania.
Stephen P. Belcher, Jr., of Vermont.
Robert C. Benedict, of California.
Richard C. Brower, of Minnesota.
Marvin A. Derrick, of California.
Homer G. Gayne, of the District of Columbia.
John L. Hedges, of Illinois.
Orton W. Hoover, of Iowa.
Rolf Jacoby, of New York.
Richard B. Joyce, of Missouri.
Robert G. Mahon, of California.
Paul R. Phillips, of California.
Robert L. Walker, of Montana.
Chester R. Chartrand, of California.
Robert W. Crawford, of Ohio.
David J. DuBois, of New York.
William J. Hood, of Maine.
Roderick W. Horton, of New York.
George O. Kephart, of Maryland.
Max W. Kraus, of Maryland.
Vincent M. Lockhart, of Texas.
Thomas Polgar, of Virginia.
Arthur F. Rall, of New York.
Paul L. Springer, of Virginia.

To be vice consuls

Walter L. Campbell, of California.
Richard J. Cleary, of Massachusetts.
William H. Dunbar, of the District of Columbia.
Ralph J. Katrosh, of Virginia.
William C. Rogers, of Kentucky.
R. Harden Smith, of Maryland.
George W. Steitz, of New York.
Robert D. Wiecha, of Michigan.
Throop M. Wilder, Jr., of the District of Columbia.

To be secretaries

Lewis P. Achen, of Montana.
Burnett F. Anderson, of the District of Columbia.
Charles J. Beckman, of Arizona.
Alfred V. Boerner, of Maryland.
William B. Bromell, of Virginia.
Willard F. Burke, of Massachusetts.
James B. Burns, of Pennsylvania.
Michael C. Capraro, of New York.
Walter T. Cini, of New York.
Francis G. Coleman, of Pennsylvania.
Francis L. Coolidge, of the District of Columbia.
J. Edmund Crowley, of Virginia.
Robert K. Davis, of California.
Paul E. Eckel, of Maryland.
Sam A. Edwards, of Connecticut.
William T. Ellis, of Virginia.
Jack M. Forcey, of California.
Leonard C. Gmirkin, of Ohio.
Rolfe A. Haatvedt, of Iowa.
Virgil L. Harris, of California.
Henry D. Hecksher, of the District of Columbia.
Miss Louise M. Hoppy, of Oklahoma.
Earl H. Link, of Pennsylvania.
Edward A. Marelius, of Colorado.
John H. Martinsen, of Washington.
Clyde R. McAvoy, of New York.
Laughlin Phillips, of the District of Columbia.
Joseph W. Reidy, of Illinois.
John J. Shea, of New York.
Arnold M. Silver, of Massachusetts.
Michael F. Taylor, of Virginia.
Edward O. Welles, of the District of Columbia.

The following-named Foreign Service officers for promotion as indicated:

To be class 1

W. Wendell Blancke, of California.
William O. Boswell, of Pennsylvania.
John H. Burns, of Oklahoma.
Prescott Childs, of Massachusetts.
Edward C. Crouch, of the District of Columbia.
Francis Deak, of the District of Columbia.
Robert F. Hale, of Oregon.
Morris N. Hughes, of Nebraska.
Eric Kocher, of California.
Robert G. Miner, of New York.
Charles P. O'Donnell, of Illinois.
William J. Porter, of Massachusetts.
Edward E. Rice, of Wisconsin.
Harold Sims, of Tennessee.
John M. Steeves, of the District of Columbia.
Carlos J. Warner, of Maine.
Murat W. Williams, of the District of Columbia.

To be class 1 and consuls general

Charles W. Adair, Jr., of Ohio.
Daniel V. Anderson, of Delaware.
Wilson T. M. Beale, Jr., of the District of Columbia.
William Belton, of Oregon.
W. Tapley Bennett, Jr., of Georgia.
Carl H. Boehringer, of Arizona.
William C. Burdett, of Georgia.
William I. Cargo, of Maryland.
Ralph N. Clough, of Washington.
William A. Crawford, of Pennsylvania.
Richard H. Davis, of New York.
Fulton Freeman, of California.
Edward L. Freers, of California.
Martin J. Hillenbrand, of Illinois.
Arthur G. Jones, of Virginia.
J. Jefferson Jones 3d, of Tennessee.
Edmund H. Kellogg, of Virginia.
Peyton Kerr, of Virginia.
Nat B. King, of Texas.
William L. Krieg, of Ohio.
William Leonhart, of West Virginia.
Edward P. Maffitt, of Missouri.
Edwin W. Martin, of Ohio.
Robert H. McBride, of Michigan.
Jack D. Neal, of Texas.
Joseph Palmer 2d, of California.
Stuart W. Rockwell, of Pennsylvania.
Terry B. Sanders, Jr., of Texas.
Joseph W. Scott, of Texas.
Richard M. Service, of the District of Columbia.
Harold Shullaw, of Illinois.
Wallace W. Stuart, of Tennessee.
David A. Thomasson, of Kentucky.

To be class 2

Robert W. Adams, of Texas.
William C. Affeld, Jr., of New Jersey.
W. Stratton Anderson, Jr., of Illinois.
H. Kenneth Baker, of Maryland.
William Barnes, of Massachusetts.
Arthur E. Beach, of Missouri.
Robert M. Brandin, of New York.
Herbert D. Brewster, of Minnesota.
Stephen C. Brown, of West Virginia.
Willard O. Brown, of Texas.
Findley Burns, Jr., of Minnesota.
Kenneth A. Byrns, of Colorado.
Donald B. Calder, of New York.
Thomas Patrick Carroll, of New York.
Don V. Catlett, of Missouri.
Albert E. Clattenburg, Jr., of Pennsylvania.
Charles Philip Clock, of California.
Miss H. Alberta Colclaser, of Ohio.
William E. Cole, Jr., of New York.
John F. Correll, of Ohio.
Robert F. Corrigan, of Ohio.
Philip M. Davenport, of Maryland.
Rodger P. Davies, of California.
Henry Dearborn, of New Hampshire.
Samuel De Palma, of Maryland.
Thomas P. Dillon, of Missouri.
Perry Ellis, of California.
Jack M. Fleischer, of Wisconsin.
Richard Funkhouser, of California.
Daniel Gaudin, of Pennsylvania.
Forrest K. Geerken, of Minnesota.
Lewis E. Gleeck, Jr., of California.
Joseph N. Greene, Jr., of Massachusetts.
Paul L. Guest, of California.
John E. Hargrove, of Mississippi.
Franklin Hawley, of Michigan.
Frank Snowden Hopkins, of the District of Columbia.
Charles E. Hulick, Jr., of Pennsylvania.
Ralph H. Hunt, of Massachusetts.
Paul C. Hutton, of Colorado.
Alfred le S. Jenkins, of Georgia.
John M. Kennedy, of Virginia.
Roy I. Kimmel, of New Mexico.
Spencer M. King, of Maine.
William Kling, of New York.
M. Gordon Knox, of New York.
Abe Kramer, of California.
Eldred D. Kuppinger, of Ohio.
Nathaniel Lancaster, Jr., of Virginia.
Gilbert E. Larsen, of Illinois.
James H. Lewis, of Pennsylvania.
Thomas H. Linthicum, of California.
Aubrey E. Lippincott, of Arizona.
William L. Magistretti, of California.
Abram E. Manell, of California.
Donald B. McCue, of Virginia.
Robert G. McGregor, of Massachusetts.
Francis E. Meloy, Jr., of Maryland.
Lee E. Metcalf, of Texas.
Howard Meyers, of Maryland.
Charles P. Nolan, of Massachusetts.
Julian L. Nugent, Jr., of New Mexico.
Albert E. Pappano, of Ohio.
Paul H. Pearson, of Iowa.
Oliver A. Peterson, of Maryland.
Richard I. Phillips, of California.
George W. Renchard, of Michigan.
W. Garland Richardson, of Virginia.
Thomas C. M. Robinson, of Iowa.
Leslie L. Rood, of New Jersey.
Edward J. Rowell, of California.
Albert W. Sherer, Jr., of Illinois.
Thomas W. Simons, Sr., of the District of Columbia.
Walter Smith, of Illinois.
Byron B. Snyder, of California.
Paul J. Sturm, of Connecticut.
James W. Swihart, of Massachusetts.
John D. Tomlinson, of Illinois.
Richard E. Usher, of Wisconsin.
Joseph J. Wagner, of New York.
Herman Walker, Jr., of Maryland.
Andrew B. Wardlaw, of South Carolina.
Philip P. Williams, of California.

David G. Wilson, Jr., of Oregon.
Charles D. Withers, of South Carolina.

The following-named persons for appointment as Foreign Service officers as indicated:

To class 3, consuls and secretaries

Albert S. Watson, of Connecticut.
Stanley Wilcox, of Illinois.

The following-named Foreign Service officers for promotion as indicated:

To class 3

Hugh G. Appling, of California.
Philip Axelrod, of Delaware.
Taylor G. Belcher, of New York.
Harry H. Bell, of New Jersey.
Robert S. Black, of the District of Columbia.
Gray Bream, of Wyoming.
William T. Briggs, of Virginia.
Philip H. Chadbourn, Jr., of California.
Stanley M. Cleveland, of New York.
A. John Cope, Jr., of Utah.
Thomas J. Corcoran, of New York.
Alexander J. Davit, of Pennsylvania.
Richard C. Desmond, of Ohio.
Robert Donhauser, of New York.
Thomas A. Donovan, of North Dakota.
John Warner Foley, Jr., of New Hampshire.
Herbert Gordon, of New York.
Roger L. Heacock, of California.
John Calvin Hill, Jr., of South Carolina.
Robert B. Hill, of Massachusetts.
Oscar C. Holder, of Louisiana.
Miss Dorothy M. Jester, of California.
Thomas M. Judd, of Maryland.
Max V. Krebs, of California.
Weldon Litsey, of Texas.
Duncan A. D. Mackay, of New Jersey.
Martin G. Manch, of Virginia.
Grant V. McClanaham, of Missouri.
Thomas D. McKiernan, of Massachusetts.
Joseph A. Mendenhall, of Maryland.
Harold M. Midkiff, of Florida.
Robert W. Moore, of Iowa.
R. Kenneth Oakley, of Oklahoma.
Eugene L. Padberg, Jr., of Texas.
Elwood M. Rabenold, Jr., of Pennsylvania.
Reed P. Robinson, of Utah.
Joseph W. Schutz, of California.
Frederick D. Sharp 3d, of Maine.
Merlin E. Smith, of Ohio.
Ernest L. Stanger, of Utah.
Charles G. Stefan, of California.
Robert A. Stevenson, of Florida.
Galen L. Stone, of Massachusetts.
John L. Topping, of New York.
Raymond A. Valliere, of New Hampshire.
Herbert E. Weiner, of New York.
Jackson W. Wilson, of Texas.
Robert M. Winfree, of the District of Columbia.
Robert W. Zimmermann, of the District of Columbia.

Class 4

Arthur S. Abbott, of Illinois.
Harold Aisley, of Maryland.
Joseph A. Angotti, of West Virginia.
Alfred L. Atherton, Jr., of Massachusetts.
John Campbell Ausland, of Pennsylvania.
John A. Baker, Jr., of Connecticut.
Harris H. Ball, of California.
Harry G. Barnes, Jr., of Minnesota.
John L. Barrett, of Texas.
Carl E. Bartch, of Ohio.
Williams Beal, of Massachusetts.
William E. Beauchamp, Jr., of New York.
Alf E. Bergesen, of New York.
Slator C. Blackiston, Jr., of North Carolina.
John Q. Blodgett, of Maryland.
Archer K. Blood, of Virginia.
Mrs. Elizabeth C. Bouch, of Oregon.
John M. Bowie, of the District of Columbia.
Vincent S. R. Brandt, of Rhode Island.
Miss Elizabeth Ann Brown, of Oregon.
Emerson M. Brown, of Michigan.
Robert R. Brungart, of Maryland.
Thompson R. Buchanan, of Maryland.
William A. Buell, Jr., of Rhode Island.
Miss Patricia M. Byrne, of Ohio.
Robert W. Caldwell, of North Carolina.
Paul C. Campbell, of Pennsylvania.
William A. Chapin, of Illinois.
Christian G. Chapman, of New York.
Carroll E. Cobb, of Colorado.
Richard H. Courtenaye, of California.
W. Kennedy Cromwell 3d, of Maryland.
Charles T. Cross, of Virginia.
John B. Crume, of Kentucky.
Phillip B. Dahl, of Illinois.
Miss Frances M. Dailor, of the District of Columbia.
Hampton Davis, of California.
Arthur R. Day, of New Jersey.
Mario R. DeCapua, of Connecticut.
William B. deGrace, of Massachusetts.
Paul W. Deibel, of Ohio.
Morris Dembo, of New York.
Edward J. Dembski, of Colorado.
John B. Dexter, of Maryland.
James A. Dibrell, of Texas.
Richard H. Donald, of Connecticut.
Anthony J. Dreape, of New Jersey.
Walter H. Drew, of Colorado.
Adolph Dubs, of Illinois.
Michael J. Dux, of Florida.
Theodore L. Eliot, Jr., of California.
Miss Virginia Ellis, of the District of Columbia.
Warrick E. Elrod, Jr., of Illinois.
Mrs. Elizabeth L. Engdahl, of New Hampshire.
Charles W. Falkner, of Oregon.
John M. Farrior, of North Carolina.
Harry Feinstein, of Georgia.
Benjamin A. Fleck, of Pennsylvania.
Robert C. Foulon, of Illinois.
A. Eugene Frank, of Illinois.
Harry George French, of Wisconsin.
Ronald A. Gaiduk, of California.
John N. Gatch, Jr., of Ohio.
Norman W. Getsinger, of Michigan.
John I. Getz, of Illinois.
Russell L. Gibbs, of Michigan.
Justice E. Gist, of Iowa.
Culver Gleysteen, of Pennsylvania.
John G. Gossett, of Oklahoma.
Miss Betty C. Gough, of Maryland.
Pierre R. Graham, of Illinois.
Lindsey Grant, of New York.
Lawrence E. Gruza, of Connecticut.
James C. Haahr, of Minnesota.
Andrew E. Hanney, of Massachusetts.
Joseph A. Harary, of New York.
Miss Margaret P. Hays, of Texas.
Robert Whitcomb Heavey, of California.
Richard M. Herndon, of Pennsylvania.
Martin Y. Hirabayashi, of Maryland.
Robert S. Hoard, of California.
John H. Holdridge, of California.
Jerome K. Holloway, Jr., of Maryland.
Robert B. Houghton, of Michigan.
Robert B. Houston, Jr., of Missouri.
Thomas D. Huff, of Indiana.
Elmer C. Hulen, of Kentucky.
Mansfield L. Hunt, of Maine.
Milan W. Jerabek, of Maryland.
Robert C. Johnson, Jr., of New Jersey.
Charles M. Johnston, of Maryland.
James R. Johnston, of Ohio.
Curtis F. Jones, of Maine.
William Kane, of Virginia.
Warren A. Kelsey, of Massachusetts.
Bayard King, of Rhode Island.
David Klein, of Kansas.
Joseph B. Kyle, of Virginia.
Lowell Bruce Laingen, of Minnesota.
Mason A. La Selle, of Colorado.
Chase E. Laurendine, of Alabama.
Donald A. Lewis, of New York.
Herman Lindstrom, of Florida.
Harry M. Lofton, of South Carolina.
Earl H. Luboeansky, of Missouri.
Basil F. Macgowan, of Tennessee.
Dayton S. Mak, of Iowa.
Philip W. Manhard, of Florida.
Doyle V. Martin, of Oklahoma.
Glenwood B. Matthews, of California.
James A. May, of California.
James H. McFarland, Jr., of Michigan.
Robert A. McKinnon, of Michigan.
Kermit S. Midthun, of Michigan.
Daniel W. Montenegro, of New York.
Sam Moskowitz, of Missouri.
Grant E. Mouser 3d, of Ohio.
Franklin H. Murrell, of California.
Jacob M. Myerson, of the District of Columbia.
E. Jan Nadelman, of Virginia.
Joseph P. Nagoski, of Tennessee.
Joseph W. Neubert, of Washington.
Daniel O. Newberry, of Georgia.
Cleo A. Noel, Jr., of Missouri.
Douglas B. O'Connell, of New York.
John F. O'Donnell, Jr., of Massachusetts.
John F. O'Grady, of Massachusetts.
Robert L. Ouversion, of Minnesota.
William V. M. Owen, of the District of Columbia.
Carvel Painter, of Wisconsin.
Stephen E. Palmer, Jr., of New York.
Chris G. Petrow, of Massachusetts.
Harry F. Pfeiffer, Jr., of Maryland.
Harry M. Phelan, Jr., of Tennessee.
Wendell A. Pike, of Washington.
Ferdinand F. Pirhalla, of Pennsylvania.
Richard A. Poole, of New Jersey.
Paul M. Popple, of Illinois.
Francis C. Prescott, of Maine.
Lewis M. Purnell, of Delaware.
Jack R. Queen, of Ohio.
Lawrence P. Ralston, of Connecticut.
John P. Reddington, of New York.
Larry W. Roeder, of Missouri.
Frederick L. Royt, of Wisconsin.
James R. Ruchti, of Wisconsin.
David T. Schneider, of New Hampshire.
Robert M. Schneider, of Iowa.
Cabot Sedgwick, of Arizona.
Peter A. Seip, of Iowa.
Albert L. Seligmann, of Virginia.
Melvin E. Sinn, of Virginia.
Matthew D. Smith, Jr., of South Dakota.
Richard E. Snyder, of New Jersey.
Karl E. Sommerlatte, of Florida.
C. Melvin Sonne, Jr., of Pennsylvania.
William F. Spengler, of Wisconsin.
Daniel Sprecher, of New York.
Thomas C. Stave, of Washington.
Kenedon P. Steins, of the District of Columbia.
Robert W. Stookey, of Illinois.
DeWitt L. Stora, of California.
Lee T. Stull, of Pennsylvania.
Kenneth P. T. Sullivan, of Massachusetts.
Jack A. Sulser, of Illinois.
Kingdon W. Swayne, of Pennsylvania.
Charles R. Tanguy, of Maryland.
Herbert B. Thompson, of California.
David R. Thomson, of California.
Miss Ruth J. Torrance, of Virginia.
Theodore A. Tremblay, of California.
Edward J. Trost, of New York.
Thomas T. Turner, of Washington.
Philip H. Valdes, of New York.
Theodore A. Wahl, of New York.
Peter C. Walker, of New York.
Milton C. Walstrom, of the Territory of Hawaii.
Herbert S. Weast, of California.
Sidney Weintraub, of New York.
Robert W. Weise, Jr., of Minnesota.
Alfred W. Wells, of New York.
Karl F. Weygand, of Massachusetts.
Mrs. C. Carey White, of Arizona.
Orme Wilson, Jr., of New York.
Wendell W. Woodbury, of Iowa.
Charles G. Wootton, of Connecticut.
Arthur I. Wortzel, of New Jersey.
Frederick S. York, of New Jersey.
Harry R. Zerbel, of Wisconsin.

The following-named persons for appointment as Foreign Service officers as indicated:

To class 5, consuls, and secretaries

Thomas M. Gaffney, of Massachusetts.
Arthur V. Metcalfe, of California.

The following-named Foreign Service officers for promotion as indicated:

To class 5

Robert E. Barbour, of Tennessee.
Hubert H. Buzbee, Jr., of Alabama.
Oscar H. Guerra, of Texas.

Malcolm P. Hallam, of South Dakota.
Andrew I. Killgore, of Alabama.
George R. Phelan, Jr., of Missouri.

To class 5 and consuls

Miss Gloria E. Abiouness, of Virginia.
Karl D. Ackerman, of Oklahoma.
Richard H. Adams, of Texas.
Arthur P. Allen, of California.
Robert N. Allen, of Oklahoma.
Henry T. Andersen, of Connecticut.
Daniel N. Arzac, Jr., of California.
James H. Ashida, of Washington.
Robert A. Aylward, of Massachusetts.
Miss Mildred J. Baer, of Maryland.
Robert J. Ballantyne, of Massachusetts.
George M. Barbis, of California.
Malcolm R. Barnebey, of Texas.
Robert S. Barrett IV, of Virginia.
Raymond Bastianello, of Texas.
Raymond J. Becker, of California.
Philip B. Bergfield, of California.
John A. Billings, of Missouri.
Robert A. Bishton, of Maryland.
Richard J. Bloomfield, of Connecticut.
Miss Helen M. Bonnell, of Michigan.
Lewis W. Bowden, of the District of Columbia.
William G. Bradford, of Illinois.
John A. Brogan III, of New York.
William R. Brown, of Ohio.
Harrison W. Burgess, of Virginia.
Frank N. Burnet, of Alabama.
Robert L. Burns, of the District of Columbia.
Robert T. Burns, of Indiana.
Charles T. Butler, Jr., of Indiana.
Pratt Byrd, of Kentucky.
Alan L. Campbell, Jr., of North Carolina.
Roy O. Carlson, of Illinois.
Maxwell Chaplin, of California.
Arnold K. Childs, of Ohio.
Miss Virginia Whitfield Collins, of Florida.
Thomas F. Conlon, of Illinois.
John S. Connolly, Jr., of Virginia.
Eiler R. Cook, of Florida.
Ray H. Crane, of Utah.
Joseph H. Cunningham, of Nebraska.
Everett L. Damron, of Ohio.
Miss Lois M. Day, of Ohio.
John M. Dennis, of Pennsylvania.
Walker A. Diamanti, of Utah.
Thomas I. Dickson, Jr., of Texas.
Miss Hazel C. Dougherty, of Pennsylvania.
Miss Dorothy J. Dugan, of New Jersey.
Gilda R. Duly, of New York.
Chester G. Dunham, of Ohio.
William B. Edmondson, of Nebraska.
Alfred J. Erdos, of Arizona.
Elden B. Erickson, of Kansas.
Miss Barbara C. Fagan, of New York.
Michael A. Falzone, of New York.
Gordon R. Firth, of New York.
Richard V. Fischer, of Minnesota.
Robert M. Forcey, of California.
James B. Freeman, of Ohio.
William Lee Frost, of Connecticut.
Alexander S. C. Fuller, of Connecticut.
Fred J. Galanto, of Massachusetts.
Samuel R. Gammon III, of Texas.
John L. Gawf, of Colorado.
Charles A. Gendreau, of Minnesota.
H. Kent Goodspeed, of California.
Miss Shirley M. Green, of Missouri.
Clifford H. Gross, of New York.
Pierson M. Hall, of Kansas.
Donald S. Harris, of Connecticut.
William C. Harrop, of New Jersey.
Russell C. Heater, of California.
Mrs. Hallye A. Heiland, of California.
Robert T. Hennemeyer, of Illinois.
Frederick A. Hill, of California.
Benjamin C. Hilliard 3d, of West Virginia.
Edward C. Howatt, of Virginia.
Robert A. Jackson, of Michigan.
John W. Jelich, of New York.
Kempton B. Jenkins, of the District of Columbia.
John M. Kane, of Illinois.
George R. Kaplan, of Massachusetts.
Edward P. Kardas, of Pennsylvania.
John Edward Karkashian, of California.
Lawrence J. Kennon, of California.
C. Dirck Keyser, of New Jersey.
Edward L. Killham, of Illinois.
Leslie A. Klieforth, of California.
Kenneth W. Knauf, of Wisconsin.
John F. Knowles, of New Jersey.
Paul H. Kreisberg, of New York.
John Krizay, of Maryland.
Henry A. Lagasse, of New Hampshire.
Lyle F. Lane, of Washington.
Paul Baxter Lanius, Jr., of Colorado.
Edwin D. Ledbetter, of California.
Samuel W. Lewis, of Texas.
Charles E. Lilien, of Illinois.
John A. Linehan, Jr., of Massachusetts.
Alan W. Lukens, of Pennsylvania.
John G. MacCracken, of Virginia.
Timothy M. Manley, of Connecticut.
S. Douglas Martin, of New York.
Nicholas V. McCausland, of California.
Edward S. McClary, of California.
Miss Margaret J. McClellan, of Pennsylvania.
Harry R. Melone, Jr., of New York.
Franklin L. Mewshaw, of New York.
Miss Colette Meyer, of California.
Dudley W. Miller, of Colorado.
William A. Mitchell, of Maine.
George C. Moore, of California.
Benjamin R. Moser, of Virginia.
Edwin H Moot, Jr., of Illinois.
Robert L. Mott, of California.
Charles Willis Naas, of Massachusetts.
Richard D. Nethercut, of Florida.
Michael H. Newlin, of North Carolina.
Donald R. Norland, of Iowa.
Anthony F. O'Boyle, of Pennsylvania.
Richard W. Ogle, of Indiana.
James M. E. O'Grady, of the District of Columbia.
Miss Mary W. Oliverson, of Oklahoma.
Hugh B. O'Neill, of Connecticut.
Frank V. Ortiz, Jr., of New Mexico.
Richard B. Owen, of Michigan.
James B. Parker, of Texas.
Russell R. Pearson, of Minnesota.
George W. Phillips, of Florida.
Richard St. F. Post, of Connecticut.
Arthur W. Purcell, of Massachusetts.
Peter J. Raineri, of New York.
Jess F. Reed, of Washington.
James F. Relph, Jr., of California.
Robert A. Remole, of Minnesota.
G. Edward Reynolds, of New York.
Charley L. Rice, of Texas.
Miss Martha Jean Richardson, of Illinois.
Ralph W. Richardson, of California.
Lucian L. Rocke, Jr., of Florida.
Robert H. Rose, of Utah.
Samuel O. Ruff, of North Carolina.
James T. Rush, of Rhode Island.
Leo J. Ryan, of Florida.
William E. Schaufele, Jr., of Ohio.
Kennedy B. Schmertz, of Pennsylvania.
Richard R. Selby, Jr., of New Jersey.
Robert G. Shackleton, of Ohio.
Miss Anna E. Simmons, of Texas.
Herman T. Skofield, of New Hampshire.
Robert F. Slutz, Jr., of Ohio.
Miss Cora M. Smith, of Vermont.
Miss Jean V. Smith, of Minnesota.
Michel F. Smith, of Texas.
Joseph F. Starkey, of Washington.
Lawrence L. Starlight, of New York.
Francis R. Starrs, Jr., of California.
William A. Stoltzfus, Jr., of Minnesota.
Thomas E. Tait, of New Jersey.
Jean R. Tartter, of Massachusetts.
Charles William Thomas, of Illinois.
William W. Thomas, Jr., of North Carolina.
Arthur T. Tienken, of New York.
William D. Toomey, of North Dakota.
Rene A. Tron, of New York.
Allen R. Turner, of Missouri.
Richard D. Vine, of New York.
Robert T. Wallace, of Florida.
Mrs. Marjory M. Wallis, of California.
Robert B. Warner, of Michigan.
Robert H. Wenzel, of Massachusetts.
Lewis M. White, of New York.
Charles L. Widney, Jr., of Georgia.
Miss Helen B. Wilson, of California.
Miss Eugenia Wolliak, of Connecticut.
Miss Julia L. Wooster, of Connecticut.
Robert C. Wysong, of California.
Amos Yoder, of Nebraska.
Robert D. Yoder, of Pennsylvania.
Carlos M. Yordan, of the Commonwealth of Puerto Rico.
Miss Jane B. Young, of the District of Columbia.
Dan A. Zachary, of Illinois.

The following-named persons for appointment as Foreign Service officers as indicated:

To be class 6, vice consuls of career, and secretaries

Gori P. Bruno, of New York.
Dale W. Field, Jr., of Iowa.
Miss Wilda Mitchell, of Nebraska.

The following-named Foreign Service officers for promotion as indicated:

To class 6

Craig Baxter, of Ohio.
Joel W. Biller, of Wisconsin.
Wesley D. Boles, of California.
Donald W. Born, of Massachusetts.
Merritt C. Bragdon, Jr., of the District of Columbia.
Arthur E. Breisky, of California.
Marshall Brement, of Maryland.
Hugh K. Campbell, of Ohio.
Frank C. Carlucci, of Pennsylvania.
Edward J. Chesky, Jr., of Kansas.
Don T. Christensen, of California.
Herman J. Cohen, of New York.
Allen C. Davis, of Tennessee.
John G. Day, of New York.
John L. De Ornellas, of Alabama.
Willard A. De Pree, of Michigan.
C. Edward Dillery, of Washington.
Robert S. Dillon, of Virginia.
Richard W. Dye, of New York.
Harland H. Eastman, of Maine.
Miss Sharon E. Erdkamp, of Nebraska.
Fred Exton, Jr., of the District of Columbia.
Donald C. Ferguson, of California.
Lewis P. Fickett, Jr., of Maine.
Miss Catherine M. Frank, of Connecticut.
Gerald A. Friedman, of Florida.
Robert K. German, of Texas.
Miss Joan Gillespie, of Connecticut.
Wever Gim, of Utah.
Maynard W. Glitman, of Illinois.
Roderick N. Grant, of California.
William B. Grant, of Massachusetts.
Charles W. Grover, of New York.
Harold E. Grover, Jr., of Florida.
John E. Guendling, Jr., of Indiana.
Miss Theresa A. Healy, of New York.
Lambert Heyinger, of New York.
Wallace F. Holbrook, of Massachusetts.
William A. Ispirian, of New York.
Ralph T. Jans, of Michigan.
Lee R. Johnson, of Ohio.
Ernest B. Johnston, Jr., of Alabama.
Adolph W. Jones, of Tennessee.
Miss Helen E. Kavan, of Ohio.
Robert V. Keeley, of Virginia.
Charles S. Kennedy, Jr., of California.
James A. Klemstine, of Pennsylvania.
Albert A. Lakeland, Jr., of New York.
Peter W. Lande, of Massachusetts.
Samuel Lee, of the Territory of Hawaii.
Louis J. Link, of Kansas.
Jay H. Long, of California.
John M. Lord, Jr., of Massachusetts.
Stephen Low, of Ohio.
Walter H. Lubkeman, of New York.
David A. Macuk, of New Jersey.
James W. Mahoney, of Indiana.
Herbert S. Malin, of Connecticut.
Charles E. Marthinsen, of Pennsylvania.
J. Thomas McAndrew, of New York.
Franklin O. McCord, of Iowa.
Stuart H. McIntyre, of Oregon.
Frazier Meade, of Virginia.
Byron B. Morton, Jr., of New Jersey.
Robert H. Munn, of California.
William C. Nenno, of New York.

Gerald F. Nollette, of Washington.
Jay R. Nussbaum, of New York.
Gerald R. Olsen, of Michigan.
John Patrick Owens, of the District of Columbia.
David W. K. Peacock, Jr., of New Jersey.
Miss Mary Hoxton Pierce, of Florida.
Arthur C. Plambeck, of Illinois.
David R. Raynolds, of Connecticut.
Ernest G. Reeves, of Texas.
Owen W. Roberts, of New Jersey.
Stephen H. Rogers, of New York.
Edward M. Rowell, of California.
Glenn R. Ruihley, of Ohio.
Charles E. Rushing, of Illinois.
Miss Edith M. Scott, of the District of Columbia.
Peter Semler, of New York.
George B. Sherry, of Maryland.
Joseph G. Simanis, of Connecticut.
William N. Simonson, of Virginia.
Clyde H. Small, of California.
Jackson L. Smith, of Florida.
Charles R. Stout, of California.
John Sylvester, Jr., of the District of Columbia.
George H. Thigpen, of the District of Columbia.
David B. Timmins, of Utah.
Donald R. Toussaint, of California.
Frank G. Trinka, of New Jersey.
Frank M. Tucker, Jr., of Pennsylvania.
James R. Wachob, of Oregon.
Edward T. Walters, of Texas.
Miss Suzanne White, of Illinois.
Frontis B. Wiggins, Jr., of Georgia.
John E. Williams, of North Carolina.
Richard L. Williams, of Indiana.
Miss Suzanne S. Williams, of Ohio.

To class 7

Anthony C. Albrecht, of Virginia.
J. Bruce Amstutz, of Massachusetts.
Oler A. Bartley, Jr., of Delaware.
William M. Beck, of Illinois.
David A. Betts, of New York.
H. Eugene Bovis, of Florida.
Everett E. Briggs, of Maine.
Bazil W. Brown, Jr., of Pennsylvania.
Charles R. Carlisle, of Florida.
Gordon Chase, of Massachusetts.
Robert D. Collins, of California.
Richard S. Dawson, Jr., of California.
Miss Stella M. Deinzer, of New York.
Lloyd L. DeWitt, of California.
Robert W. Drexler, of Wisconsin.
Miss Regina Marie Eltz, of Alabama.
Robert L. Flanegin, of Illinois.
Robert L. Funseth, of New York.
Paul F. Gardner, of Texas.
Marion L. Gribble, of New York.
Charles R. Hartley, of the District of Columbia.
Edgar P. Henderson, Jr., of Indiana.
Roger P. Hipskind, of Illinois.
Thomas J. Hirschfeld, of New York.
Edward Hurwitz, of New York.
George W. Jaeger, of Missouri.
James T. Johnson, of Montana.
Robert M. Kline, of Connecticut.
Tadao Kobayashi, of the Territory of Hawaii.
Robert Gerald Livingston, of Connecticut.
Peter P. Lord, of Massachusetts.
James Gordon Lowenstein, of Connecticut.
Jack F. Matlock, Jr., of Vermont.
Robert Marden Miller, of California.
Jay P. Moffat, of New Hampshire.
John L. Offner, of Pennsylvania.
Mark S. Pratt, of Rhode Island.
Thomas D. Quinn, of the District of Columbia.
Cecil S. Richardson, of New York.
Miss Ann C. Roper, of Ohio.
David E. Simcox, of Kentucky.
William Slany, of the District of Columbia.
Daniel P. Sullivan, of Virginia.
Roger W. Sullivan, of Massachusetts.
D. Dean Tyler, of California.
William Watts, of New York.
William B. Young, of New Hampshire.
Albert L. Zucca, of New York.

The following-named person for appointment as a Foreign Service officer as indicated:

To be class 8, vice consul of career, and secretary

Jay R. Grahame, of New York.

The following-named Foreign Service Reserve officers to the grades indicated:

To be vice consuls

Theodore S. Mandeville, Jr., of Ohio.
Richard D. Van Winkle, of the District of Columbia.
Robert Wilbourn, of Texas.

To be secretaries

Justin E. O'Donnell, of Pennsylvania.
Graham D. Renner, of California.
John Sherry, of Maryland.
Louis J. Toplosky, of New Jersey.
Steve Washenko, of Virginia.

HOUSE OF REPRESENTATIVES

WEDNESDAY, FEBRUARY 5, 1958

The House met at 12 o'clock noon.

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

John 20: 27: *Be not faithless, but believing.*

O Lord, our God, we are now coming unto Thee in the sacred attitude of prayer, constrained by the wonder of Thy love and compelled by the direness of our many needs.

We rejoice that Thou hast made the way so plain and clear that whosoever will may come unto Thee.

Grant that daily we may seek Thy truth and righteousness and follow those ways which Thou hast marked out for us.

Help us to build a better world and hasten the dawning of that glorious day when all shall know Thee, from the least to the greatest.

To Thy name we ascribe the praise. Amen.

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

COMMITTEE ON APPROPRIATIONS

Mr. CANNON. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations have until midnight Friday, February 7, to file two reports, one on the general government matters appropriations bill, 1959, and one on a special resolution.

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

Mr. TABER. Mr. Speaker, reserving the right to object, may I ask the chairman if there appears to be any controversy on these bills?

Mr. CANNON. Mr. Speaker, in response to the gentleman from New York, I think there is complete agreement on the part of all members of the committee, on both sides of the aisle, on these two measures.

Mr. TABER. What will happen if we have a rollcall vote? Will that go over?

Mr. McCORMACK. Mr. Speaker, I shall answer that question, if I may. Of course, I am hopeful, there being no controversy on these matters, apparently, that they will go through without a rollcall. Of course, nobody can foretell that. If a rollcall vote were asked on Monday, to put them over until the following week would be rather extreme. I think anyone would agree to that.

Mr. CANNON. Mr. Speaker, may I say to our leader that in discussing this matter, the committee agreed that there was no occasion for a rollcall on either of these propositions.

Mr. McCORMACK. That was my understanding, but one can never tell. There may not be a quorum on the floor and some Member might make the point of order of no quorum. I do not expect that, but nobody can guarantee it.

The SPEAKER. Is there objection to the request of the gentelman from Missouri?

There was no objection.

Mr. TABER. Mr. Speaker, I reserve all points of order.

Mr. CANNON. Mr. Speaker, I ask unanimous consent that it be in order for the Committee on Appropriations to call up for consideration on Monday next the general government matters appropriations bill for the fiscal year 1959; and a House joint resolution for two urgent items in the Department of Labor. One of them is unemployment compensation for veterans and the other is unemployment compensation for Federal employees. This is occasioned, Mr. Speaker, by the fact that funds for these mandatory items are nearly exhausted, and unless this resolution is passed and sent to the other body and disposed of at a very early date there will be no funds with which to meet essential operations.

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

There was no objection.

THE LATE WALTER A. LYNCH

The SPEAKER. The Chair recognizes the gentleman from New York [Mr. HEALEY].

Mr. HEALEY. Mr. Speaker, I rise to pay tribute to a prominent former Member of this legislative body, the late Walter A. Lynch, whose passing has brought sorrow to all who knew him and benefited from his long and distinguished public service.

I feel honored to be representing the Congressional District which he served so well for many years. Walter Lynch was a brilliant and capable Member of Congress. He served in the House from 1940 through 1950. He assumed many heavy duties in his lifetime and always performed them well. He was a man of highest principles, devoted to his country and to his faith.

It was a privilege and a pleasure to have known Walter Lynch and his family for over 25 years, and to have been an active member of his election committee on numerous occasions when he campaigned for Congress. On these occasions and on social visits, I came to know him intimately and found him to be one of the most honorable and decent men I have ever met. He was my idea of a model Congressman. He was always

available to his constituents; he was patient and understanding with their problems, and people were enlightened after a visit with him.

After leaving Congress, he served with distinction as a justice of the New York State Supreme Court, until his sudden death.

We are fortunate to have been blessed with a man of the ability, integrity, and stature of Walter Lynch. His reputation and record of service will stand as a symbol and inspiration for others to follow.

To his widow, and their two sons, Walter A., Jr., and John J., I extend my deepest sympathy.

Mr. Speaker, I yield to the gentleman from New York [Mr. DOLLINGER].

Mr. DOLLINGER. Mr. Speaker, it is with fond remembrance that I speak of our former colleage, the Honorable Walter A. Lynch. It is with gratitude that I remember his great kindness to me when I first came to Congress; his wise counsel and his friendliness were invaluable to me, and I shall always be thankful that I had the opportunity to come to know him well, to enjoy a happy association with him as a Member of Congress, and to benefit by his fine example as a legislator.

Before coming to Congress, he distinguished himself as a practicing lawyer; as a city magistrate of the city of New York, he was known as a brilliant judge, fair to all who appeared before him, and astute in the decisions he rendered. His career as a Member of the House of Representatives was marked by splendid service to his constituents and to his Nation; his industry and ability made him an outstanding member of the Committee on Ways and Means, with which he served for many years. The Congress suffered a great loss when he left us to take his place on the bench as a justice of the Supreme Court of New York, but his friends were happy that this high honor was paid him. He brought great knowledge of the law, dignity, and innate consideration for his fellow man to his judicial office, and was recognized as one of the outstanding justices of our State.

His untimely death came as a great shock. Our city, State, and the Nation lost a true statesman and illustrious judge; his neighbors and friends lost a true and loyal friend, who never failed to speak a cheerful and encouraging word or to hold out a helping hand when needed. Members of his family have my deepest sympathy in their bereavement.

It is altogether fitting that we should honor his memory, and I speak sincerely when I say that my admiration and respect for our departed colleague will never die.

Mr. HEALEY. Mr. Speaker, I yield to the gentleman from New York [Mr. KEOGH].

Mr. KEOGH. Mr. Speaker, I wish to take this occasion to pay tribute to the memory of one of our departed former colleagues, a distinguished member of the House of Representatives and of the Committee on Ways and Means for many years, the Honorable Walter A. Lynch.

Walter Lynch passed away last September 10 during the adjournment period of this Congress. I had the honor to succeed him as a member of the Committee on Ways and Means from New York, following his voluntary withdrawal from this body. It was with profound sorrow last September 10 that I learned of his death, and I know all of my colleagues who served with him in this great body and on the Committee on Ways and Means who may not have received word of his death will be equally saddened to learn that he is no longer with us.

Walter Lynch was a great legislator, judge, and outstanding statesman and patriot. He was a distinguished public servant. His record of service will stand as a lasting monument to his integrity, his ability, and his work in behalf of the welfare of his fellowman. He served with great distinction in this body for six consecutive terms. However, Walter Lynch's contribution to the public interest and in the welfare of his fellowman was not limited solely to the area of legislation. A man of high legal ability and judicial temperament, he also rendered outstanding service in the judicial branch of the government of the city and State of New York. He was still serving in the judicial branch when his untimely death occurred.

It was my high honor to serve with Walter Lynch both in this body and in local and community affairs, which gave me a greater and more incisive insight into his qualities of leadership and his personal attributes. He was a man of courage and great moral strength, attended by a kindly disposition and sweetness of character.

He paid close attention to details because he was aware that, with regard to both legislative and judicial matters, it often develops that the hard intricacies of legislation or cases may well determine the overall course of public policy or of the disposition of the case. No project was too complex for him because he had the type of logical and incisive mind which could go to the crux of a problem and analyze its facets in simple and understandable language. Yet, despite his heavy burden of responsibilities he was never too busy to take the time necessary to lend helpful assistance and counsel to colleagues who sought his assistance. Many new Members of this body were the beneficiaries of his considered counsel. Many lawyers who practiced before Judge Lynch have commented on his fairness and his highly developed sense of justice. He was a gentleman and a scholar in the highest sense of the word. His death is a great loss to the city and State of New York and to the Nation.

Walter Lynch had a host of friends in this body and through his hard work, high ability and those personal qualities which we all desire to emulate, he has left a record of which his family and all of his friends can be proud.

To all of those who knew him and to his dear Claire and to his two sons, I extend deepest sympathy and condolences.

Mr. HEALEY. Mr. Speaker, I yield to the gentleman from New York [Mr. REED].

Mr. REED. Mr. Speaker, when Hon. Walter Lynch passed away the State and the Nation lost one of the noblest of men. I valued his friendship beyond any words of mine to adequately express. His personality and character radiated sunshine and inspiration on all occasions. Those of us who served with Walter Lynch on the Ways and Means Committee learned to respect and admire his keen legal mind, which he applied diligently to the many highly technical problems assigned to the Ways and Means Committee. I am told by members of the legal profession that Walter Lynch, when promoted to the office of supreme court judge of the State of New York, discharged the duties of that high office with marked ability and legal acumen.

I firmly believe that when our beloved Walter confronted the Judge on high, he was received with the words, "well done thou good and faithful servant."

I extend my deepest sympathy to Mrs. Lynch and her family in their great bereavement.

In the words of William Blake:

> The pure soul shall mount on native wings, disdaining little sport, and cut a path into the Heaven of glory, leaving a track of light for men to wonder at.

Mr. HEALEY. Mr. Speaker, I yield to the gentleman from New York [Mr. FINO].

Mr. FINO. Mr. Speaker, I wish to join my colleague the gentleman from New York in expressing deep sorrow on the death of Walter Lynch. To the Lynch family I extend my deep sympathies on their loss.

Mr. HEALEY. Mr. Speaker, I yield to the gentleman from New York [Mr. KEARNEY].

Mr. KEARNEY. Mr. Speaker, I learned with deep regret today of the death of my very good friend, the Honorable Walter A. Lynch, of New York City.

Together with the gentleman who succeeded him, Mr. HEALEY, I wish to pay my tribute to the late Congressman and extend my sympathy to Mrs. Lynch and their two sons.

From the time I first came to the House of Representatives I learned to admire and respect Mr. Lynch as a fine and courageous Member of Congress. He was an individual who had the respect of all his colleagues on both sides of the aisle and his death is deeply regretted by me.

Mr. HEALEY. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. MCCORMACK].

Mr. MCCORMACK. Mr. Speaker, our country was dealt a grievous blow, and I personally lost a dear and respected friend, when Justice Walter A. Lynch, a former Representative from the State of New York, died at his home in Belle Harbor last September. Many years have I labored in this great body, and many a Member or former colleague who has crossed the bar have I mourned, but none with more poignancy than the passing of Walter Lynch. Many of the present Members of this House will cherish, as I I do, the memory of that strapping six-footer with sandy hair striding into the Chamber of the House or down the hallways, and the sincerity of that quick, infectious smile and understanding nature. The hair was burnished to a gentle silver by the time he died, but that won-

derful smile and the wonderful human being behind it burst forth with a marvelous radiance to the last.

The life of this man was built on two mighty pillars—his religion and his devotion to public service. Walter was a Catholic with all his great heart and all his enormous energy. Nurtured by devout parents, he attended St. Jerome's Parochial School, Fordham Preparatory School, Fordham University, and finally Fordham Law School. He was State deputy, and later chairman, of the New York Chapter of the Knights of Columbus, and a member of the Catholic Club of New York City and of the Catholic Lawyers Guild.

His religious faith was as strong as his contempt for those who hide their heads in the sands of prejudice. He was respected and admired by men of all faiths, as was so admirably illustrated in 1945 when the American Jewish Congress awarded him its good citizen commendation.

We, his friends, were privileged to know him in this private role, but the public at large will remember him for the patient, hard-working years he devoted to his country and to the Democratic Party.

Justice Lynch was born in the Bronx, N. Y., on July 7, 1894. He lived in and around New York City all his life and practiced law there for several decades, a highly respected member of the American, New York State, New York County, and New York City Bar Associations. In 1930 the late James J. Walker appointed him a city magistrate. Later Lynch served as chairman of the law committee of the Bronx County branch of the Democratic Party, and was a trusted and valued associate of the late Edward J. Flynn, the former Democratic national chairman. In 1938 Walter Lynch was accorded the signal honor of selection as a delegate to the New York State Constitutional Convention. His contributions to that convention and the abilities he displayed attracted wide and grateful attention. He was urged to stand for a seat in Congress.

When Edward W. Curley died, Walter Lynch was nominated to replace him, and entered the House of Representatives in January 1940. In the following month he was elected in his own right, and such was the regard in which he was held by his constituents of the 23d District that they returned him to the House for six successive terms. In 1948, in his last campaign for the House, his prestige drew the support not only of the Democratic Party, but of the Republican and Liberal parties as well, and he swept his district by a 5 to 1 majority.

Let future Members of this House look in the record Walter Lynch established here as a model of intelligent, faithful, useful, and outstanding service. Never, he promised, would he walk away from the ordinary man, and he fulfilled that pledge. Little wonder that he won the lasting gratitude of myriads with his generous and intelligent consideration of their well-being. The love of God and the love of mankind that always pervaded his being channeled his interests into welfare problems, and his keen intelligence drew him toward tax matters.

He was a staunch supporter of Presidents Roosevelt and Truman, of the New Deal and the Fair Deal. He favored and worked for the acceptance of the United Nations, the Marshall plan, the point 4 program, aid to Korea, and other non-Communist countries, and the reciprocal trade program. As a member of the Banking and Currency Committee in the early days of his career in the House, he labored tirelessly in the preparation of legislation to curtail inflation. During the period of inflation he was a strong advocate of price and rent controls and had a leading hand in the writing of the original Price Control Act. Cooperative housing and disability insurance also aroused his sympathy and support.

He was highly praised for his work as a member of the Special Committee on Postwar Economic Policy and Planning, and served as chairman of the Subcommittee on Public Works and Construction. As a member of the Ways and Means Committee he won acclaim from Members of both parties.

Largely through his efforts, maritime workers were brought under the unemployment-insurance program. His labors in the field of social-security legislation resulted in the extension of benefits to some 11 million citizens not previously covered. As chairman of a Ways and Means subcommittee, he was responsible for the formula by which life-insurance companies agreed to pay income taxes from which they had been exempt. The President of the United States often sought his counsel on matters of old-age assistance, social security, and finance.

In 1950 his party enthusiastically nominated him as a candidate for the office of Governor of the State of New York. He accepted the task with his usual humility. Despite a hard-fought campaign, he was defeated. In 1952, he served as acting State chairman for his party. And in 1954, with support from both the Democratic and Liberal parties, he was elected to the State Supreme Court. On September 11 of last year, as he was about to leave his home to attend his duties at the New York County court house, he suffered a fatal heart attack.

Let his epitaph include the words with which the American Jewish Congress cited him, "in recognition of his patriotism and zeal in sponsoring legislation to maintain and protect the blessings of democracy in the spirit of American liberalism; his devotion to the well-being of his fellow citizens, without regard to race, creed, or position, in his endeavors for the social, philanthropic, and spiritual advancement of the community." So will our country remember him. To his family, we, his friends, can only say, with Thomas Campbell:

To live in hearts we leave behind is not to die.

And Walter Lynch will ever live in our hearts.

Mr. HEALEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks at this point in the RECORD concerning the life and services of the late Walter A. Lynch.

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

There was no objection.

Mr. CELLER. Mr. Speaker, I served many years with Walter. I always found him kind, intelligent, and affable. He was efficient as a Member of this body. As a member of the Ways and Means Committee he left an indelible and brilliant record.

Now the iron sleep of death has him. Death keeps no calendar or almanac. War or peace means nothing to this grim reaper. Death will take its toll. Death is timeless.

We fret and struggle, weep and play, work or sleep, love or hate, persist or weakly try, in strength or weakness, death ever hovers over us. Death is master. It is a mighty leveler. We are all equal in death. All worldly goods vanish with death. There are no pockets in shrouds. We come into the world with clenched fists but leave it empty handed—with hands outstretched and open.

We leave naught but a name. Walter left a good name. A good name is like an acrostic. You read it up or down, to the left or to the right, it spells the same—goodness.

My heartfelt sympathy journey to the dear members of his family.

Mr. ROONEY. Mr. Speaker, I wish to join my colleagues in paying tribute to the life and character of our good and respected friend, the late honorable Walter A. Lynch, who, at the time of his death on September 10, 1957, served as a justice on the Supreme Court of the State of New York.

Walter, as he was affectionately known to us, served as a Member of this body from February 1940, when he won a special election to succeed Edward W. Curley, who had died. He later was elected to 5 successive terms from the 23d Congressional District in the Bronx. He was a stanch supporter of the Roosevelt-Truman administrations, and former President Truman often called him to the White House as a consultant on old-age assistance, social security, and financial and tax problems. He served with great honor and distinction as a member of the House Committee on Ways and Means and was an intelligent and conscientious legislator and a fine debater.

Walter and I were close friends, and I always admired him for his outstanding ability and talents. He was a vigorous fighter for any cause or any legislation which he deemed to be for the benefit and welfare of the people of his district, but at all times showed fairness to his opposition. This characteristic he took with him upon leaving Congress to assume a seat on the Supreme Court of the State of New York. While there he served with great distinction and was highly respected and admired for his judicial temperament and sense of fairness.

I feel that I have lost a real friend and shall always have a very warm recollection of our happy association.

His wife and two sons have my deepest sympathy on their great loss.

Mr. EBERHARTER. Mr. Speaker, it is with profound sadness that I rise to pay my respects to someone who was very close and dear to me and who was a former Member of this House, the Honorable Walter A. Lynch of New York.

Words are inadequate to express the shock and personal loss I felt upon hearing of his death. It was my privilege to have sat next to him on the Committee on Ways and Means during the time he was a Member of Congress, and his intelligent suggestions and advice were very helpful to me on many occasions. Although I did not have the pleasure of seeing him so frequently in the last few years, nevertheless, I valued his friendship highly, and shall miss him greatly.

Walter Lynch was a dedicated public servant all his life and served his country in many capacities. His many years of fine, devoted service in the legislature were followed by an equally outstanding period of service as a New York State Supreme Court justice. In every office in which he served, he did so with the highest degree of loyalty, honor, and devotion to duty.

I know we will all agree that this country owes him a great debt of gratitude.

To the loved ones he left behind, I extend my deepest sympathy.

Mr. FORAND. Mr. Speaker, I join with my colleagues today in paying tribute to the memory of a great man, our former colleague, the Honorable Walter A. Lynch, of New York, who has passed away.

It was my very good fortune to have known Walter quite intimately during his years of service in the Congress of the United States. We sat next to each other on the Committee on Ways and Means, where he displayed a great knowledge of the law as well as an enviable understanding of his fellow man.

He was generous in his counsel, which was always sound. It was based on equality and justice. Anyone who followed Walter's advice did not go wrong.

We in the committee and in the Congress have missed him. He left us to serve on the Supreme Court of the State of New York, where his record, for justice administered equally to all who had business in his court, will stand as a monument to his memory.

Walter Lynch served his country well. He was a good husband and father. I have lost a real friend.

My prayer is that God will have mercy on his soul and will give his widow and his children strength to bear the great burden that his passing has put upon them.

Mr. O'BRIEN of Illinois. Mr. Speaker, the late Walter A. Lynch, of New York, passed to his eternal reward on September 10, 1957, after a lifetime of devoted service in his private and public life. His beloved family, his former colleagues, and his innumerable friends in all walks of life are bereaved by his death.

Walter Lynch came to the House of Representatives in the 76th Congress and was reelected five times thereafter. If he had not resigned voluntarily, his constitutents unquestionably would have reelected him as often as he wished to continue to serve here.

As the recipient of a liberal arts degree and a law degree from Fordham University he remained steadfast in his loyalty to the university throughout his entire lifetime, and was esteemed by the faculty, alumni, and students alike, as an exemplar of ideals of that great university. Upon being admitted to the bar in New York State, he engaged in the active practice of the law until he was appointed a magistrate of New York City in 1930, in which service he gained the great respect of the people of New York. In 1938, he served as a delegate to the New York State constitutional convention and shortly afterward came to Congress. I was fortunate to know him as a respected and influential member of the House Committee on Ways and Means. He terminated his career in the Congress in order to become the Democratic candidate for governor in New York State and shortly thereafter was elected to a 14-year term as a justice of the supreme court of that State.

In his legislative and judicial career, as well as in his everyday contacts with his family, his friends, and the public, Walter Lynch displayed those magnificent qualities of character that were so much a part of him. His loyalty to his church, his country, his family, and his friends—political and nonpolitical—were so outstanding that it would have been constitutionally impossible for him to inflict harm upon anyone. His kindliness and cheerfulness were immediately apparent to even a casual acquaintance and endeared him forever to those who knew him. His great breadth of intellect qualified him for the many diverse tasks of the lawyer, legislator and justice.

With his passing, the Nation, his State, and his dear family have suffered an immeasurable loss.

Mr. DELANEY. Mr. Speaker, the death of Walter A. Lynch on September 10 of last year shocked and saddened his former colleagues in this House. During his 10 years of distinguished service here he won a host of friends, and I can truly say that I have never known any Member more universally beloved and respected. With his passing, the Nation has lost a valued and dedicated public servant, and the State of New York has lost a great citizen.

Walter Lynch was one of those rare men whose personal warmth was immediately felt by everyone who came in contact with him. His kindness, generosity, geniality, and his unfailing interest in his fellow beings will never be forgotten by those of us who were privileged to have his friendship, and it is with deepest sorrow that we realize he is no longer with us in person.

Walter Lynch was a man of many talents. As a lawyer, a New York City magistrate, a Member of Congress, a Justice of the Supreme Court of New York, and as a politician, he served his city, State, and county with highest distinction. There have been few Members of this body who have impressed themselves as firmly upon the minds of their colleagues. He commanded our respect because of the many valuable contributions he made to deliberations both in committee and on the floor, and because of his outstanding ability as a legislator.

To inject a personal note, it was my good fortune to be closely associated with Walter both here in the House and during his campaign as Democratic candidate for Governor of New York in 1950. I shall never forget the good counsel he gave me in my freshman term in Washington. As we all know, Congress can be bewildering to a newcomer, and I shall always be grateful for his guidance at that time. It was typical of his readiness to help others.

In spite of the many demands made on him, Walter Lynch found time for a full and rewarding private life. He was a devout churchman, a devoted husband and an affectionate father.

Walter Lynch will be sorely missed—but while we grieve, we may try to take some consolation in the thought that although his physical presence is no longer with us, we are all the richer for his having lived, and his memory will remain as an abiding inspiration.

I join my colleagues in expressing deepest sympathy to his family.

Mr. KILBURN. Mr. Speaker, Walter Lynch was a good friend of mine. He was a fine man with a high character and great ability. I greatly enjoyed his friendship and companionship while he was here in the House and I followed his career afterward with great interest. The country has lost an outstanding citizen.

Mr. BUCKLEY. Mr. Speaker, this is a sad occasion for me.

Walter A. Lynch was one of my dearest friends and I enjoyed many years of close association with him. He was always a perfect gentleman, courteous and kindly, and ready to help all who called upon him for assistance. We all know, too, the deep intensity of his labors here in the House.

Walter enjoyed a highly successful and varied career; he was a brilliant practicing attorney, he served as city magistrate of the city of New York with distinction, he rendered splendid service to his constituents and Nation while a Member of the House of Representatives. As a member of the powerful Committee on Ways and Means he contributed his fine ability and discernment for the progress of our Government.

We, in Congress, suffered a great loss when he left us to serve as a justice of the supreme court of New York, but it was an honor he richly deserved. Because of his judicial demeanor, his great knowledge of the law, his sense of fairness, he made his mark as one of the greatest justices of our State of New York.

His death came as a great shock to all who knew him, and we lost a fine statesman, fair and impartial judge, a good neighbor, and a loyal friend.

I extend my deepest sympathy to his family in their hour of sorrow.

Mr. FARBSTEIN. Mr. Speaker, I join my colleagues in expressing the grief and

loss we all suffered when Judge Walter A. Lynch passed away last September. I have always felt immensely proud of my State and my city for producing a man of his outstanding character and abilities.

Those qualities were recognized by all, including myself, who were privileged to know him. A brilliant lawyer, he was an outstanding New York City magistrate. He served 10 years as a distinguished Member of the House of Representatives, forging an enviable and liberal record. His career was crowned by a memorable tenure as a justice of the supreme court of the State of New York.

Wherever he served—and his life was devoted to service—he left the impress of his indomitable personality, his sincerity, and his courage.

I extend my deepest sympathy to his widow and to his two sons.

Mr. MULTER. Mr. Speaker, on September 10, 1957, we suffered a great loss when the soul of our very good friend and former colleague, the Honorable Walter A. Lynch, was called to eternal rest.

It had been my happy privilege to be able to work very closely with our friend, Walter, prior to his coming to Congress, after he came here, and then, of course, much more intimately when I joined him here.

He was in every respect a gentleman and a scholar, a devout follower of his own religion but a respecter of that of everyone else. He was a good lawyer, a fine Congressman and an excellent Justice of our State Supreme Court.

He was fair and considerate at all times, a hard fighter for the things he believed in, disagreeing agreeably with his antagonists.

Our city, State, and country have lost a devoted public servant.

I sadly join with my colleagues in extending to his widow and their children our heartfelt sympathy.

Mr. MILLS. Mr. Speaker, I join with my colleagues in paying tribute to the memory of a departed former colleague and distinguished former Member of this body and the Committee on Ways and Means, Walter J. Lynch.

It was my privilege to know and be associated with Walter Lynch during his period of service in the House of Representatives and on the Committee on Ways and Means. In this brief space, I cannot adequately describe my deep sorrow on learning of his death last September, nor can I adequately describe those many fine qualities which so endeared him to his colleagues in this body and to his friends throughout the Nation.

Walter Lynch brought to bear on his duties as a Member of this body and as a member of the Committee on Ways and Means those qualities and abilities which mark a great legislator and statesman. He had a keen analytical mind, high professional ability, a judicial temperament, and a strong awareness of fairness and the sense of justice required for outstanding service by members of the committee of the Congress which has jurisdiction over tax matters and other areas which touch the life of every American.

I concur fully with all the fine things which have been said by my colleagues on the floor of this House about the outstanding contributions to his State and Nation made by Walter J. Lynch. Walter Lynch was a fine man with high moral standards and he was indeed a Christian gentleman.

I join with my colleagues in extending my deepest sympathy and condolences to the members of his family and to his many friends in the city of New York, the State of New York, and the Nation.

FOURTEENTH STREET HIGHWAY BRIDGE

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6306) to amend the act entitled "An act authorizing and directing the Commissioners of the District of Columbia to construct two 4-lane bridges to replace the existing 14th Street or highway bridge across the Potomac River, and for other purposes," with Senate amendments thereto, disagree to the Senate amendments and request a conference with the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Virginia? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. DAVIS of Georgia, SMITH of Virginia and BROYHILL.

SUPPLEMENTAL MILITARY CONSTRUCTION AUTHORIZATION ACT

Mr. VINSON submitted a conference report and statement on the bill (H. R. 9739) 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.

INTOXICATION TESTS IN THE DISTRICT OF COLUMBIA COURTS

Mr. SMITH of Virginia submitted a conference report and statement on the bill (S. 969) to prescribe the weight to be given to evidence of tests of alcohol in the blood or urine of persons tried in the District of Columbia for operating vehicles while under the influence of intoxicating liquor.

LAUNCHING OF SATELLITE BY UNITED STATES ARMY

Mr. GAVIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. GAVIN. Mr. Speaker, I am proud of the United States Army.

When the restraints were removed, the Army did the job of launching a satellite.

It was a great victory for the Army and a complete vindication of the position they had taken. It proves in a very definite manner that General Gavin knew what he was talking about.

If the Army had not been shackled with restrictions, they would have had a satellite in space long before Russia.

There are certain people who think that ground forces and Army techniques have become obsolete. However, this convincing demonstration should indicate that the Army has the brains, skill, and ingenuity to carry out and reach whatever objectives may be assigned to them.

They have never failed and if given further flexibility, I feel certain they will solve the problems of the IRBM and the ICBM.

Also, let me say to the House, immediate consideration should be given to restoring the strength of our ground forces to at least 900,000 men.

BOY SCOUT WEEK

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, some of the Members have been given pins by the Boy Scouts. As you know, this is Boy Scout Week. I am proud of the fact that I was given a scout pin by Drew Upton, a very fine young Alexandria Cub Scout. I commend the Boy Scouts for all that they do for us in the United States, in citizenship, kindness, helpfulness, and as an example in all that is good and loyal. A Boy Scout never becomes a delinquent.

Three cheers for them and for their leaders.

THE LATE HONORABLE LEONIDAS C. DYER

Mr. CURTIS of Missouri. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. CURTIS. Mr. Speaker, and my colleagues, particularly my older colleagues, I want to call to your attention the passing of former Congressman Leonidas C. Dyer, of St. Louis, Mo., who served for 22 years in the House of Representatives. He was first elected to the Congress in 1910 as a Member of the 62d Congress, and served through the succeeding Congresses until 1932, representing one of the Congressional Districts of the city of St. Louis.

Mr. Dyer, after leaving Congress, returned to St. Louis to the practice of law and he remained active in that practice up to the time of his death at the age of 86. He was a distinguished citizen of St. Louis and a great American. Our country, indeed, is a better country because of his life. The examples of men like Leonidas Carstarphen Dyer have made this country continue to grow and prosper long after they have passed on. I pay tribute to his memory.

Mr. Speaker, I ask permission to include with these remarks the article appearing in the St. Louis Globe-Democrat at the time of his death:

[From the St. Louis Globe-Democrat of December 16, 1957]

L. C. DYER, FORMER CONGRESSMAN, DIES

Funeral services for former Congressman Leonidas C. Dyer, who served 22 years in the House of Representatives and was author of the Dyer Act, will be held at 2 p. m. tomorrow at the Compton Heights Christian Church, 2149 South Grand Boulevard. Burial will be in Oak Grove Cemetery.

Mr. Dyer, who was 86 years old and lived at 3638 DeTonty St., died Sunday night at the John J. Cochran Veterans Hospital, which he entered November 29. He had been suffering from a heart ailment for several years but had remained active in the practice of law with his nephew, George C. Dyer.

The body will be at the Kriegshauser Mortuary, 4228 South Kingshighway, until 11 a. m. tomorrow.

Surviving are the widow, the former Miss Clara Hyer, and two daughters, Dr. Martha Dyer Collins, a physician and head of a veterans hospital at Sunmount, N. Y., and Mrs. Herman C. Verwoert, of Berkeley, Calif.

ADVISER TO PRESIDENTS

Mr. Dyer, a Republican, was the author of many important bills during his 11 years in Congress. He also was a close friend and Congressional adviser to Presidents Coolidge and Hoover and served on the Hoover inaugural committee in 1928.

He probably is best known for his authorship of the National Motor Vehicle Theft Act, commonly known as the Dyer Act, which was passed in 1919 and makes interstate movement of a stolen automobile a Federal offense.

For many years, Mr. Dyer received semiannual reports from J. Edgar Hoover, director of the Federal Bureau of Investigation, on the number of automobiles recovered and convictions obtained under the act.

TREASURED LETTER

Six months ago, he received a highly treasured letter from Director Hoover complimenting him on his legislative forethought and skill.

Mr. Dyer also was the author of the China Trade Act, which provided for Federal incorporation of companies doing business in China. He made a three-months' tour of the Orient in connection with this legislation. He also was cosponsor of the National Parole Act.

He conducted a vigorous campaign for a Federal antilynching law, speaking in most of the Nation's largest cities. A bill he introduced passed the House in 1922 but was killed in the Senate by a filibuster of southern Senators.

AUTO CLUB PLAQUE

In 1953, Mr. Dyer received a plaque from the Automobile Club of Missouri for outstanding service to the automobile owners of the United States in connection with his sponsorship of the Dyer Act.

He often spoke with pride of the fact that for many years some member of his family had held high Federal office, starting with United States District Judge David Patterson Dyer in 1860. The nephew, George C. Dyer, formerly was an assistant United States attorney here.

BORN ON FARM

Born June 11, 1871, on a farm in Warren County, Mo., Mr. Dyer attended the old Central Wesleyan College at Warrenton, and Washington University, where he received his law degree in 1893.

For a time, he was private secretary to the Assistant Secretary of the Treasury in Washington. He resigned to return here and practice law and was named an assistant circuit attorney.

He was elected to his first term in Congress in 1910. He was reelected in 1912, and received his certificate of election but was unseated by a contest filed by his Democratic opponent in the Democratic-controlled House.

NINE SUCCESSIVE TERMS

He was reelected in 1914 and every 2 years thereafter until 1932, when he went down to defeat in the Roosevelt landslide. He was an unsuccessful candidate for Congress in 1934 and 1936.

A veteran of the Spanish-American War, he was national commander of the Spanish-American War Veterans in 1915 and 1916. He was a member of the Compton Heights Christian Church for 54 years. He was a Mason and also a member of various other fraternal organizations.

While her husband was in Congress, Mrs. Dyer served as president of the Congressional Club, composed of the wives of the President, Vice President, Justices of the United States Supreme Court, and Members of the Senate and House.

LEGISLATIVE PROGRAM

Mr. ALLEN of Illinois. Mr. Speaker, I take this time to ask the majority leader what the program is for the rest of the week.

Mr. McCORMACK. The first order of business will be the District of Columbia Hospital bill. Then a bill amending the Organic Act of Guam, and if time remains today the Pecos River project.

Tomorrow we take up the conference report that came from the Committee on Armed Services—an authorization bill. It may be that the question of concurring in certain amendments to a supplemental appropriation bill may be brought up.

The bill relating to the Freedom Shrine is stricken from the program. I have no definite information as to the time when it will be programed again, so Members need not fear about it being programed next week.

Of course next week I shall make it as light as possible in view of the situation that confronts our friends on the Republican side. I am unable to state what the program will be for next week, except that it will be as light as possible. Outside of the legislation that may come up Monday, I know of nothing at the present time that may be programed for next week.

In any event, so far as next week is concerned, outside of Monday, if any rollcall is requested, it will be postponed until the following week. The Speaker, the gentleman from Massachusetts [Mr. MARTIN] and I have had discussions to that effect and an understanding has been reached.

On tomorrow we will consider a conference report, then a supplemental appropriation bill, in all probability. Whether or not the Pecos River project will come up today or tomorrow I am unable to state at this time, but if it is desired to have it come up, it will be brought up.

Mr. SMITH of Virginia. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield to the gentleman from Virginia.

Mr. SMITH of Virginia. May I ask the majority leader why the Freedom Shrine bill has been stricken from the program?

Mr. McCORMACK. That is a reasonable, a very proper, and fair question. It has been stricken from the program because the gentleman who is handling the bill has certain official matters which compel him to be out of Washington tomorrow and there is no possibility of the bill being reached today. He requested that it be stricken.

Mr. SMITH of Virginia. I was unaware of that fact. I am handling the rule and I have some interest in the matter. I do not want to see it indefinitely postponed.

Mr. McCORMACK. The gentleman from Virginia understands that the leadership likes to confer on these matters and it would be unwise to leave it on the program if the chairman of the committee, or the gentleman handling the bill, wants it postponed. The leadership always likes to cooperate.

Mr. ALLEN of Illinois. Can we adopt the rules on the Guam and Pecos River matters at the same time?

The SPEAKER. If it does not take up too much time.

PROTECTION AND DEVELOPMENT OF OUR NATURAL RESOURCES

Mr. STAGGERS. 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 West Virginia?

There was no objection.

Mr. STAGGERS. Mr. Speaker, in the mad scramble to develop an American sputnik, I hope that the Congress will not be swayed from the basic program of sustained effort in protecting and developing our natural resources. Protection of these vital resources is essential to the long-term strength and security of the United States. Above all we should avoid risking damage to forest resources through unnecessary exposure to fire, insects, and disease. The national expenditure for forestry is small in the overall picture, but it is our investment that pays rich dividends in the form of timber, water, forage, wildlife, and public recreation. These are vital elements of national strength in time of peace or in time of war.

LEAVE OF ABSENCE

Mr. BAILEY. Mr. Speaker, I ask unanimous consent that the gentlewoman from West Virginia [Mrs. KEE] may have a leave of absence on account of illness.

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

There was no objection.

AMENDING DISTRICT OF COLUMBIA HOSPITAL CENTER ACT

Mr. SMITH of Virginia. Mr. Speaker, by direction of the Committee on the District of Columbia, and pursuant to the unanimous consent heretofore

granted, I call up the bill (S. 1908) to amend the District of Columbia Hospital Center Act in order to extend the time and increase the authorization for appropriations for the purposes of such act, and to provide that grants under such act may be made to certain organizations organized to construct and operate hospital facilities in the District of Columbia, and ask unanimous consent that it be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. SMITH]?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the last sentence of the first section of the act entitled "An act to provide for the establishment of a modern, adequate, and efficient hospital center in the District of Columbia, to authorize the making of grants for hospital facilities to private agencies in the District of Columbia, to provide a basis for repayment to the Government by the Commissioners of the District of Columbia, and for other purposes," approved August 7, 1946 (60 Stat. 896), as amended, is amended by inserting after "operating" a comma and "or organized to construct and operate,".

SEC. 2. Section 5 of such act of August 7, 1946, is amended to read as follows:

"SEC. 5. Thirty percent of the net amount expended by the Administrator of General Services under this act shall be charged against the District of Columbia and shall be repaid to the Government by the Commissioners of the District of Columbia at the annual rate, without interest, of 3 percent of such 30 percent. The District of Columbia shall be entitled to 30 percent of the sale price of any of the properties sold by the Administrator of General Services under section 2 of this act, other than properties the value of which is deducted from the gross amount expended to determine the net amount upon which the 30 percent to be charged against the District of Columbia is computed, and the District of Columbia shall also be entitled to receive 30 percent of any rentals received from the leasing of any of the hospital facilities acquired or constructed by the Administrator of General Services under this act. The amounts which may be due the District hereunder shall be credited on the amount owed the Government by the District of Columbia until such obligation of the District is discharged in full."

SEC. 3. Section 6 of such act of August 7, 1946, is amended (1) by striking out "1958" and inserting in lieu thereof "1959", and (2) by striking out "$36,710,000" and inserting in lieu thereof "$39,710,000."

SEC. 4. The amendment made by this act to section 5 of such act of August 7, 1946, shall apply only with respect to grants from funds authorized by amendments made by this act.

Mr. SMITH of Virginia. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, the hospital situation in Washington is such that when they passed the general hospital bill some years ago, Providence Hospital, which was in the southeast section of the city, was removed and became a part of the General Hospital, so that there are no hospital facilities anywhere in the southeastern part of the city. Consequently the people in the southeast feel that they have been discriminated against in the matter of hospital facilities, and they are raising a fund to build a hospital provided the general hospital bill is amended so as to include them. One-half of this fund is being raised by public subscription. This bill merely amends the general hospital bill to raise the general authorization by $3 million in order that funds may be provided to supplement the necessary funds for this hospital. Then the District of Columbia will put up 30 percent, which will be repayable to the Government in the years to come, without interest.

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

Mr. SMITH of Virginia. I yield to the gentleman from Iowa.

Mr. GROSS. I appreciate the gentleman's explanation. Where would this hospital be built, on the Maryland-District line?

Mr. SMITH of Virginia. Somewhere down in that area.

Mr. GROSS. So that it would serve not only the District of Columbia but the States of Maryland and Virginia as well?

Mr. SMITH of Virginia. It will serve Maryland; it will not serve Virginia in any way, shape, or form. A large part of the fund is being raised over on the Maryland side by private subscription for the purpose of constructing this hospital.

Mr. GROSS. But it could very well serve Virginia once the bridge at Jones Point is completed, could it not?

Mr. SMITH of Virginia. Well, I do not know about that. Virginia now has under arrangement for construction ample hospital facilities. They are building a $5 million hospital in the county of Fairfax, and they are building a $5 million hospital in the city of Alexandria. If the gentleman means to intimate that I have any interest on behalf of my constituents, or the State of Virginia, in this hospital, he is entirely wrong.

Mr. GROSS. I do not mean to intimate that the gentleman has any personal interest in this proposed hospital.

Mr. SMITH of Virginia. I am always proud to serve my constituents, but it so happens that in this case I am not serving them.

Mr. GROSS. The gentleman has been doing an excellent job in serving his constituents, may I say.

Mr. SMITH of Virginia. I thank the gentleman.

Mr. GROSS. The gentleman said something about money being raised in the State of Maryland as part of the public contribution to this hospital, is that correct?

Mr. SMITH of Virginia. What I said was, it will be supplemented by funds raised in the southeast and in the Maryland areas.

Mr. GROSS. I thank the gentleman.

Mr. LANKFORD. Mr. Speaker, I move to strike out the requisite number of words.

Mr. Speaker, I am, indeed, gratified by the prompt action taken by the District of Columbia Committee on S. 1908, and the recognition by our distinguished majority leader of the importance of this measure.

During the past 2 years I have worked closely with many civic-minded groups in southeast Washington who over 3 years ago recognized clearly the problem created by lack of hospital facilities in southeast Washington. I have never known a more dedicated and responsible group of citizens. They have proved to me that their determination will see that this grave problem is solved. Becoming convinced at a very early date that their cause was just, I introduced in the first session of this Congress H. R. 7396, which is identical to the bill now under consideration.

The situation that now exists in southeast Washington with respect to hospital facilities can only be termed critical. With the removal of Providence Hospital and the impending removal of Sibley and Hanneman Hospitals from downtown District of Columbia and only one hospital in the north sector of Cheverly, Md., the southeast Washington section will suffer by 1960 a total loss of 569 beds, not to mention all attendant facilities. This loss of beds will be offset only partially by the passage of this measure as it is my understanding that the hospital contemplated for southeast Washington will have a capacity of 250 beds. To date, the funds made available under the Hospital Center Act have been used to help construct hospital facilities in the upper northwest and northeast sections of the District of Columbia. It is estimated that by April 1960, more than 322,000 people in southeast Washington and Prince George's County, Md., will be dependent on two distant and widely separated hospitals unless this southeast hospital is financed and completed by that time.

In order to more effectively deal with the problem, the Greater Southeast Hospital Foundation was formed as a result of concerted action by more than 30 civic and church organizations in southeast Washington. The foundation, which is presently composed of over 3,000 members including individual members and organizational members such as citizens associations, service clubs, and so forth, proposes to raise funds for the construction of this 250-bed, non-sectarian general hospital. This legislation will allow the foundation the time in which to raise the funds from private sources necessary to be matched with Federal funds for the construction of a hospital in southeast. I have made previous reference to the fact that funds under the Hospital Center Act have been used for the construction of facilities in upper northwest and northeast District of Columbia. This maldistribution of hospital facilities was recognized by the Hill-Burton Advisory Council for the District of Columbia which in its report made in April 1956, page 30, stated as follows:

> Although the District of Columbia as a whole has an adequate number of general hospital beds, according to the Hill-Burton formula it is not certain that the formula is applicable to this jurisdiction. The beds are, moreover, so distributed as to leave the southeast and Anacostia sections with inadequate facilities. It is recommended, therefore, that another general hospital of approximately 250 beds be constructed in Anacostia.

That section of southeast Washington which lies east of the Anacostia River has a population of approximately 150,000. If that section were to be considered separately from the overall picture of the District of Columbia, and well it might be because of the river is a natural boundary, the hospital bed need there, by Hill-Burton standards, would be over 675 beds. Any catastrophe which would wipe out our bridges would leave this area east of the Anacostia River virtually helpless as far as hospital facilities are concerned. From a practical point of view, any person who is seriously injured in an automobile or other accident in the southeast area of the city today will have to travel 15 to 25 minutes longer in an ambulance to reach a hospital than he would if a southeast hospital were available. I think that many of us have seen an ambulance with its red light flashing and siren blowing standing motionless in the center of morning traffic on the South Capital Street Bridge. This illustration certainly punctuates our need for a hospital in the southeast section.

Preliminary plans for the new hospital include facilities for the chronically ill. This will help to meet a serious need not only in the southeast, but in the entire city of Washington. Congress, in recognition of the need for hospital facilities in our Nation's Capital passed the Hospital Center Act and its present amendments. We are asked here today not to neglect a large section of the District of Columbia in the provision of such hospital facilities. I am impressed with the community effort involved in a solution to this problem and I am certain that the proposed southeast hospital will be one of which the entire metropolitan area of Washington may be proud.

Mr. ABERNETHY. Mr. Speaker, will the gentleman yield?

Mr. LANKFORD. I yield to the gentleman from Mississippi.

Mr. ABERNETHY. Will the gentleman be agreeable to sponsoring an amendment to this bill which would authorize the District of Columbia to enter into some sort of compact with the State of Maryland, with the end result being that the people of Prince Georges and other counties to be served by this hospital would contribute taxwise comparable to that which would be contributed by the people of the District of Columbia?

Mr. LANKFORD. I am certain that the people of Maryland would be more than willing to bear their own share, but I fail to see how that could be worked out properly. May I just say this, that the leading figures in this Southeast Hospital Foundation, the ones who have gotten behind it most, from my personal knowledge are people from Maryland.

Mr. ABERNETHY. That is right.

Mr. LANKFORD. Although they are not asking that the hospital be built in Maryland, they are asking that it be built in southeast Washington because a great many of them have contact with southeast Washington and have realized the need for a hospital in that area.

Mr. ABERNETHY. That is exactly the point I am making. The people of Maryland have stimulated interest in the construction of this hospital to be constructed in the District with District and Federal funds, but the Marylanders are going to use it although they are not making any contribution to it taxwise.

Mr. LANKFORD. The use by Marylanders, I would say, in my honest opinion, will be in direct ratio to their contribution to the foundation fund.

Mr. ABERNETHY. How much have they pledged to the construction of the hospital?

Mr. LANKFORD. I cannot answer that; I do not know.

Mr. MILLER of Nebraska. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, this bill, as has been explained, does amend the Hospital Act of 1946. It makes one additional amendment to that act. The bill spells out how the District must reimburse the Federal Government.

It is my understanding that to date they have not paid back 1 penny and have not levied 1 penny of taxes to pay back anything of the money advanced in the bill in 1946. I have insisted in the committee that that was wrong and that they ought to make a levy each year. I believe we changed the act in 1951 to provide payments. It should be done. I believe this bill does provide that the District Commissioners will now repay at an annual amortization rate of 3 percent without interest. I think there is something to the thought that Maryland will use the hospital because it is on the edge of the District of Columbia. But they do desperately need hospitalization in that area. I presume there are a certain number of charity patients who will come into the hospital, but I presume also that the people who have charge of the hospital administration will see that those who can pay do pay what they can or maybe pay the full bill and cost of hospitalization. The only thought I have had in this entire bill is that we have been pretty generous with the District of Columbia. You who pass, as I do, every day the new hospital out at the Old Soldiers' Home realize that we have a pretty fine institution there to take care of the needs of the District of Columbia. The taxpayers in the District of Columbia, we said in that act, should pay back 30 percent. I say to you that the Commissioners, so far as I can find in all of their records and there was testimony before our committee which shows that they have not as yet levied a tax to pay back any part of the money advanced to them. I think that was a mistake. In this bill, they are charged with making an annual payment back of 3 percent without interest. We do not do that to our own communities. Counties levy taxes, issue bonds, and pay interest. But I realize the District of Columbia is in a peculiar position and as a physician I think we recognize that the 200,000 or more people in the southeast area are entitled to some additional hospitalization over what they have at this time. I believe this is a step in the right direction.

The people of the community formed a foundation called the Greater Southeast Community Hospital Foundation with about 3,000 dues-paying members. They are raising a certain amount of money to match the Federal funds. I believe that the Hill-Burton funds are available and not matched. They do get a nice piece of money from the Hill-Burton funds, as we get in our States. They also get Hill-Burton funds which they do not pay back. With that thought in mind, the Members of the Congress ought to realize that we are authorizing an appropriation of $3 million by this legislation. The Bureau of the Budget at times has been pretty cautious about recommending new projects. They have done that in flood control and reclamation projects and public works. Here is a public-works project that apparently is going to be an exception to that rule. We are going to appropriate $3 million, to get the hospital started. With reference to the project, I assume that the people need it. I would like to see a hospital built someplace in the proposed area. But, I do think the financial arrangement has been rather loosely construed in the past and if we make any more of this kind of appropriation, we ought to pin down very definitely how the people in the District of Columbia will repay their share. Those who are going to have the benefits of the hospital ought to pay back a good share of the cost of the hospital.

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

Mr. MILLER of Nebraska. I yield.

Mr. GROSS. What does the Bureau of the Budget think about this particular bill?

Mr. MILLER of Nebraska. I do not know whether there is a report here from the Bureau of the Budget. I do not find any. I do not know that they reported to us. One of the Commissioners was not too happy about this hospital. The other two thought it ought to be built.

I expect to support the measure.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time and was read the third time.

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

The bill was passed.

A motion to reconsider was laid on the table.

AMENDING SECTIONS 22 AND 24 OF THE ORGANIC ACT OF GUAM

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules I call up the resolution (H. Res. 462) providing for the consideration of H. R. 4215, a bill amending sections 22 and 24 of the Organic Act of Guam.

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. 4215) amending sections 22 and 24 of the Organic Act of Guam. After general debate, which shall be confined to the bill and continue

not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, 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.

The SPEAKER pro tempore (Mr. McCORMACK). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PECOS RIVER BASIN, N. MEX. AND TEX.

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution (H. Res. 461) 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 joint resolution (S. J. Res. 39) to authorize the construction of certain water conservation projects to provide for a more adequate supply of water for irrigation purposes in the Pecos River Basin, N. Mex. and Tex. After general debate, which shall be confined to the joint resolution and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Commitee on Interior and Insular Affairs, the joint resolution shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the joint resolution for amendment, the committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr ALLEN of Illinois. Mr Speaker, I have no objection to this rule.

I reserve the remainder of my time.

Mr. THORNBERRY. Mr. Speaker, House Resolution 461 makes in order the consideration of Senate Joint Resolution 39, to authorize certain water conservation projects in the Pecos River Basin in New Mexico and Texas. This measure passed the Senate in March 1957.

House Resolution 461 provides for an open rule and 1 hour of general debate on the joint resolution.

At the present time large quantities of water in this area are wasted through evaporation and transpiration. In addition, the water is contaminated with soluble salts. In the past few years a drought has existed on the Pecos River making the water situation critical and, in fact, threatening the economy of the Pecos River Basin.

Senate Joint Resolution 39 proposes to alleviate this situation by authorizing the Secretary of the Interior to construct a channel to convey flows of the Pecos River below Alamagordo Dam through the delta at the head of McMillan Reservoir, a levee and cleared floodway through the delta and spur drains from the delta. It is estimated these projects will cost approximately $2,600,000. Salinity alleviation works are also authorized at a cost of approximately $150,000, none of which would be reimbursable.

Construction of these projects is conditioned upon local payment for the right-of-way acquisitions, highway revision, an access road, and the payment of the operation and maintenance costs. The Committee on Interior and Insular Affairs added an amendment to the Joint Resolution which provides that the Carlsbad Irrigation District, New Mexico, and the Red Bluff Water Power Control District, Texas, will return to the United States annually for a period of 50 years such portion of the construction costs as is within their ability to pay, the amount to be determined by the Secretary of the Interior.

The resolution further provides that any of the Carlsbad Irrigation District's terminal storage which may be lost by the clearance of the floodway must be replaced.

Of the total cost of $2,600,000 at present prices it is estimated that $2,200,000 will be borne by the Federal Government, plus $150,000 for the salinity alleviation works. Expenditures will be spread over a 2-year period.

In view of the situation which exists in this area I urge prompt adoption of House Resolution 461 so the House may proceed to the consideration of this measure.

The SPEAKER pro tempore (Mr. McCORMACK). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ORGANIC ACT OF GUAM

Mr. O'BRIEN of New York. 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. 4215) amending sections 22 and 24 of the Organic Act of Guam.

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. 4215, with Mr. JONES of Missouri in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with

The CHAIRMAN. Under the rule, the gentleman from New York [Mr. O'BRIEN] will be recognized for 30 minutes, and the gentleman from Pennsylvania [Mr. SAYLOR] will be recognized for 30 minutes.

The Chair recognizes the gentleman from New York [Mr. O'BRIEN.]

Mr. O'BRIEN of New York. Mr. Chairman, I yield myself such time as I may desire, and I shall be brief.

This bill would accomplish three purposes: One, to broaden and clarify the district jurisdiction in certain respects, and to provide more flexible appellate procedure in the Guam Federal court. It would also lengthen from 4 to 8 years the judge's term in the Guam District Court to conform with the terms of judges of the District Courts of Puerto Rico, the Canal Zone, and the Virgin Islands.

The third part of the bill would bring the salary of the United States district court judge of Guam in line with the salaries paid other district judges under the American flag.

It was believed by the committee that this legislation is largely noncontroversial and it was brought up earlier on the Consent Calendar. At the time the gentleman from Iowa raised a very fair question as to whether the district judge in Guam received additional compensation in the form of free housing. We have investigated that matter and we learn that the district judge in Guam rents a house from the Guamanian Government, a two-bedroom house, for which he pays $96 a month. I would assume that is a fair rent and is not in the form of a subsidy to the judge.

The committee feels, and I feel, that we should not single out one district judge among all those under the American flag and say that he shall receive less compensation than the others. This House has voted in the past to establish uniform salaries for district judges. The incumbent in the office at Guam is the sole exception. The reason for that was that his salary at the time the other salaries were adjusted was governed by the Organic Act of Guam. It was treated as a separate proposition. His salary was tied in with that of the Governor of Guam. There seems to be very little merit in tying in the salary of a Federal district judge with that of the governor of any Territory.

As far as the proposed increase in the term of office from 4 to 8 years is concerned, it is obvious it is difficult to persuade distinguished attorneys to accept appointments to a judicial office in a place as remote from the Continental United States as is Guam. There is a feeling in the committee that if the term were lengthened to 8 years we would be able to persuade distinguished attorneys to accept appointment to that important office.

There is a great deal of judicial work in Guam, some of it originating among the natives of Guam, a great deal of it involving land condemnations, some of it involving United States servicemen stationed at Guam.

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

Mr. O'BRIEN of New York. I yield to the gentleman from Michigan.

Mr. HOFFMAN. I want to know what this is about. I have a bill, H. R. 4215, which has to do with the courts. Is that what is before the committee now?

Mr. O'BRIEN of New York. That is correct.

Mr. HOFFMAN. As I get it, the bill deals with the jurisdiction of the courts.

Mr. O'BRIEN of New York. No. The bill covers the jurisdiction of the court, also the term of office of the district judge in Guam and also the compensation of the district judge in Guam. The

amount of money involved is $3,500 a year.

Mr. HOFFMAN. For what?

Mr. O'BRIEN of New York. To establish the salary of the district judge in Guam at the same level as that of every other Federal district judge under the American flag.

Mr. HOFFMAN. Is there something in this bill about housing? It has only 3 pages.

Mr. O'BRIEN of New York. There is nothing about housing in the bill. The gentleman from Iowa last year asked if the Federal district judge in Guam received free housing. That was a very fair and pertinent question because it would have, I assume, some effect upon his compensation. I explained a few moments ago that the Federal judge over there does not receive free housing. He rents a two-bedroom house in Guam from the Guamanian Government and pays $96 a month rent.

Mr. HOFFMAN. Am I correct in assuming that the bill merely deals wtih the jurisdiction of the court and the appointment of the judge?

Mr. O'BRIEN of New York. The jurisdiction of the court, the length of term of the judge, and the compensation of the judge.

Mr. HOFFMAN. I thank the gentleman.

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

Mr. O'BRIEN of New York. I yield to the gentleman from Connecticut.

Mr. CRETELLA. Is this not the same subject matter that was defeated under suspension of the rules last year?

Mr. O'BRIEN of New York. No.

Mr. CRETELLA. When an attempt was made to raise the salary of the judge in Guam?

Mr. O'BRIEN of New York. No. The gentleman is incorrect to this extent. It came up on the Consent Calendar and was objected to by the gentleman from Iowa who raised the point I mentioned earlier about the residence and so forth.

Mr. CRETELLA. Well, the purpose of the bill at that time on the Consent Calendar was almost identical with this one here, except this one has something to do with jurisdiction that that one did not have. What is the salary of the judge in Guam now?

Mr. O'BRIEN of New York. Nineteen thousand dollars as compared with $22,500 for all other Federal district judges. I might say in passing that the Federal district judge in the Virgin Islands, with one-third of the population of Guam, receives $22,500.

Mr. CRETELLA. Can the gentleman give us any idea as to the amount of work that the judge in Guam has to do as far as either criminal or civil actions are concerned?

Mr. O'BRIEN of New York. Yes; I can give the gentleman that information. I would say that in the first place there are undoubtedly districts in the United States where the judges carry a heavier workload, but I would say—and I base this upon the testimony of people from the judiciary—that the workload of the district judge in Guam is as great, if not greater than the workload of the district judges in other territories, incorporated and unincorporated. And, I might say in passing, too, that if we establish a salary basis for our Federal district judges, I do not think we should put them on piecework any more than we would put a Member of Congress on piecework.

Mr. CRETELLA. Well, we apparently do that with other Federal judges where States have applied to the Judiciary Committee with bills to increase the number of judges in the various States because of the workload, and the Judiciary Committee in its wisdom has not seen fit to report those bills out yet. Those judges are on a piecework basis to the extent that they do not even have summer vacations. That has been taken away from them. I do not think you are going to find any dearth of candidates for a judgeship in Guam.

Mr. O'BRIEN of New York. Yes; and I assume there are lawyers who would be willing to accept $19,000 a year even if it was with the full knowledge that they were the one and only district judge under the American flag who was being paid less than $22,500. May I also add for the gentleman's benefit that the Federal judge in Guam does not receive the 25 percent cost-of-living differential which goes to other Federal employees or officials in Guam. So, if you are going to take that into consideration, you should in all fairness reduce in your mind the amount he is now receiving by 25 percent. If he gets $22,500, he would still not obtain that cost-of-living differential.

Mr. CRETELLA. I think this is certainly a matter that should have the attention of the Committee on the Judiciary in connection with its omnibus legislation dealing with all Federal judges in the United States.

Mr. O'BRIEN of New York. The Committee on the Judiciary did deal with the legislation, and it was debated at great length in this House, relating to the salaries of Federal district judges, and the reason they did not include at that time the district judge in Guam was because his salary was controlled by the Organic Act of Guam, and I am very sure if that had not been the case, the Committee on the Judiciary would not have said that in every place, Alaska, Puerto Rico, the Virgin Islands, Hawaii, the Federal district judge, regardless of his workload, shall receive $22,500, but in Guam and Guam alone we are going to fix the salary at $19,000. I am very sure that the Committee on the Judiciary wanted all Federal district judges to have $22,500 when they proposed and supported their legislation a couple of years ago.

Mr. CRETELLA. I want to go on record that I am opposed to the bill and I am opposed to the manner in which it has been handled.

Mr. SAYLOR. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, I would like to urge that this bill be adopted promptly. Now, you just heard the objection made to the way in which this bill was handled. This bill was introduced as every other bill is introduced in the House of Representatives. The Speaker and the Parliamentarian in their wisdom assigned it to the committee that has jurisdiction, to the House Interior and Insular Affairs Committee; they have jurisdiction over the entire Territory of Guam, and of necessity therefore over the judiciary of Guam.

Just to make sure that the House committee found out the views of the Committee on the Judiciary, the gentleman from California [Mr. ENGLE], the distinguished chairman of our committee, took this matter up with Judge Maris, the man who has been selected by the Committee on the Judiciary to be the adviser on matters affecting judges in the Territories. And if you will look at page 7 of the committee report you will find that Judge Albert B. Maris of the third district of the United States Court of Appeals recommends that this bill be enacted; first, because it made the term of the district judge of Guam the same as the district judges in our other Territories and possessions; second, because it straightens out a serious matter of jurisdiction, and thirdly, it places this judge on the same salary scale with every other Federal district judge.

Mr. Chairman, I think the distinguished gentleman from New York [Mr. O'BRIEN], who handled this bill before the subcommittee, has made an excellent presentation. The Governor of Guam is here. The gentleman from New York [Mr. O'BRIEN], and I checked with the Governor of Guam to determine whether or not this judge was receiving free housing. We found that he lives in a house that is owned by the Territory of Guam but for which he is charged a rental which has been fixed by the General Accounting Office. He does not receive free rent. Neither does he receive the 25 percent cost-of-living allowance given to other Government employees, and if this bill is passed he still will not receive that cost-of-living allowance. All this bill does is to put the judge in the Territory of Guam on the same level with all other Federal judges.

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

Mr. SAYLOR. I am happy to yield.

Mr. MADDEN. I noticed in the report that the judge in Guam does not receive the cost-of-living allowances that other Federal officials receive out there, which come to about 25 percent; is that correct?

Mr. SAYLOR. That is correct.

Mr. MADDEN. As a matter of fact, if the judge were to get this increase in salary, the fact that he does not receive a cost-of-living allowance would mean that his salary was really only about $18,000 as compared with the other officials out there; is that correct?

Mr. SAYLOR. That is correct. He does not receive that allowance. I think in fairness to the judge in Guam, whoever he may be, he should have the same standing as all other Federal judges.

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

Mr. SAYLOR. I yield to the gentleman.

Mr. GROSS. This judge has gone from $13,000 a year to $19,000 a year; is that correct?

Mr. SAYLOR. No; that is not correct. As the gentleman from New York pointed out, there is an error in the figures in the report. His salary is $19,000 a year and not $13,125 as appears in the report.

Mr. GROSS. He has been paid $19,000 a year all the time; is that correct?

Mr. SAYLOR. I believe that is right.

Mr. GROSS. So he was not moved up to $19,000 a year just to keep pace with the Governor of Guam?

Mr. SAYLOR. I believe that is right.

Mr. GROSS. I am surprised there would be that error in a report, but things of that kind do happen. Does the gentleman have any idea of the workload of this judge in Guam as compared with the workload in the northern or southern Federal jurisdictions in Iowa?

Mr. SAYLOR. I cannot tell the gentleman, but I know from information we have received that he has more work than many Federal courts in this country that have two judges.

He has as much work as practically all of the courts in our territories that have only one judge.

Mr. GROSS. In this country?

Mr. SAYLOR. I do not know about in this country, but if the gentleman will refer to page 6 of the committee report he will find reference to the Canal Zone, Virgin Islands, New Hampshire, Alabama—middle district—Idaho, Nevada, and Hawaii. His record compares very favorably with them.

By the way, I do not think we should judge the amount we pay a judge by the number of cases had in other jurisdictions. This judge is at the call of the United States Supreme Court and can be assigned to other jurisdictions should they need his services.

Mr. GROSS. Where, for instance, would a judge on Guam be assigned at the pleasure of the Court if he were still under an 8-year appointment?

Mr. SAYLOR. He could be called to serve just as all the judges are under the United States Supreme Court. They are subject to being assigned for temporary work.

Mr. GROSS. I understand that, but is the gentleman saying that he would be called, with transportation paid and his family moved from Guam to some jurisdiction in this country, when he is under an 8-year appointment. I do not understand that.

Mr. SAYLOR. No, I have not tried to say that at all. What the Supreme Court could do is that if they had need of his services on a temporary basis they could ask him to come and sit and assist other judges in other places.

Mr. GROSS. Has that been done in the past?

Mr. SAYLOR. It has not been done from Guam, but in the past judges have been sent to Guam.

Mr. GROSS. Is it the intention that it will be done in the future?

Mr. SAYLOR. I do not know what the United States Supreme Court will do.

Mr. O'BRIEN of New York. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield.

Mr. O'BRIEN of New York. The judge of Guam could very well be, probably would be, and I assume has been called, say, to Hawaii. I am also informed that the district judges sitting in Hawaii on occasion have been called from Hawaii to the west coast to help out when there has been calendar congestion.

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

Mr. SAYLOR. I yield to the gentleman from Connecticut.

Mr. CRETELLA. Referring to page 6, if the statement of the workload of the district court in Guam is correct, it has handled in 1 year 63 criminal cases and 93 civil cases, or a total of 156 cases. First of all, that does not indicate that there is any need for a transfer of judges from one jurisdiction to another. In answer to the gentleman's remarks that you do not pay judges by the workload they carry, it certainly is obvious to me that this particular judge is being greatly overpaid for what he is doing. I cannot see how you can reconcile what is demanded for his salary when judges up in our district have thousands of cases a year. We had in our district of Connecticut a Smith Act case, where the judge was tied up on it for 9 months in the trial, to say nothing of the proceedings from that point on. This judge handled 63 criminal cases, that were handled expeditiously, most of them, perhaps, on guilty pleas.

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

Mr. SAYLOR. I yield to the gentleman from New York.

Mr. KEARNEY. One question I have in mind is why the provision for an 8-year term in this particular legislation. As I understand, all Federal judges are appointed for a life term.

Mr. SAYLOR. No, that is not true of judges in our Territories and possessions.

Mr. KEARNEY. That is the question I wanted answered.

Mr. SAYLOR. The terms of the other Federal judges in the Territories have been increased to 8 years. This is only increasing the term of this judge in Guam to the same as the other judges in the Territories.

Mr. KEARNEY. Do I correctly understand that the workload of this particular district judge in Guam is commensurate with the workload of judges in Hawaii, the Virgin Islands, and our other outlying possessions?

Mr. SAYLOR. That is correct.

Mr. O'BRIEN of New York. Mr. Chairman, I yield myself such time as I may desire.

Mr. Chairman, the question was raised about the workload in some of our States. Certainly as a resident of New York I am fully aware of that. I also believe that something should be done about it in the interest of the litigants. But I cannot for the life of me understand how our problem or the problem in Connecticut or any other State is to be solved by saying that the district judge in Guam shall receive $3,500, a year less than the district judge in the Virgin Islands, in Alaska, in Hawaii, or in the other Territories or possessions.

Here is a case where we are bringing up a batting average of the per diem labor or caseload against one judge. Who is to say that the workload is not too great in Guam? Let us not forget that in that remote place, there is a great background of Spanish law and custom. There are difficulties which confront the Federal district judge in Guam which do not confront the district judge in my district or in your district. In addition to that, he is far from home. The judge there has a number of problems which do not occur to these other overworked judges in the States to whom reference has been made. Here is a Territory that is strategically important to our country. There are 73,000 people there, 3 times the population of the Virgin Islands. I may say to the gentleman who raised the question of procedure that the Committee on Interior and Insular Affairs does not relish the expansion of its duties, but because we have jurisdiction over the organic act of these Territories necessarily we find ourselves dealing with problems which ordinarily would go before the Committee on the Judiciary. I might say further that I doubt very much whether any member of the great Committee on the Judiciary which supported the legislation for salary increases for Federal judges in this country would stand on this floor and say that we had in mind all the Federal judges under the American flag except this one person in Guam. I doubt it very much and I might say further that we followed exactly this procedure when the salary of the Federal district judge in the Virgin Islands was increased. That was done in the orderly way we are doing it now, by amending the Organic Act of the Virgin Islands. We are not going to help the caseloads in any of our districts by singling out this one man. All we would be doing is saying that in the judgment of the Congress of the United States this man and this man alone is to receive less than every other Federal district judge under the American flag; not only $3,500 a year less but bear in mind the cost differential of 25 percent which exists in Guam. That cost differential has been recognized by this Congress which has provided for the payment of that 25 percent differential to Federal employees and servicemen generally. This is a matter, in my opinion, of simple justice. By denying this fair play to this one man, we are not going to remedy any situation in any of our districts.

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

Mr. O'BRIEN of New York. I yield.

Mr. GROSS. Did I understand the gentleman to say that there is a population of 73,000 in Guam?

Mr. O'BRIEN of New York. That is correct.

Mr. GROSS. I might say to the gentleman that we have 2 Federal district judges in the State of Iowa serving 2¾ million people and 2 serving more than 1¼ million in each jurisdiction. Does the gentleman suggest that this judge might be sent to Hawaii to help with the cases there?

Mr. O'BRIEN of New York. Yes; that is entirely possible. I understand one of the district judges of Hawaii at this moment is sitting on the west coast hearing cases.

Mr. GROSS. Does the gentleman think that 2 judges serving Hawaii with only, according to your own report, 200 cases or approximately 200 cases, that there would be any need to bring a judge from Guam to Hawaii?

Mr. O'BRIEN of New York. No; I would say to the gentleman I do not. And I did not raise as a substantial argument that this man's work might be increased thereby. But, in view of the fact that the gentleman has brought it up, it is entirely legal and entirely possible that the judge would so sit. Then we would be in a most peculiar situation if there was more than a one-man court, sitting alongside a man receiving more money, wearing the same robes and having the same title. When we talk about a population of 73,000, we overlook the peculiar problems which arise in some of these remote places.

Mr. GROSS. I think it is peculiar that we have two Federal judges in Hawaii with a workload of 200 cases. I think that is out of this world.

Mr. O'BRIEN of New York. The gentleman may be correct. I think the gentleman might also say that it is very peculiar that we are paying $22,500 to a Federal district judge in the Virgin Islands, which has a population of only 23,000.

Mr. RHODES of Arizona. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of New York. I yield.

Mr. RHODES of Arizona. Is this not the situation that is bothering the gentleman from Iowa [Mr. GROSS]? We have a situation where we must have a judge. It does not make too much difference what the workload is, because it is necessary for us to provide a court and a judge, and the judge has to be there whether he tries one case or a hundred cases. If you have to have a judge, you have to pay that judge the same amount of money as you do any other judge who serves in a United States district court.

Mr. O'BRIEN of New York. I think the gentleman is correct. While the gentleman from New York carries a workload commensurate with his capacity, he is also aware that there are many Members of Congress who have the mental capacity to carry a greater workload who receive exactly the same salary as the gentleman from New York. When you adopt a uniform salary schedule, whether it be Members of Congress or Cabinet members or the Federal judiciary, you should not single out one man or a very small group of men and say, "You are the sole exception."

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

Mr. O'BRIEN of New York. I yield.

Mr. CRETELLA. The gentleman made reference to the fact that a judge in Guam has a peculiar responsibility, different from that of other Federal judges. In the report on page 6, of the 63 criminal cases that he handled in one year, he had 15 theft and fraud cases, 4 immigration cases, 3 offenses against the United States, 3 murder cases, and 1 manslaughter case; 7 assault, 8 burglaries, and 4 other cases. The municipal court of the District of Columbia handles that much business in one day. I cannot find fault with the theory of trying to put these on the same pay schedule, but I do not think the gentleman can show that this man's requirements are so much higher than other Federal judges.

Mr. O'BRIEN of New York. If the gentleman has gathered that impression from my remarks, I regret it. I am not talking about $3,500. I am not talking about the capability of the gentleman who is now district judge in Guam. I simply say that this Congress has said that Federal court judges shall receive a certain salary, and that under existing law we have this one man singled out. The only reason he is singled out is that when we changed the other law this man was controlled by the organic act over which the Interior Committee had control and not the Committee on the Judiciary.

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

Mr. O'BRIEN of New York. I yield.

Mr. KEARNEY. When I asked the gentleman about the term of office which was raised from 4 years to 8 years, I would like to make this observation: An individual who has an excellent law practice in this country would not want to give up that practice to become a judge. It might be rather difficult to find that type of a judge who would be willing to give up his practice of 4 years or 8 years and go to Guam or some other such place.

Mr. O'BRIEN of New York. The gentleman is very correct, because in this instance you would be saying to that capable lawyer, "When you go on the Federal bench not only will you receive $3,500 less than any other Federal judge, but it will cost you 25 percent more to live there than it does where you are living now.

We would have to reach out and try to get for that position lawyers who would be satisfied with $15,000 or $16,000. I do not know whether there are many of them of that kind.

Mr. KEARNEY. Those particular individuals would not be the type we want for judges?

Mr. O'BRIEN of New York. They could be, but I think if we made it just a little more attractive we would be able to secure more desirable men.

Mr. KEARNEY. The gentleman believes we should be consistent insofar as the pay of Federal judges is concerned, whether in this country or in our possessions?

Mr. O'BRIEN of New York. We should be just as consistent with Federal judges as we are with members of the Cabinet and Members of Congress. We have established a salary scale. If you want to haggle, if you want to put them on a piecework basis, all right; then we will have to start with the Virgin Islands, we will have to take up Alaska, Hawaii, and Guam, and measure their workload; then decide that our judges are to be paid according to the volume of work they handle. If we ever start that system in this country, we are going to be in very bad shape. If we had ever started that in Congress we would be in worse shape.

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

Mr. O'BRIEN of New York. I yield to the gentleman from Iowa.

Mr. GROSS. When the salary-increase bill for judges was before the House, we had all kinds of statistics furnished us with respect to the workloads of the Federal judges. It was used then. Why not now? That was one of the great contentions made for an increase, which, incidentally, I voted against insofar as the amount of that increase was concerned. I would have gone along with a reasonable increase but not with the amount they put in that judges' increase bill. That was used at that time as one of the real arguments for a huge boost in the pay of Federal judges.

Mr. O'BRIEN of New York. The gentleman is correct; but at that time we were arguing about the workload of the Federal bench generally. We never set up a box score showing that the judge in my district handled so many cases and the judge in the gentleman's district handled so many cases. We argued about the Federal judiciary generally. When it was a question of a salary increase for Members of the House we provided it right across the board and did not examine the workload of any individual Member. I say if we apply that rule to ourselves, we should apply it to the judiciary.

The CHAIRMAN. If there are no further requests for time, the Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the second sentence of subsection (a) of section 22 of the Organic Act of Guam (64 Stat. 384, 389; 48 U. S. C. 1424) is amended to read as follows: "The District Court of Guam shall have the jurisdiction of a district court of the United States in all causes arising under the Constitution, treaties, and laws of the United States, regardless of the sum or value of the matter in controversy, shall have original jurisdiction in all other causes in Guam, jurisdiction over which has not been transferred by the legislature to other court or courts established by it, and shall have such appellate jurisdiction as the legislature may determine."

SEC. 2. Section 22 of the Organic Act of Guam (64 Stat. 384, 389; 48 U. S. C. 1424) is further amended by inserting at the end of subsection (a) thereof the following additional paragraph:

"Appeals to the District Court of Guam shall be heard and determined by an appellate division of the court consisting of three judges, of whom two shall constitute a quorum. The judge appointed for the court by the President shall be the presiding judge of the appellate division and shall preside therein unless disqualified or otherwise unable to act. The other judges who are to sit in the appellate division at any session shall be designated by the presiding judge from among the judges assigned to the court from time to time pursuant to section 24 (a) of this act. The concurrence of two judges shall be necessary to any decision by the District Court of Guam on the merits of an appeal but the presiding judge alone may make any appropriate orders with respect to an appeal prior to the hearing and determination thereof on the merits and may dismiss an appeal for want of jurisdiction or failure to take or prosecute it in accordance with the applicable law or rules of procedure."

SEC. 3. Subsection (a) of section 24 of the Organic Act of Guam (64 Stat. 384, 390; 48 U. S. C. 1424b), as amended, is further amended as follows:

"(a) The President shall, by and with the advice and consent of the Senate, appoint a judge for the District Court of Guam who shall hold office for the term of 8 years and until his successor is chosen and qualified unless sooner removed by the President for cause. The judge shall receive a salary payable by the United States which shall be at the rate prescribed for judges of the United States district courts.

"The Chief Judge of the Ninth Judicial Circuit of the United States may assign a judge of the Island Court of Guam or a judge of the High Court of the Trust Territory of the Pacific Islands or a circuit or district judge of the ninth circuit, or the Chief Justice of the United States may assign any other United States circuit or district judge with the consent of the judge so assigned and of the chief judge of his circuit, to serve temporarily as a judge in the District Court of Guam whenever it is made to appear that such an assignment is necessary for the proper dispatch of the business of the court."

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose, and the Speaker pro tempore [Mr. FORAND] having assumed the chair, Mr. JONES of Missouri, 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. 4215) amending sections 22 and 24 of the Organic Act of Guam, pursuant to House Resolution 462, he reported the bill back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

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

The bill was passed.

A motion to reconsider was laid on the table.

SUPPLY OF WATER IN PECOS RIVER BASIN, N. MEX. AND TEX.

Mr. ENGLE. 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 resolution (S. J. Res. 39) to authorize the construction of certain water conservation projects to provide for a more adequate supply of water for irrigation purposes in the Pecos River Basin, N. Mex. and Tex.

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 resolution (S. J. Res. 39), with Mr. TRIMBLE in the chair.

The Clerk read the title of the resolution.

By unanimous consent, the first reading of the resolution was dispensed with.

Mr. ENGLE. Mr. Chairman, I yield to the gentleman from Colorado [Mr. ASPINALL], chairman of the Subcommittee on Irrigation and Reclamation, such time as he may require.

Mr. ASPINALL. Mr. Chairman, Senate Joint Resolution 39 would authorize a small reclamation project with attendant works; in fact, it should be labeled a rehabilitation program rather than an outright reclamation program.

The program which would be authorized by Senate Joint Resolution 39 has 2 purposes: The first purpose is to provide for channelization and firming up of a project that is already in existence, and the second purpose has to do with the salvaging of water which is so briny that it cannot be used for irrigation or municipal purposes at the present time.

The Pecos River rises in the State of New Mexico and flows down into the State of Texas. It was necessary to have an understanding between the authorities in those two States before this bill could be brought before the Congress of the United States. That understanding has been arrived at, and it is here with the approval of both of the States.

The McMillan Reservoir, which is on the Pecos River in the State of New Mexico, was built by private enterprise, but at the time the Carlsbad project was studied and authorized, the McMillan Reservoir became a part of the Carlsbad Reservoir, and the whole project is a reclamation project under the jurisdiction and control of the Bureau of Reclamation of the Department of the Interior.

The McMillan Reservoir has had to have its banks shored up and strengthened from time to time because of the sedimentation which has flowed into it; and the channel which leads directly to the McMillan Reservoir has become so filled up with salt cedars that it is almost impossible to get the water through to the reservoir. Consequently, we have a loss of approximately 26,500 acre-feet of water. There is nothing more consuming as far as plants are concerned than the salt cedar of the Southwest.

This authorization would provide for the channelization and the refirming of the banks of the reservoir; also it would provide that below the reservoir where the water flows through what is known as Malaga Bend, which means bad water, where brine is added to the water to the tune of something like 400 tons a day, there will be taken out by an installation, which would withdraw the brine from the water, most of the briny content. This would permit better water to go down to the Red Bluff Reservoir in Texas, which is above the town of Pecos. Such improved water will be used on the Pecos project.

The gentleman from Texas [Mr. RUTHERFORD], is here to speak about that part of the legislation. The cost involved is minor, $2,600,000 for the main channelization and rehabilitation of the project; $150,000 for the plant that is to be placed into operation at Malaga Bend to get the brine out of the water.

The benefit-cost ratio of this project is 1.6 to 1 which makes it a good project. However, under the present situation, with the loss of so much water, it is impossible for the users under the project effectively to use the water and to pay for the project which has already been authorized.

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

Mr. ASPINALL. I yield to the gentleman from California.

Mr. ENGLE. Just to emphasize that point, what it boils down to is that this project is being put together to bail out and to make economically operative the Federal investment already in the area.

Mr. ASPINALL. The gentleman from California is exactly right. The part of this legislation which is new policy is that provision which would provide for the use of Federal moneys on a nonreimbursable basis to salvage the project which is already authorized. That is a departure from our reclamation law; but it is impossible for the users to pay all of the small amount of money which would be charged against them because of the added cost of this project.

The other body passed this bill over to the House without any reference whatsoever to the possibility of the users paying what they could pay, although that requirement is basic to reclamation law.

The committee having jurisdiction in the House made an amendment which appears on the first page of the report and states that the users under the project must pay what they are able to pay; that a reevaluation will be made from time to time so that if they are unable to pay as much as was originally thought then they will be permitted to have their payments reduced a little bit; and, if they are able to pay more then they shall have their payments increased in order to take care of their added ability.

As has been suggested this is a salvage program to a great extent, and unless we do this there is no possibility of the Federal Government getting back all of the money which has already been charged against the project.

May I say in passing that the users of this project are current in their repayment responsibility at the present time; that is, the users under the Carlsbad project are current with the payment of current liabilities, so we are picking them up at the right time.

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

Mr. ASPINALL. I yield to the gentleman.

Mr. GROSS. How did this project get started? How much did the Federal Government have in this project?

Mr. ASPINALL. In the original project, I cannot tell you that at the present time.

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

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

Mr. RUTHERFORD. In response to that question, approximately $3 million was originally invested. As the gentleman from Colorado [Mr. ASPINALL] has pointed out, at the present time that is current, although our ability to pay is not current under the reclamation basic criteria.

Mr. GROSS. This is a compact between the States of New Mexico and Texas?

Mr. ASPINALL. The compact between New Mexico and Texas is part of the

whole picture, but it has little if anything to do with the repayment liabilities.

Mr. GROSS. How much has the Federal Government invested in this?

Mr. ASPINALL. The gentleman from Texas says approximately $3 million, and that has to do with the existing project in the State of New Mexico.

Mr. GROSS. Now you want another $3,500,000?

Mr. ASPINALL. No. The gentleman understood me to say $2,600,000. It is because of needed rehabilitation features.

Mr. GROSS. How did they get in trouble with this project?

Mr. ASPINALL. I expect that if the truth were known it was because of a poor survey at the time the work was entered into in the beginning, not realizing that the soil was as alkaline and briny as it is, and not realizing that the salt cedars would move into the channel of the Pecos River and take approximately 26,500 acre-feet of water per year.

Mr. GROSS. Was it a mistake or was it due to stupidity?

Mr. ASPINALL. I would not say that it was either one. I would say that perhaps there should have been a little bit more surveying. On the other hand, I doubt if it was foreseeable that the salt cedars would move in and use as much water as they have.

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

Mr. ASPINALL. I yield to the gentleman from California.

Mr. ENGLE. The project was started in 1906 and it has been without engineering since then.

Mr. GROSS. I still do not know what I want to know about it.

Mr. ASPINALL. If the gentleman has another question, I will try to answer it.

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

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

Mr. NICHOLSON. Did they not know that this was salt water when the project was started?

Mr. ASPINALL. This was not salt water when the project was started in 1906.

Mr. NICHOLSON. The salt water has come in since?

Mr. ASPINALL. The salt water has come up since. The alkalies of the soil have come in, washed in, and come through the channel of the Pecos River above the McMillan Reservoir, and that is where the damage has started.

Mr. GROSS. Do I correctly understand that the State of New Mexico raises $290,000? For what purpose?

Mr. ASPINALL. To take care of the rights-of-way that are necessary for the improvement that is to be made.

Mr. GROSS. What has the State of Texas done, or is there any responsibility on its part?

Mr. ASPINALL. The State of Texas has no responsibility in that respect, because the part that belongs to the State of Texas is below the Carlsbad project. The rehabilitation mostly goes to the Carlsbad project.

Mr. GROSS. Does the State of Texas have any responsibility in any other aspect that it should be carrying that will be eliminated by this bill?

Mr. RUTHERFORD. Texas has agreed through the compact ratified in 1948 that they will cooperate with New Mexico in the maintenance and operation. Because of a constitutional limitation, the State of Texas cannot appropriate money to be used outside of its State boundaries. In other words, we cannot appropriate money for projects outside the State of Texas. This whole project is in the State of New Mexico. Actually, how this came about was a joint venture between the State of Texas and the State of New Mexico through the compact agreement. For a great number of years we have experienced a great amount of difficulty in water rights as between Texas and New Mexico, because we are downstream.

This is the first joint venture between the State of Texas and the State of New Mexico in working out an agreement through legislation rather than in a courthouse. We will assume all necessary and possible expenditures that we are permitted to, and we will jointly accept half of the bill of the operation and maintenance without cost to the Federal Government.

The CHAIRMAN. The Chair recognizes the gentleman from South Dakota [Mr. BERRY].

Mr. BERRY. Mr. Chairman, we have no further requests for time on this side.

The CHAIRMAN. If there are no further requests for time, the Clerk will read.

The Clerk read as follows:

Whereas there has been an inadequate supply of water for beneficial consumptive uses in the Pecos River Basin, N. Mex. and Tex., for a number of years; and

Whereas in recent years the shortage of water for beneficial consumptive uses in such basin has been aggravated by reason of the nonbeneficial consumptive use of water by salt cedars in such basin and by reason of the infiltration of brine into such river; and

Whereas the States of New Mexico and Texas, with the consent of Congress, entered into a compact in 1948 with respect to the Pecos River and one of the principal purposes of such compact was to provide for cooperation between the Federal Government and the States of New Mexico and Texas in studies and projects designed to make available a greater supply of water for beneficial consumptive uses in such basin; and

Whereas the Bureau of Reclamation and the Geological Survey, after investigation of certain conditions causing the shortage of water in the Pecos River Basin, have made reports in which they have respectively considered, for the purpose of alleviating such shortage, engineering and other aspects of the construction of a water salvage channel in such basin and the construction of works for the alleviation of salinity in such basin; and

Whereas the construction of such channel and works are estimated to cost $2,600,000 and $150,000, respectively, and the annual operation and maintenance costs for such channel and such works are estimated to be $55,300 and $4,300 a year, respectively; and

Whereas the States of New Mexico and Texas are ready and willing to make substantial contributions to the cost of construction of such channel and works if the United States will join with them in bearing such costs; and

Whereas State and local agencies in New Mexico and Texas are ready and willing to undertake equitably the financial burden of operating and maintaining such channel and works, and State and local agencies of Texas are ready and willing to undertake the financial burden of operating and maintaining the works for the alleviation of salinity in the Pecos River; and

Whereas the Legislature of the State of New Mexico has authorized the appropriation of $290,000 to meet the State's share of the construction costs of the works; and

Whereas the value of benefits which will accrue to the United States from the construction of such channel and works, including restoration of the ability of water users in such basin to pay their contractual obligation of approximately $3,500,000 to the United States, are substantially in excess of the share of the costs of construction of such channel and works to be borne by the United States: Now, therefore, be it

Resolved, etc., That the Secretary of the Interior is authorized to construct, upon a nonreimbursable basis, a 1,500 cubic-foot-per-second water salvage channel, levee, cleared floodway, and spur drains sufficient to drain McMillan Delta in the Pecos Basin in New Mexico substantially in accordance with the plans described in the report of the Secretary of the Interior, entitled "McMillan Delta Project, Pecos River Basin, New Mexico," House Document 429, 84th Congress, but with such modifications of, additions to, and deletions from said plans as the Secretary may find appropriate to accomplish the purposes of this joint resolution: *Provided, however*, That no money shall be appropriated for, and no work commenced on the clearing of the floodway called for in said report unless provisions shall have been made to replace any Carlsbad irrigation district terminal storage which might be lost by the clearing of the floodway: *Provided further*, That prior to construction of the water salvage channel the Secretary shall, unless clearance of the floodway is then assured, analyze the adequacy of the designed floodway levee and make such new designs therefor as will assure substantially the same standards of flood protection as would be achieved by the presently contemplated levee with a cleared floodway. The Secretary shall not proceed with the construction of such channel until (1) he has adequate assurance from the State of New Mexico that it will, as its share of the costs of construction of such channel, acquire such rights-of-way, complete such highway changes, and construct such bridges as may be necessitated by the construction of such channel and that it will build an access road to such channel, and (2) he has adequate assurance from the Pecos River Commission or other State and local agencies in New Mexico and Texas that such commission or agencies in New Mexico and Texas will operate and maintain such channel and other works authorized in this section.

SEC. 2. The Secretary of the Interior is authorized to construct upon a nonreimbursable basis, works for the alleviation of salinity in the Pecos River Basin, New Mexico, substantially in accordance with the report entitled "Possible Improvement of Quality of Water of the Pecos River by Diversion of Brine, Malaga Bend, Eddy County, New Mexico," prepared by the Water Resources Division, Geological Survey, and dated December 1954, but with such modifications of, additions to, and deletions from said plans as the Secretary may find appropriate to accomplish the purposes of this joint resolution. The Secretary shall not proceed with the construction of such works until (1) he has adequate assurance from the State of New Mexico that it will, as its share of the costs of construction of such works, acquire such rights-of-way for wells, pipelines, and disposal areas as may be necessitated by the construction of such works, and (2) he has adequate assurance from the Pecos River Commission or other State and local agencies in Texas that Texas or local agencies

therein will operate and maintain such works.

SEC. 3. The projects constructed under the authority of this joint resolution shall, except as otherwise provided herein, be governed by the Federal Reclamation Laws (act of June 27, 1902, 32 Stat. 388, and acts amendatory thereof or supplementary thereto), to which laws this act shall be a supplement.

SEC. 4. Nothing contained in this joint resolution shall be construed to abrogate, amend, modify, or be in conflict with any provisions of the Pecos River Compact.

SEC. 5. There are hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, such sums as may be required to carry out the purpose of this joint resolution.

Mr. ENGLE (during the reading of the joint resolution.) Mr. Chairman, I ask unanimous consent that the further reading of the Senate joint resolution be dispensed with and that it be considered as read and be open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GROSS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I should like to ask the gentleman from California, or someone, if this is an irrigation project which would be the means of bringing more land into production and more farm crops into existence.

Mr. RUTHERFORD. I shall be glad to answer the gentleman. There will be no new lands going into cultivation as a result of this project.

Mr. GROSS. The purpose of it, then, is the impounding of water; is that it?

Mr. RUTHERFORD. I will answer the gentleman from Iowa by saying this is a rescue project. At the present time there are 470 tons of pure salt that today is being dumped daily into the famous Pecos River which supplies a great number of people. That is 470 tons per day. Behind the McMillan Dam, there are 13,500 acres of delta that have grown up of silt. On this silt there has grown up this salt cedar which has strangled the flow of water. What is involved is not only the quality of the water but the quantity of the water. The only thing we are attempting to do is to increase the quality and the quantity of our present flow of the river; otherwise, by a natural attrition there will be a damming up of the river and a dumping into the river of 470 tons of salt per day.

Mr. GROSS. But this is not going to make a flow of fresh water to be used for new irrigation projects or for the production of more farm crops; is that correct?

Mr. RUTHERFORD. I think you will find there will not be one single acre being cultivated as a result of the improvement. This is only to help those who are already depending on the land to make their livelihood so that they will receive something more than they have now. The average income is less than $1,000 a year due to the present condition of the river. All we want to do is to receive the necessities of life. I would point out the fact that under the law governing the Bureau of Reclamation, the income has to be $2,500 and over before they are liable for repayment. These people make less than $1,000 a year and to show their willingness, they are current on their present payments. In fact, most of them have borrowed money to stay current with the Federal payments. I think we will always maintain our obligations.

Mr. GROSS. I thank the gentleman from Texas.

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Page 3, lines 3 and 4, strike out the words "construct, upon a nonreimbursable basis," and insert the word "construct."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 4, line 14, strike out the word "and."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 4, line 19, strike out the period, insert a comma, and add the following language: "and (3) he has adequate assurance in the form of contracts with the Carlsbad Irrigation District, New Mexico, and the Red Bluff Water Power Control District, Texas, that they will return to the United States each year during a 50-year period from the date of completion of the works authorized by this section, under terms and conditions satisfactory to the Secretary, such portion of the cost of constructing those works as is within their repayment ability, said repayment ability to be determined by the Secretary from time to time, but not more often than every 5 years, after consultation with said districts."

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose and the Speaker pro tempore [Mr. McCORMACK] having assumed the chair, Mr. TRIMBLE, Chairman of the Committee of the Whole House on the State of the Union reported that that Committee having had under consideration the joint resolution (S. J. Res. 39) to authorize the construction of certain water-conservation projects to provide for a more adequate supply of water for irrigation purposes in the Pecos River Basin, N. Mex., and Tex., pursuant to House Resolution 461, he reported the joint resolution back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore (Mr. McCORMACK). Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the third reading of the Senate joint resolution.

The Senate joint resolution was ordered to be read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the Senate joint resolution.

The Senate joint resolution was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. ENGLE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed, and to include extraneous matter if they so desire.

The SPEAKER pro tempore. Is there objection?

There was no objection.

TO ESTABLISH THE UNITED STATES SCIENCE ACADEMY

Mr. RODINO. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point.

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

There was no objection.

Mr. RODINO. Mr. Speaker, the bill providing for a United States Science Academy which I introduced several weeks ago adds to the several earlier bills of this session a proposal which differs from most of them in rather important respects. The term "Academy of Science" has several meanings including, for example, an academy which is composed of the most eminent scientists elected to its membership as an honor or, for a second example, an educational institution for the training of young scientists. My bill deals with the latter type of academy. I wish to explain the idea upon which my proposal is based and also to describe the proposed academy and its operation.

Almost every one must be convinced by this time that one of our most important duties during the present session of the Congress is to make provision for increasing the national supply of scientists, and I shall only add a statement of my concurrence in this belief without reviewing the evidence. I think we can accept the assumptions that our country has a serious shortage of scientists, that it is necessary for national defense to remedy this situation immediately, and that the Congress, while not bearing the sole responsibility for action, does nevertheless have an unique function to perform. If the Federal Government—the representative of all the people—does not carry out its duty to protect citizens in time of national crisis there will be no leadership adequate to the necessities of the situation. Individuals, organizations and foundations, colleges, and universities, State and local governments all can—and must—make their respective contributions but unless there is vigorous leadership from a single source we shall have only a disorganized collection of separate programs. Some aspects would be duplicated or overemphasized—others would be omitted or under-emphasized. The production of

the number of scientists which we need for our national defense effort almost certainly cannot be expected unless the National and State and local governments, private organizations, and educational institutions make the maximum effort to attain this goal.

The bill which I have introduced deals with only one aspect of the total program and with only one means of training more scientists. It does not attempt to supplant or duplicate other programs now in operation or planned for the future. In simplest terms, it provides a national educational institution which will train, at Government expense, civilian scientists to be utilized in Government employment. Some of the other bills to establish a National Academy of Science are based on the theory of merely adding trained scientists to the general stockpile in the country, without making explicit provision that the Government's need for such personnel shall be a first priority. Obviously, this is an excellent purpose but in my thinking it is too timid and too indirect and, I fear, will not insure that the Government's needs will be satisfied. If Federal tax money is to be used to educate scientists, the expenditure is justified if there is a Federal need for such personnel and if there is a definite plan to channel the new graduates into Federal employment. My bill meets this test.

The Academy which I propose may be compared in some respects to the Academies of the three armed services. One important difference lies in the provision for civilian control and direction of the Academy of Science by the Secretary of the Department of Health, Education, and Welfare, rather than military control by the Department of Defense. Since graduates of the Academies of the armed services enter the Army, the Navy, and the Air Force as military, not civilian, personnel, supervision by the Department of Defense is suitable. But graduates of an academy of science would enter the Federal Government as civil servants, and it is suitable that such an academy should be controlled by a civilian agency. The Office of Education is a part of the Department of Health, Education, and Welfare and its good influence on the new member of the Department would be counted on. In all respects this Department seems to be an ideal sponsor for the new Academy. Recognizing the contributions which would be made by the National Science Foundation and the Atomic Energy Commission, the bill provides that both agencies would be asked to cooperate with the Department as specified in the bill.

The method of appointing students to the proposed academy resembles the methods of choice used by the three service Academies. All expenses of the 4-year course would be borne by the Government, and this is a most significant provision. Today an education in any field of science is a very expensive proposition and too many of our brightest high-school graduates cannot meet such costs. From the individual student's standpoint, as well as from that of the Government, there is a clear gain in offering a first-class scientific education at public expense. Following graduation, the young person enters the Federal civil service in a position suitable to his individual skills and he remains in that service for 10 years. This means that, by his early thirties, he has to his credit a degree in science and 10 years of experience. Naturally, by that time, most of the young civil servants will have been promoted into interesting and responsible positions and almost certainly they will choose in a large number of cases to remain in Federal employment. If they do not so choose, they will enter private business, thus adding badly needed workers to the seriously insufficient number of trained scientists outside of Government. Probably some of them would become science teachers, and this would be of inestimable public benefit.

I hope that the opportunity will be given, through committee hearings, for Members of the Congress and citizens of the country to have the benefit of discussion of my proposal and those made by other Members. We need to hear as witnesses eminent scientists and educators and public administrators, because the idea of an academy of science is new and has not been the subject of thorough discussion either in or out of Congress. Furthermore, if the idea of such an institution meets with general approval we shall next have to determine all the details of its organization, operation, and financing. This proposal is, in my judgment, an important part of the total effort being made in the present session of the Congress to improve our national defense, and I anticipate general interest in the proposed United States Science Academy.

SUBSCRIPTION OR PAY TV

Mr. DINGELL. 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. DINGELL. Mr. Speaker, I am introducing two bills today to outlaw so-called subscription television or pay TV. These bills will outlaw the broadcast of television programs through the air waves for cash payment by the viewer.

The first bill simply specifically denies to the Federal Communications Commission the power to authorize any person to engage in broadcasting or subscription television programs. The second bill denies the Federal Communications Commission any authority to permit any licensee to engage in subscription television operations after March 1, 1961. My preference is for the first, which is a better bill.

The date of March 1, 1961, in the second bill is approximately the concluding date of the 3-year trial period which the FCC has set up to test pay TV.

I want to make it clear that I do not recognize that the FCC has the authority under the Federal Communications Act to permit either subscription television or a test of subscription television. I repeatedly examined the Federal Communications Commission in a hearing before the House Interstate and Foreign Commerce Committee, as to what section of the act they relied on in having permitted this test. The usual answer was that it came from a broad, general power conferred in the act. Repeated questions by me on this subject could narrow the scope of the FCC reliance no further.

The Communications Act of 1934 referred to broadcasting as it was understood at that time; namely, free operation to the listener, and had television existed at that time, television financed by sale of advertising time. Certainly no specific authority for so radical a step exists.

These bills require affirmative action by Congress after their passage for any subscription broadcasting. They do not admit that the FCC has this authority to permit subscription broadcasting operations but seek to specifically remove the doubt under which the FCC has acted.

Subscription television will outbid existing free television stations for the present prime viewing shows and viewing hours. Simple economics prove that subscription television would shortly acquire all of the especially desirable programs, like world's champion football and World Series baseball and All-Star Games. The bowl games and other sporting events would gravitate from existing free viewer service to this service for a fee. There is no great pool of viewer programs which would be immune to this siphoning process. Good movies, plays, ballet, opera, and other similar programs on free television would flow to subscription television.

All sides agree that subscription television has a vast earning potential in Detroit. Mr. Willard A. Michaels, vice president of WJBK in Detroit, had this to say on the subject in a letter to me:

> We have said repeatedly that we as a station are not afraid of pay television as such, for if paid television is eventually authorized by the Congress (which is where we feel that issue should be decided), it is certainly a source of untapped revenue for us, and conceivably considerably more profitable than the intensely competitive advertising business as it is today. For example, if you utilize only 1,200,000 families out of the 1,700,000 TV homes in our primary coverage area as probably consistent pay television users, it is just a matter of simple arithmetic to calculate the potential revenue therein. Even if we use one of the very conservative estimates at the probable per family cost, $100 per year (and some estimates run in excess of $400), you can see that this is a potential of $120,000,000 annually, far greater than the combined revenues of all the Detroit stations from advertising.

International Telemeter, a proponent of pay TV, said through one of its officers:

> The World Series in the future conceivably will be able to gross as much as $25 million (that is, from pay television).

The president of Zenith Radio Corp., another proponent, declared that it could have grossed $5 million for the 1 television supershow, Peter Pan, viewed

on 20 million receivers. He said as follows:

> Approximately 20 million receivers were tuned to this program. With the same show on subscription television, and the same audience paying 25 cents per set to watch the attraction at home, the box office would have received $5 million to be divided between the producer, the distributors, and the broadcasting station.

An officer of Skiatron TV, Inc., said:

> If we assume that the cost to the viewer of a particular program is $1, one customer under this type of programing is economically equivalent to 140 consumers under the existing advertiser-sponsored system. In other words, if an audience of 7 million people is required to support a particular program under the existing system, an audience of 50,000 would support the same program given subscription television.

Note well that these earning projections are far in excess of advertiser revenue or ability to compete for the same productions.

What proponents and opponents alike are saying is that pay TV can and "will compete with the networks for talent"—quoting a representative of Skiatron TV.

And this is precisely what subscription television would do; raid the existing services for shows, personalities, and attractions. Financial power superior to that of advertisers would assure success to subscription television in this raiding and in its general operaton.

The ultmate effect of subscription TV would be to compel all viewers to pay to see all worthwhile programs during the really desirable viewing hours from 7 until 10 or 11 in the evening during weekdays and almost all day Sunday. All stations, and certainly the networks would commence operation on a subscription basis in self-defense, to compete for prized talent and for this huge new source of revenue.

The other viewing hours, usually now subject to service at the break-even point or below, will probably remain free, since it appears now that no one will pay to watch programs at those times.

The golden promise of freedom from advertising would soon be dispelled, since everyone admits that there is nothing to bar advertisements with subscription television. Most of the entrepreneurs who appeared before our committee admitted that advertising on subscription television might be desirable, and that they are at this time considering it as a good revenue source.

This test is especially dangerous since it apparently is conducted without adequate safeguards. I repeatedly asked the FC C to name one limitation which would prevent persons applying for test licenses from acquiring what in effect would be a purchase or leasehold of the air waves which are a part of the public domain. At no time did any member of the Commission give any information as to what constituted either an adequate test or proper limitations for the protection of the American people. Members of the FCC specifically stated that there was nothing to prevent them from repeatedly extending the test. Conceivably it could run as long as the Clear Channels case now growing whiskers after 10 years before the FCC.

It further appears that there is no new information to be gleaned from this test. I repeatedly examined the members of the FCC as to what information they expected to derive from these tests. They were unable to state any specific information or any planning involved in the test. I examined witness after witness as to whether these tests would show whether or not there would be a siphoning of programs from free to subscription television; no one could tell me that this information would be forthcoming from the tests. I sought information from the various witnesses as to whether or not the tests would be of sufficient scope as to reveal the impact of so-called subscription television on existing free service. Again, the FCC was not able to say the tests were sufficiently large in scope to show anything of its impact on present free service. In fact, the consensus seemed to be that the test would not be of sufficient duration to glean any of this information. All parties agreed that subscription TV proponents would be on their very best behavior during the period of the test.

These are questions that go to the very heart of the matter, and it is in these questions and their answers that we must read the public good and the public convenience and necessity. If the public must pay for service it now gets free there must be good reason such as no commercials, superior programing and preservation of present free service. There is no such assurance.

Everyone agrees that these tests will reveal that toll TV or subscription TV is workable technically and economically desirable to the entrepreneurs.

There has been no great public outcry for this type of service. Chairman Doerfer of the FCC said so, in response to my question. In fact, public opinion is directly and forcibly opposed to pay TV.

A number of polls have been taken on this subject. WJBK–TV in Detroit has had mail with 3,062 against and 31 for, as of January 29, 1958.

A similar test in a program on KSBW–TV in Salmas-Monterey and KSBY–TV in San Luis Obispo, Calif., ran 5,002 against pay TV to 4 in favor.

TV Guide and Pulse have taken polls running very strongly against subscription TV. My own mail is about 1,000 to 1 against pay TV.

In a word, the people do not want it, and should not be saddled with it.

No one can show that either this test or toll TV is in the public interest.

Indeed, the FCC is to be criticized for having failed to have held evidentiary hearings as urged by Commissioner Bartley in his minority views. Such hearings would have disclosed as much as the projected tests with less danger to the present free service.

It appears that Congress must take action now to halt and to destroy this monster before it is able to usurp the air waves and destroy existing free services, which while not perfect are certainly very desirable.

PROTECTING INVESTMENTS ABROAD

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. CELLER] is recognized for 20 minutes.

Mr. CELLER. Mr. Speaker, a few months ago some of the most prominent Republicans were foolishly trying to lull the United States into a false sense of security by preaching that Soviet power was finally on the decline and that the United States had nothing to fear from Russia or her satellites in the foreseeable future.

Today, we are living in an America that has been reawakened and transformed by the new awareness that we are actually locked in a life-or-death struggle with a first-class power which is our equal in almost every important respect except one—freedom for its people.

We see debate about intercontinental missiles and summit conferences dominating the headlines and the thinking of the hour. We set up the Explorer as against sputnik. While it is important that we solve these issues they must not be permitted to crowd out the consideration of the more basic problems that we face in our rivalry with Russian power.

Nowhere today does the United States face a more serious long range challenge from expanding Soviet imperialism than in the underdeveloped areas of the world. The Soviet has put all its power behind the centrally directed state-financed drive for economic penetration of these underdeveloped areas in Asia, Africa, Latin America, and elsewhere. This is the program that embodies Russia's boldest bid for control of the world.

If we are to meet this challenge properly, we must begin today to develop a new philosophy, and new programs of action. We must establish some basic conditions of seeurity for capital throughout the world which will make it possible for us to prove actually that private enterprise is superior in every respect to a state-controlled economy.

There is today a need throughout the world in underdeveloped areas for dams and electrical plants; for steel mills and cement factories; for railroads and hospitals; and for highways and schools, the cost of which will amount to tens of billions of dollars. Even if we were to strain our system of grants, aids, and government-to-government loans to the limit we could not begin to meet this demand, even supposing that our Treasury and our taxpayers would want to endure the burden.

But if we cannot meet these demands, as the Russians can on a government giveaway basis, we can surpass anything the Russians have to offer if we will take the right steps to utilize the unlimited energies of our private enterprise capitalist system to the utmost.

I believe that to do this job correctly we must start by relieving American capital, available for investment in such projects, from some of the uncertainties which now surround the process of investment in foreign countries. We

should begin by moving in the direction of a system of international law and safeguards to halt the spread of the fever of nationalization; to create bulwarks against expropriation, confiscation, and the illegal seizure of capital invested in foreign countries, whether that capital be of American, British, French, German, or any other origin.

Within the last decade we have seen too many instances of mounting fever of nationalization to feel that it will pass without strict, sound measures to cure this problem. These instances have created a profound impression on the financial community and they have inhibited, and in some cases dried up, the capital which would otherwise be available for overseas development.

There is, for instance, the recent case of the seizure of the principal mines in Bolivia; the nationalization of Anglo-Iran oil; the expropriation of United Fruit by Guatemala; the seizure of the Suez Canal and of banks and insurance companies owned by Europeans in Egypt; the action of the Indonesian Government in dishonoring its obligations to Dutch investors and in seizing $1½ billion of private property.

We of the Western democracies prize highly our system of private enterprise. To make it work better we must protect and make secure the private capital which is invested in foreign lands.

We must do it both on an international basis by joining forces with other democracies and on a unilateral basis through better implementation of foreign policy. On an international basis this can be achieved, I believe, by setting up an international society whose members will subscribe to an international Magna Carta.

This international convention would be bolstered by an International Court of Arbitration which would establish effective and enforcible rules of law for the securing of private foreign investment. These rules would afford protection to the investors and to the recipient nations alike.

But this is not all we can do. There are also obvious steps which we in the Congress of the United States can take to halt the spreading cancer of nationalization. Because, as I have said before, this cancer can kill our efforts to promote the vitally needed investment of American capital overseas.

In this connection I want to take the liberty of commending to the attention of my colleagues the praiseworthy action of the eminent Senator from Rhode Island, THEODORE FRANCIS GREEN. A few months ago. Senator GREEN, who is chairman of the Foreign Relations Committee, served notice on our State Department that he would soon order an investigation of our national policy toward the Government of Bolivia. The basic reason for his step was the fact that this country which confiscated the major tin-mining properties of foreign investors in 1952 has so far evaded every attempt to establish a valuation and a method of compensation for the dispossessed companies and stockholders, many thousands of whom are American citizens.

I should like to quote from the statement made by Senator GREEN on this matter in the RECORD of September 19, 1957. He said:

> We are living in perhaps the most revolutionary period of recent history. One of the most disturbing phenomena of our times is the spread of the type of nationalism which believes that the nationalization of private property and the adoption of socialistic economic policy are the best solutions for all economic ills.

Later in the statement he said the following:

> I believe that the United States through its Government is obliged to take a positive stand on this matter of Bolivia's seizure of its large mines. There is no question that the world is looking to us for guidance in these troubled times and that socialistically inclined politicians in many countries will interpret the actions of the United States for their own purposes if we fail to take a firm stand.

And subsequently in the same statement he made the following trenchant comment regarding the use of foreign policy in this problem of nationalization:

> As time goes on, and as the United States continues to expend large sums to help the Bolivian Government to support itself, we have been identified more and more openly with the policy of the present Government of Bolivia. This is most unfortunate, because it has led to misinterpretation of United States Government policy with respect to nationalization. The time has come, it seems to me, for clarification of this anomalous situation.

I think that the Members of this House will certainly agree with me that this is a profoundly intelligent estimate of the problem. The stand which Senator GREEN takes is just and it is in full accord with the principles of law. It is a refreshing contrast to the irresolute policy of our State Department which has poured tens of millions of dollars of American money into Bolivia without regard to whether or not they were aiding a government in its defiance of its international obligations.

I feel that it would be to the benefit of not merely Congress but of many prominent American business organizations to pay careful attention to what Senator THEODORE GREEN says in his policy declaration regarding Bolivia. He provides the needed antidote to the fuzzy, vacillating policy of our Department of State in this notorious incident of expropriation, which has continued to mislead some prominent American corporations into dangerous ventures in Bolivia, of doubtful character and even dubious morality.

Much as it distresses me to mention this name in this connection, I am forced to point out that the National Lead Co. in New York seems now to have involved itself in an unfortunate predicament in Bolivia.

About a year and a half ago it was first reported that the National Lead Co. was negotiating with the Bolivian Government to take over the lease of a mine in Bolivia, one of the properties which had been expropriated from its former owner.

What was remarkable about this was the fact that in all of the negotiations there seems to have been absolutely no provision, either on the part of National Lead or of the Bolivian Government to compensate the owner for the vast sums of money which they had invested in developing and preparing these valuable properties for exploitation.

At that time, in October of 1956, the financial publication, Barron's, commented by saying:

> The private companies might have shunned such devious deals had not Uncle Sam set them an example by purchasing Bolivian stolen tin.

And I also note that the financial columnist, Mr. Norman Stabler, commenting on the same situation in the Herald Tribune, said:

> For investors there is the question whether the leasing of properties that were expropriated, without adequate compensation to the former owners, may set a precedent. Other countries could resort to the same tactics and this in turn would tend to discourage the exportation of private American capital to areas where it is sorely needed.

I only hope that the officials of National Lead will read carefully again the statement of Senator GREEN and the comments of these highly respected financial analysts. They are a better guide to their future course than the advice which they must now be receiving from the Bolivians and our State Department.

It is indeed strange that a leading American company in the field of minerals who has probably had broad dealings in the international field would countenance anything to do with being involved in properties that were confiscated abroad and on which the whole issue of compensation is not only pending for 6 years, but little, if any, progress has been made to resolve this problem. If the problem were reversed there is no doubt that the National Lead Co. would come post haste to Washington to seek protection and support.

Just as the National Lead Co. has frequently in the past shown a calloused disregard for the antitrust laws of the United States, it now seems to be showing a callous disregard for the reprehensibility of taking over another company's mines and properties, by conspiring with an expropriating government. I hold before me the records of the numerous antitrust violations with which the National Lead Co. has been charged and found guilty, dating from as far back as 1923, and up to as recently as February 27, 1957, when the Supreme Court upheld the decision of the Federal Trade Commission and accused National Lead of operating with utter disregard for the law in its business practices.

In 1943, 1945, and again in 1956, National Lead was found guilty of operating and participating in a worldwide cartel in titanium compounds, products which have a high degree of essentiality for our national defense.

In 1956 both civil and criminal actions were prosecuted against National Lead

Co. for another type of antitrust violation—namely, conspiracy in restraint of trade in disposal of used storage batteries and salvaging of lead from same.

I could continue to cite from this record at length, but I think I have shown enough to indicate that this company has not in the past hesitated to enter into illegal actions from which it could profit.

And now, I am afraid that we are witnessing a situation in which National Lead is preparing to exhibit the same type of moral blindness in the realm of international law. If National Lead conspires with the Bolivian Government to take over the properties of another company which have been expropriated, but not compensated for, it is openly encouraging the spread of the "law of the jungle" in the area of international investments. It is helping to strip many worthy American companies and investors of the safety on which many billions of dollars of invested American capital depends.

Certainly, National Lead Co., cannot possibly enhance its reputation by such actions. If the officers of the company have a prudent regard for the welfare of the company which they administer, they will promptly realize that they cannot afford to show such complete disregard for both international law and American public opinion.

COTTON ACREAGE

The SPEAKER pro tempore (Mr. McCORMACK). Under previous order of the House, the gentleman from Missouri [Mr. JONES] is recognized for 10 minutes.

Mr. JONES of Missouri. Mr. Speaker, I am taking this opportunity to call attention to a bill which I introduced yesterday, H. R. 10510. This is a bill which, while it deals with cotton, has an interest outside the area of production of cotton. The title of the bill I think explains the purpose of the bill, which is to provide additional cotton acreage for meeting existing shortages of upland cotton grading Strict Low Middling and better.

A lot of people will wonder why at the time we are making soil bank payments to farmers who are taking land out of the production of cotton we are now asking that we have increased production. I shall try to explain that as briefly as possible and shall also discuss the limitations on this legislation.

To begin with, it is generally recognized that there is a shortage and there will be even greater shortages of the better grades of cotton which are in demand by the domestic mills of this country as well as by our friends to whom we have been exporting this type of cotton in other countries.

In seeking this additional acreage, we are asking that a farmer be permitted to overplant his current allotment by 25 percent. That does not mean that every farmer will want to increase his allotment or this year's plantings by 25 percent. The reason many will not seek this additional acreage is the fact that none of the cotton produced on this excess acreage would be eligible for price supports. It would not be eligible for the CCC loan. Therefore, the Government would not be called upon to pay out any money either in the form of a loan or a subsidy or any other payment for his cotton which is grown on the excess acreage. This excess acreage would not count as allotment history. The farmers who elect to plant over their allotment up to 25 percent would not be eligible to participate in the cotton acreage reserve of the soil bank. In other words, some farmers who have gone into the soil bank might be encouraged to withdraw from the soil bank if they had the privilege of planting this additional 25 percent, but at the same time those who elected to remain in the soil bank would have that privilege.

While the bill calls for an additional 25 percent, I think it would be reasonable to expect that the current allotments would not be increased by more than 15 percent. I think that would be a modest prediction.

Another thing, the bill provides that the anticipated increase in production would not be considered in any price support computations.

In other words, this bill is an emergency measure to meet a condition which does exist and which I think needs to be met.

Last week the representatives of the National Cotton Council and representatives of some textile mills appeared before the Department of Agriculture asking for an increased allotment for cotton. The Secretary of Agriculture took the position, and I might say not unwisely, that to grant a 25-percent increase in acreage across the board without any limitation would have the effect of continuing the production of all types of cotton in the same proportion as the cotton which has caused at least a part of our problem.

Under this bill there would not be that likelihood at all because the farmers, unless they felt that they were in a position to produce cotton which is in demand and which would sell at a good price, would not be inclined to take advantage of this concession permitting this overplanting. Under present law if a farmer overplants his acreage, he is assessed a penalty of 50 percent of the current support price. Of course, that is the deterrent to going out and planting to meet this demand.

The thing I am so interested in working out is some plan whereby we can get adequate supplies of the better grades of cotton which are in demand in the manufacture of textiles. There has been some talk and we have heard rumors at least that there might be a demand upon the administration to cause an embargo to be placed on the export shipment of cotton. The embargo that was placed on export shipments in 1951 was one of the things that got us into the trouble that cotton is in at the present time. During the last 2 years we have been carrying on an export program which has been, I think most people will admit, rather successful. We have not only been able to reduce our supplies, but we have been able to recapture some of the markets that we have had historically and traditionally.

I was in Europe last fall and talked to several people in various countries about the problem. What they would like to have is some assurance of a dependable and stable supply of cotton. In order to continue as our customers, they must have this assurance. Foremost in their mind is the fact that they would like to see a dependable and continuing supply of good cotton. If an embargo should be placed on the exportation of cotton this year, I think we would lose some of the markets we have regained. I do not want that to happen. I think it would mean a very disastrous situation because the American cotton producer cannot afford to produce cotton solely for domestic consumption. We have to have a foreign market. I think we are beginning to remain the historical percentage of that market which we had in the past. I think we will not be able to retain them, however, unless we are able to meet the needs of the people who want to buy American cotton.

Another impression I got from this trip last fall, in the European economy particularly, is that I believe they are willing to pay more for American cotton than for cotton from other countries, if they can be assured of an adequate and stable supply of that cotton. They would rather buy from a source of supply that can supply all of their needs rather than to have to scatter their purchases over a number of countries. I talked to one of the cotton merchants from Paris. He told me that last year he had to go to 25 different countries in order to buy the types of cotton necessary to satisfy the demands of his particular customers. He said he felt the United States could produce cotton in sufficient supply on a competitive basis to meet all of the needs of those particular customers and for the convenience which he felt it would mean to him, he would be justified in paying from a cent to 2 cents per pound more.

In Europe we do not have the same degree of threat of competition from synthetics that we have here in the United States where it is on a highly competitive basis. We do have to meet that competition and I think most of us who live in the cotton areas know that eventually we are going to have to sell cotton at a price to meet synthetic competition.

We have another bill, which is H. R. 9134, that has been endorsed, not only by the American Cotton Producers Associates, which is an organization that represents a great many of our State cotton producer groups, but it has been endorsed by many mill groups, and the Cotton Exchanges of New York and New Orleans; by labor groups; by the cotton trade; by warehousemen and others. In other words, a portion of every segment

of the cotton industry has endorsed the bill. This is a long range bill. The present bill, H. R. 10510, does not supplant H. R. 9134.

The bill about which I have been talking today is a bill to meet an immediate emergency, and yet at the same time it will go a long way toward doing this year what the bill H. R. 9134 would do over a long period, with this exception: The bill I am talking about today would not cause the Government of the United States to spend any more money in return for obtaining this increased production. I know our farmers do not want to give up our support program. I also know there are many who do not favor any acreage increases, but I feel there are a sufficient number who are interested and who will go out and plant cotton without any guaranty at all. But I have the feeling that they can sell that cotton. I feel that the cotton that will be produced on this excess acreage will be cotton that will be sold in addition to the cotton that will be sold under the regular program this year.

The SPEAKER pro tempore. The time of the gentleman from Missouri has expired.

(By unanimous consent, Mr. JONES of Missouri was granted 2 additional minutes.)

Mr. JONES of Missouri. The only thing I think this will do is that it will supply the demand of the mills here at home, and it will enable us to supply the needs and demands of our foreign customers, and at the same time this bill will take away no privilege that any cotton producer has at this time. It will help the industry, it will help the mills, and the trade, without any cost to the Government.

I invite those from the mill areas to give consideration to this matter and to make inquiries and to see how this bill can be helpful.

Mr. GATHINGS. Mr. Speaker, will the gentleman yield?

Mr. JONES of Missouri. I yield to my distinguished colleague, the gentleman from Arkansas, who is chairman of our Subcommittee on Cotton.

Mr. GATHINGS. The gentleman from Missouri has done a splendid job all through the years for cotton. He represents one of the larger cotton producing areas of this country. His bill will be given wholehearted consideration by a subcommittee of the Committee on Agriculture on Monday.

There are two sides to this issue, and both sides should be looked into carefully.

Mr. JONES of Missouri. I thank the gentleman.

Mr. PILCHER. Mr. Speaker, will the gentleman yield?

Mr. JONES of Missouri. I yield.

Mr. PILCHER. Do you not feel that this bill will reduce the price of cotton to the little farmer between 5 and 10 cents a pound?

Mr. JONES of Missouri. I have heard that suggested, but I do not concur in that belief. I think that the demand this year will be so great and the supply so short that prices will hold up. However, I will say this, that unless legislation of a similar type is passed we will see the price of the better grades of cotton so high that we will be out of competition with some competing synthetics. I think for the immediate time that that might be true, but not to the extent of 5 or 10 cents a pound. I do not believe it would be that much.

Mr. PILCHER. Do you not believe that the little cotton farmer this year will be able to get from 38 to 40 cents a pound?

Mr. JONES of Missouri. On the higher grade cotton I think he will, but I do not want to see him destroy his future potential market in order to get a little more money just now. I feel the same way about the soil bank.

The SPEAKER pro tempore. The time of the gentleman from Missouri has again expired.

A NEW UNITED ARAB STATE IN THE MIDEAST

Mr. RABAUT. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. SIKES] may extend his 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. SIKES. Mr. Speaker, there appears to be little concern in this Nation over the possible significance of the emergence of a new United Arab State in the Mideast. This lack of concern is hardly justified when we consider the fact that the new Arab State is a pro-Russian force successfully put in being since the creation of the Eisenhower doctrine less than a year ago. The component nations are those which are currently receiving Russian arms and Russian advisers. To say that their aim will be for a peaceful Middle East, friendly to the Western Powers, is scarcely conceivable. It more likely is a drive for additions to the union with emphasis on a holy war against Israel and eventual control by Russia of the entire oil-rich area.

It is not an encouraging commentary that the economic need for an Arab alliance has long been recognized. It is disappointing to realize that it is the Soviets who have stimulated progress in this direction. This area, some of it very rich and some of it very poor, is split into a dozen nations and protectorates. Most of them have extreme difficulty in maintaining national status because of the lack of resources.

The United States must indeed direct its efforts more effectively or the handwriting on the wall is plain to be seen. The Soviet progress in the Mideast is altogether too pronounced for comfort and too significant for the future well-being of the area. The oil-rich Middle East is a direct steppingstone to Africa's masses where the Russian underground already is working feverishly. The mere existence of the Eisenhower doctrine is not enough. Judging by its achievements to date, it is a failure. Diplomatic defeat can be just as damaging as military defeat.

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. PERKINS, for 15 minutes, tomorrow.

Mr. JONES of Missouri, for 10 minutes, today.

Mr. BAILEY, for 30 minutes, on Monday next, February 10, 1958.

Mr. HOFFMAN (at the request of Mr. ALLEN of Illinois), for 20 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. VINSON and to include an address by Hon. OVERTON BROOKS in New Orleans.

Mr. WILLIS and to include extraneous matter.

Mr. KEATING.

Mr. MASON.

Mr. CURTIS of Missouri and include extraneous material.

Mr. MCINTOSH and to include extraneous matter.

Mr. ZELENKO (at the request of Mr. ALBERT) and to include a speech delivered by Mr. ZELENKO.

Mr. BROOKS of Louisiana and include extraneous matter.

Mr. REUSS (at the request of Mr. RABAUT) and to include extraneous matter.

ADJOURNMENT

Mr. RABAUT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 21 minutes p. m.) the House adjourned until tomorrow, Thursday, February 6, 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:

1577. A letter from the Under Secretary of the Interior, transmitting a draft of proposed legislation entitled "A bill to consolidate, revise, and reenact the public land townsite laws"; to the Committee on Interior and Insular Affairs.

1578. A letter from the Administrator, General Services Administration, transmitting a report on positions compensated under authority of Public Law 623, 84th Congress, during calendar year 1957, pursuant to Public Law 854, 84th Congress; to the Committee on Post Office and Civil Service.

1579. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders entered in cases of certain aliens who have been found admissible into the United States, pursuant to the provisions of section 212 (a) (28) (I) (ii) of the Immi-

gration and Nationality Act; to the Committee on the Judiciary.

1580. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders entered in cases where the authority contained in section 212 (d) (3) of the Immigration and Nationality Act was exercised pursuant to the provisions of section 212 (d) (6) of the Immigration and Nationality Act; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. VINSON: Committee of conference. H. R. 9739. A bill to authorize the Secretary of the Air Force to establish and develop certain installations for the national security, and for other purposes (Rept. No. 1329). Ordered to be printed.

Mr. SMITH of Virginia: Committee of conference. S. 969. An act to prescribe the weight to be given to evidence of tests of alcohol in the blood or urine of persons tried in the District of Columbia for operating vehicles while under the influence of intoxicating liquor (Rept. No. 1330). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HARRIS:

H. R. 10527. A bill to amend the Federal Trade Commission Act, as amended, so as to equalize rights in the distribution of identified merchandise; to the Committee on Interstate and Foreign Commerce.

By Mr. ANDREWS:

H. R. 10528. A bill to amend Public Law No. 177, 62d Congress, approved June 4, 1912; to the Committee on Interior and Insular Affairs.

By Mr. BATES:

H. R. 10529. A bill to provide a 5-year program of assistance to enable depressed segments of the fishing industry in the United States to regain a favorable economic status, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. BECKER:

H. R. 10530. A bill to prohibit private employment agencies from recruiting minors for out-of-State employment without making certain findings; to the Committee on Education and Labor.

By Mr. CLARK:

H. R. 10531. A bill to amend the Federal-Aid Highway Act of 1956 to increase the mileage of the National System of Interstate and Defense Highways, and for other purposes; to the Committee on Public Works.

By Mr. DELLAY:

H. R. 10532. A bill to amend the Social Security Act and the Internal Revenue Code so as to increase the benefits payable under the Federal old-age, survivors, and disability insurance program, to provide insurance against the costs of hospital, nursing home, and surgical service for persons eligible for old-age and survivors insurance benefits, and for other purposes; to the Committee on Ways and Means.

H. R. 10533. A bill to authorize the construction and sale by the Federal Maritime Board of a superliner passenger vessel equivalent to the steamship *United States*; to the Committee on Merchant Marine and Fisheries.

H. R. 10534. A bill to authorize the construction and sale by the Federal Maritime Board of a passenger vessel for operation in the Pacific Ocean; to the Committee on Merchant Marine and Fisheries.

By Mr. DEROUNIAN:

H. R. 10535. A bill to prohibit private employment agencies from recruiting minors for out-of-State employment without making certain findings; to the Committee on Education and Labor.

By Mr. DINGELL:

H. R. 10536. A bill to amend the Communications Act of 1934 so as to prohibit the granting of authority to broadcast subscription television programs; to the Committee on Interstate and Foreign Commerce.

H. R. 10537. A bill to clarify existing law with respect to subscription television operations; to the Committee on Interstate and Foreign Commerce.

By Mr. FINO:

H. R. 10538. A bill to amend the Internal Revenue Code of 1954 to provide an additional $2,400 exemption from income tax for certain amounts received as retirement annuities or pensions; to the Committee on Ways and Means.

By Mr. FORAND:

H. R. 10539. A bill to provide certain benefits for Government employees employed as fire fighters; to the Committee on Post Office and Civil Service.

By Mr. GEORGE:

H. R. 10540. A bill to amend the Federal-Aid Highway Act of 1956 to increase the mileage of the National System of Interstate and Defense Highways, and for other purposes; to the Committee on Public Works:

By Mr. HEMPHILL:

H. R. 10541. A bill to enable the Secretary of Agriculture to release cotton acreage from the acreage reserve for the 1958 crop year, to establish a substitute for the acreage-reserve program for cotton, and for other purposes; to the Committee on Agriculture.

By Mr. KEARNS:

H. R. 10542. A bill to prescribe the official version, and the manner of rendition, of The Star-Spangled Banner; to the Committee on the Judiciary.

By Mr. MAY:

H. R. 10543. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for the expenses of tuition and certain other fees and charges (within specified limits) paid by him for his education or the education of his spouse or any of his dependents; to the Committee on Ways and Means.

By Mr. MORRISON:

H. R. 10544. A bill to prohibit the charging of a fee to view telecasts in private homes; to the Committee on Interstate and Foreign Commerce.

By Mr. MULTER:

H. R. 10545. A bill to amend section 70, title 5, United States Code (18 Stat. 109), and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SIKES:

H. R. 10546. A bill to repeal the act requiring the inspection and certification of certain vessels carrying passengers; to the Committee on Merchant Marine and Fisheries.

By Mr. WHITTEN:

H. R. 10547. A bill to provide separate medical facilities for veterans; to the Committee on Veterans' Affairs.

By Mr. WILLIAMS of Mississippi:

H. R. 10548. A bill to alleviate the critical shortage of high quality cotton and to protect farm income and for other purposes; to the Committee on Agriculture.

By Mr. LESINSKI:

H. Con. Res. 261. Concurrent resolution expressing the sense of the Congress with respect to the utilization of Post Office Department vehicles and personnel for first-aid and other emergency purposes in the event of enemy attack or other emergency; to the Committee on Post Office and Civil Service.

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 Mississippi, memorializing the President and the Congress of the United States to immediately make available sufficient funds to carry out the soil-bank program and to permit the farmers of this State to qualify for benefits and be permitted to sign applications for soil-bank benefit payment; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BUCKLEY:

H. R. 10549. A bill for the relief of Anna Maria Rossomondo; to the Committee on the Judiciary.

H. R. 10550. A bill for the relief of Irene E. T. Hamilton and Patricia Hamilton; to the Committee on the Judiciary.

By Mr. GUBSER:

H. R. 10551. A bill for the relief of Walter Vali; to the Committee on the Judiciary.

By Mr. JOHANSEN:

H. R. 10552. A bill for the relief of Hinako Ishii; to the Committee on the Judiciary.

By Mr. KEATING:

H. R. 10553. A bill for the relief of Wilbur R. Dameron, Sr.; to the Committee on the Judiciary.

H. R. 10554. A bill for the relief of Katherine Cunningham; to the Committee on the Judiciary.

By Mr. LIPSCOMB:

H. R. 10555. A bill for the relief of Haroutune Sarkis Hadigian (also known as Artine Hadigian and Harry Hadigian); to the Committee on the Judiciary.

By Mr. LONG:

H. R. 10556. A bill for the relief of John M. Aaron; to the Committee on the Judiciary.

By Mr. MORRISON:

H. R. 10557. A bill for the relief of Abraham Sutton; to the Committee on the Judiciary.

H. R. 10558. A bill for the relief of Stephen A. Cowen, Sr.; to the Committee on the Judiciary.

By Mr. PRESTON:

H. R. 10559. A bill for the relief of Thomas Forman Screven, Julia Screven Daniels, and May Bond Screven Rhodes; to the Committee on the Judiciary.

By Mr. ROOSEVELT:

H. R. 10560. A bill for the relief of Yaser Lalib Hishmeh; to the Committee on the Judiciary.

By Mr. TAYLOR:

H. R. 10561. A bill for the relief of Giuseppa Coelli; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

376. The SPEAKER presented a petition of Hon. Leo Berg, mayor, Akron, Ohio, relative to opposition to the enactment of any such legislation as proposed in H. R. 6790 and H. R. 6791; to the Committee on Interstate and Foreign Commerce.

EXTENSIONS OF REMARKS

Need for Positive Programs in Atomic-Space Age

EXTENSION OF REMARKS
OF
HON. STUART SYMINGTON
OF MISSOURI
IN THE SENATE OF THE UNITED STATES
Wednesday, February 5, 1958

Mr. SYMINGTON. Mr. President, Missouri was most honored last Saturday night by the presence of the distinguished junior Senator from Oklahoma, Senator MONRONEY, when he made a challenging address at a banquet sponsored by the Jackson County Democratic Committee.

With rare clarity, Senator MONRONEY emphasized the need for positive programs in order to meet the problems of the atomic-space age.

His suggestions are worthy of the consideration of every Member of this body, and therefore I ask unanimous consent that the story on his speech, published in the Kansas City Star of February 2, be printed in the CONGRESSIONAL RECORD.

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

URGES A PLAN TO TAME ATOM—SENATOR MONRONEY TELLS DEMOCRATIC DINERS WE NEED A PEACE FUND—AS KIND FACE FOR UNITED STATES—NUCLEAR POWER CAN HOLD KEY TO MANY WORLD TROUBLES, HE SAYS

A billion-dollar atoms-for-peace program to march along with the Nation's $40 billion defense program so America can show its kind face as well as its tough face to the world was advocated here last night by Senator MIKE MONRONEY, of Oklahoma.

He spoke to a sell-out crowd of 650 Democrats at a fund-raising dinner at the Hotel Muehlebach. Especially honored at the event was Senator STUART SYMINGTON, of Missouri, who is seeking reelection, and Harry S Truman, former President.

WILL CATCH UP

"We are going to catch up with Russia in the missile race," Senator MONRONEY assured his listeners. "We will do it by putting a balanced defense ahead of a balanced budget. The trick is to get the commander in chief to take back the power he has surrendered to the Bureau of the Budget.

The Senator predicted that with Russia and the free world on equal terms in military power there would be no third world war.

He warned that our defense must not be permitted to go soft. He said that at this point there would still be the problem of winning the confidence of the 1 billion uncommitted people of the world, scattered in Africa, Asia, and the Near East. These people, he said, are seeking a way of life.

"They will not turn to a nation that can show only how many millions of persons it can cremate with its missiles," he said. "They will turn to the nation that is able to produce a better way of life."

BOON FROM ATOM

Turning to his atoms for peace suggestion, the Senator said that within a year there will be atomic reactors capable of the economic production of irrigation and drinking water from sea water.

In areas where cheap fuels are not available $1 million reactors can turn out enough power to light and heat a city of 10,000 on a pack of enriched uranium that could be sent in by air mail.

The Senator said there is much to be done in the field of medical and agricultural research.

"And we are not even across the threshold of the use of atomic power in transportation," he added.

Senator MONRONEY also aimed some barbs at John Foster Dulles, Secretary of State, and Ezra Taft Benson, Secretary of Agriculture.

The Senator accused the Republicans of lack of imagination and lack of initiative in the field of foreign affairs. He said their program consisted of one part massive rigidity and the other part "a retread of all 4 Democratic tries."

CHANGE THE TIRES

"While we appreciate the flattery of imitation, I am sure that President Truman would never expect to use the same worn tires over a period of 10 years. A football coach who would play the same plays in the same conference for 10 years would insure his team of a cellar position. I'm afraid the Russians are on to the Democratic Statue of Liberty play after all these years—yet Dulles is still calling all of the old ones.

"We need a foreign policy that has inspiration and imagination. We're being asked for billions in aid but not 1 cent for new ideas that can win the hearts and minds of the uncommitted billions of people around the world.

"While Russia is moving aggressively around the world with new programs, Dulles warms over and waters down the Truman ideas which he inherited 6 years ago."

HITS AT BENSON

The speaker paused to aim another harpoon at Secretary Benson and has farm program. The Senator said his statistics indicate that farm income is still dipping, while costs to the consumer of farm products rises.

"To sock the producer and the consumer with the same rock, 2 birds with 1 stone, is quite a feat," the speaker continued. "But under Benson's richochet romance farm policy he's able to do it not once but with monotonous regularity."

Senator MONRONEY said Benson programs have reduced the farm population, according to the latest census figures, by 1¾ million persons in the last year. Since 1950 the exodus has totaled 4,800,000 persons, the speaker said, adding: "Benson's target seems to be 10 million off the farms by 1960."

BLASTS FISCAL POLICY

A third target was the Republican fiscal policy. He said the increase in carrying the public debt from 1955 to 1958 totals more than $2.8 billion. MONRONEY said that sum was enough to finance the entire missile program, yet a Government-sponsored high-interest rate policy has added that sum to the Government's budget.

"Now at long last, the Federal Reserve bank, undoubtedly under Government pressure, has recognized the danger of this tight-money policy and has launched timid action to bring the interest charges, both for Uncle Sam and John Q. Public, back toward Democratic levels," he continued. "This wasted charge for extra interest costs could have provided for the school construction program, scientific scholarships and far more constructive uses. Instead it has given us a record-breaking number of business failures, the ending of business expansion.

DEMOCRATS FOR PEOPLE

"The major difference between the two parties becomes thus apparent. The Republicans believe in high wages for money—and the Democratic Party, high wages for people.

"I do not accuse the Republicans of bringing on a depression. But like the safety engineers say about workers who have repeated accidents, that they are 'accident prone'—I do charge that the Republicans are depression prone."

MONRONEY was introduced by former President Harry S Truman, who presented the Senator as "an old friend who knows what he's doing and where he's going; and who never talks idly on any subject."

The dinner was opened by James L. Williams, Jackson County Democratic chairman, who introduced Representative Richard Bolling, Kansas City; Representative George H. Christopher, Butler; Edward V. Long, lieutenant governor; John M. Dalton, attorney general; Haskell Holman, State auditor; M. E. Morris, State treasurer; Walter Toberman, secretary of state; Wilbur F. Daniels, Fayette, State Democratic chairman; Mark Holloran, St. Louis, Missouri's National Democratic committeeman; county officials and members of the Missouri General Assembly.

A Few Samples of So-Called Small Struggling Farmer Co-ops

EXTENSION OF REMARKS
OF
HON. NOAH M. MASON
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 5, 1958

Mr. MASON. Mr. Speaker, the Farmers' Union Grain Terminal Association, of St. Paul, Minn., has had a startling growth. It now handles more than 100 million bushels of grain a year. It has about 650 affiliated local elevators, and through a subsidiary operates 107 coalyards and lumberyards. On its 1956 earnings of $3,200,000 an ordinary corporation would have paid Federal income taxes of $1,650,000. This corporation paid none. Would you say the Farmers' Union Grain Terminal Association is a small struggling farmer co-op?

The Consumers Cooperative Association, of North Kansas City, Mo., drills oil wells, refines petroleum, and operates more than 900 miles of pipeline. In addition, it sells tires, tubes, paints, spray, feed, machinery, lumber, groceries, and many other products through approximately 1,700 local cooperative retail stores. It also sells petroleum and petroleum products to cooperatives in several foreign countries. In 1956, its income amounted to $5,818,000 on total sales of $97,622,000. Although it pays some Federal income tax, the amount paid falls far short of the amount a regular competing corporation would pay. Would you say the Consumers Cooperative Association is a small struggling farmer co-op?

The Southern States Cooperative, Inc., of Richmond, Va., is made up of several subsidiary cooperatives primarily engaged in feed and fertilizer manufacturing. It does business in six States. It does business through 206 local affiliated

cooperatives and 524 private dealers. In 1956 it did a $101 million business. Its profits of $5,151,000 were untouched by the Federal income-tax collector. Would you say the Southern States Cooperative, Inc., is a small struggling farmer co-op?

The Dairymen's League Cooperative Association, operating in the New York milkshed, controls the complete process of milk marketing from farmer to consumer. Over the past few years it has absorbed many taxpaying businesses. Its net worth has increased from $4,651,000 at the close of 1946 to $26,314,000 at the close of 1956. It has never paid Federal income taxes. Would you say the Dairymen's League Cooperative is a small struggling farmer co-op?

The Cotton Producers Association, of Atlanta, Ga., owns several modern fertilizer manufacturing plants, seed cleaning and processing plants, feed mills, poultry processing plants, pecan shelling and processing plants, grain elevators, and other miscellaneous manufacturing plants. Its net worth has increased from $1,183,000 at the close of its 1946 fiscal year to nearly $8 million at the close of the 1956 fiscal year. It has used its tax-free income to add to its facilities through the purchase of taxpaying enterprise. Would you say the Cotton Producers Association is a small struggling farmer co-op?

Mr. Speaker, this growth means that, increasingly, taxpaying businesses have been absorbed by those which are tax-exempt.

And every time a taxpaying private enterprise is absorbed by a cooperative—

Says Senator JOHN J. WILLIAMS of Delaware—

those remaining in private industry must make up the deficit.

As a consequence of present tax inequality between business competitors, co-ops and the various so-called mutuals are able to use the major part of their profits for expansion, for buying up taxpaying businesses that are in competition with them. Thus they keep on expanding year after year—increasing in size and momentum like a huge snowball rolling down a mountainside—from a $1 billion business in 1930 to over $20 billion in 1956.

Speech Delivered by Congressman Overton Brooks, December 6, 1957, in New Orleans, La., on the Occasion of Presentation to Him of the Distinguished Service Citation by the Reserve Officers Association of the United States

EXTENSION OF REMARKS
OF
HON. CARL VINSON
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 5, 1958

Mr. VINSON. Mr. Speaker, on December 6, 1957, our colleague, Hon. OVERTON BROOKS, was honored by the Reserve Officers Association of the United States when he was presented with its highest award, the distinguished service citation for valued service to the Reserve components.

During his more than 21 years in Congress OVERTON BROOKS has become one of the Nation's most stalwart champions of the cause of the citizen soldier.

Under leave to extend my remarks in the RECORD, I include Congressman BROOKS' speech made on that occasion:

Brigadier General Morrison, Colonel Carlton, members of the Reserve Officers Association of the United States, I am humbly grateful to all of you for this occasion. I am especially grateful to General Morrison, president of the Reserve Officers Association of the United States for his eloquent remarks on this occasion. I am especially appreciative of the wonderful award presented to me by my friend, General Morrison, on behalf of the ROA, and I shall ever remain proud of this fine tribute. This is an event which will remain with me as an outstanding one.

General Morrison has been for many years a most ardent worker on behalf of the ROA. He has shown his interest in promoting the welfare of our military Reserves, and in doing so has shown an outstanding interest in our Government and its people. I congratulate him for the fine job which he is performing as president of the Reserve Officers Association of the United States.

This beautiful plaque is being given to me in recognition of what I earnestly tried to do for our Reserve forces. For many years in the Congress I have labored upon legislation to promote the organization of our Reserves and build up a more efficient Reserve program for our Nation. It has not been an easy task. In one short moment here today all of the trials, worries, and heartaches of many years' fighting for this program seem as nothing and are forgotten in the realization of the present.

The Reserve program is nothing new to the United States. As a matter of fact, our Reserve program predates the existence of our Government by several hundred years. Our forefathers placed references to our military reserves in the Constitution when they referred to a well-organized and efficient colonial militia. George Washington, the first President of the United States, mentioned the need of a reasonably small regular establishment, backed up with the well-organized military reserve. Even before this, our Thirteen Original Colonies possessed an organized, and, although untrained in regimental warfare, a most efficient militia.

The years have passed and Congress did little to pass legislation to build up our Reserve program. It was not until 1903 that the first act was passed which was specifically intended by Congress to organize our Reserve program. Since 1941 the Congress has enacted numerous laws: to provide for Reserve retirement, Reserve promotion, Reserve duty pay for field training of the Reserves, and for a far more efficient Reserve training program. Eighteen years ago I began to work on a Reserve program in the United States Congress, and since this time I have sponsored in one way or another practically every piece of Reserve legislation which the United States Congress passed and has become law.

The Reserve program is in somewhat of a difficulty now. The leaders in the Pentagon have seen fit to issue a directive reducing the size of our Reserve Establishment and withholding some of the funds which Congress had previously appropriated for this purpose. As chairman of the Subcommittee on Reserves in the House, I wish to say that I intend, working in full cooperation with my able chairman, CARL VINSON of Georgia, to sponsor hearings on the Reserve program as soon as Congress reconvenes in Washington January 7. At that time we will dig deeply into the reasons for this change in our program calling for a reduction rather than a further increase in our military Reserve program. I promise you this day that I will bend every effort to work out this program, and when this is solved our program of giving the Nation the most efficient, well organized military Reserve program any country or any nation has ever maintained, will move forward rapidly to completion.

General Morrison, Colonel Carlton, and friends, I want to thank you for this opportunity. I want to thank you for this occasion, and I especially want to thank you for this beautiful plaque and this fine award, which I promise you I will always cherish deeply.

Address at Dedication of the Jewish Synagogue at Ciudad Trujillo, Dominican Republic

EXTENSION OF REMARKS
OF
HON. HERBERT ZELENKO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 5, 1958

Mr. ZELENKO. Mr. Speaker, it was my privilege to attend the dedication of the Jewish Synagogue and Center at Ciudad Trujillo, in the Dominican Republic, on December 27, 1957. Following are the remarks I made upon that occasion:

We are all together sharing a deeply moving, religious experience—the dedication of a house within which the spirit of God is invited to dwell, is always such, whether the proposed abode be a humble chapel, a magnificent cathedral, or a modern inspiring edifice such as this.

But there is a tremendously rich collateral significance to this dedication ceremony. This is something special—historically and sociologically, not only to those Jews here assembled but to their friends of other religions and faiths in this great Dominican Republic.

I am therefore deeply honored and moved that the privilege of being heard on this momentous occasion has been granted to me.

As I stand here in this holy place and look upon the faces of my Jewish brethren my thoughts are compelled to our history—your history and the history of this island—now somehow through divine providence symbolically linked at this very time and place.

Our Jewish ancestors were dispersed from Europe 465 years ago—in 1492, and began a search for a home and refuge in the same year that Christopher Columbus found this beautiful island and cherished it.

Who but a loving God could have planned or even dreamed that there would come a time when the wheel of life would so turn that some of our Jewish brethren would later be forced to seek and find refuge from religious persecution on the very island that was discovered in the same year that they were originally dispersed.

But the miraculous coincidence did occur. Eighteen years ago they discovered their own new world here. They were apprehensive, poorly equipped, grateful for just the right to live without fear and probably fearful as to whether they could enjoy even that right here.

They had no way of knowing then how secure they were in truth for they had received only a promise from the leader of this

great country, Generalissimo Trujillo, that they would receive sanctuary and the right to worship God in their own tradition.

This promise was fulfilled to the letter and beyond, with an abundantly generous spirit so that by word, deed and money, the Generalissimo has ever been a primary moving force in the erection of this structure.

I can well understand the affection and prayerful thanks that the members of this congregation will forever associate with Generalissimo Trujillo's name and person.

Beautiful though this structure is, it can never compare with the precious spiritual beauty for which it is a setting. Beyond the clean and graceful architectural lines there gleams and sparkles the beauty of your collective spirits which cherished the ideals and traditions of Judaism in your hearts and minds through the years in Europe, of oppression, hiding and running. Then, here, through the developmental years of toil and struggle in Sosua. This I perceive to be priceless beauty.

The Ner Tomid—our eternal light, is now lit for all to see.

It is plain that it was never extinguished in the hearts of the Sosuans.

This Jewish house of worship must therefore be maintained as a symbol of the word of God, of tolerance, of understanding, and of faith. As such, it becomes another outpost in the struggle against Godless communism, and you, I am sure, can maintain the trust and confidence placed in you many years ago by the Generalissimo, by utilizing this structure to the utmost, for its divine religious purposes and by being good citizens.

Let me close, echoing that ageless Hebrew prayer composed thousands of years ago and yet so apt to this occasion that it must be in the heart of each of us here:

"Blessed art thou, O Lord, our God, King of the Universe who has guided us, maintained us, and preserved us to this very day. Amen."

Address by Hon. Herman E. Talmadge, of Georgia, Before the General Assembly of Georgia

EXTENSION OF REMARKS
OF
HON. HERMAN E. TALMADGE
OF GEORGIA
IN THE SENATE OF THE UNITED STATES
Wednesday, February 5, 1958

Mr. TALMADGE. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the text of my remarks in addressing a joint session of the General Assembly of Georgia on February 3, 1958.

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

ADDRESS OF UNITED STATES SENATOR HERMAN E. TALMADGE BEFORE A JOINT SESSION OF THE GENERAL ASSEMBLY OF GEORGIA

Governor Griffin, Lieutenant Governor Vandiver, Speaker Moate, members of the General Assembly of Georgia and my friends, it is a heart-warming experience for me to be back here this morning with you members of the general assembly and other friends.

It's good to be in Georgia.

There are few other places that stimulate for me as many fond memories as does this hallowed chamber.

Seeing old friends here recalls to mind the happy experiences which we have shared together in years past.

My first words must be to acknowledge the generosity of your kind and courteous invitation to address you again this year.

I think it is but fair to tell you that anytime you invite me I will be here, since I consider an invitation from the sovereign General Assembly of the State of Georgia a command which I cannot refuse.

And nowhere, except in my own house and fireside, do I feel more at home than here on this rostrum speaking to men that I know, speaking to men that I respect, speaking to men whose friendship I cherish and speaking to men whom I honor as true Georgians and real Americans.

To Gov. Marvin Griffin, I extend cordial greetings and my respects for his unwavering stand in defense of Georgia's institutions.

To Lt. Gov. Ernest Vandiver, I extend similar cordial greetings and respects for his consistent, firm, and resolute stand to maintain the sovereignty of the States.

To Speaker Moate, to members of the general assembly, to the attorney general and his legal staff, to all of the elective and appointive State and local officials, to the press of the State, to the radio, to the television, and to the great and overwhelming masses of the people of the State of Georgia, I salute you. I salute you for your resolution in being ready at all times to resist at all costs any attacks that may be hurled against our homes, our families, and our children.

Last year, when I spoke to you, my service in the Senate had just begun.

Frankly, I do not mind telling you, that I was a little bit homesick when I went to Washington.

I said to you then that whenever any of you were in Washington that you had better not miss coming by to see us and visiting with me, my staff and my family—making my office while you are in Washington, your office and making my home while you are in Washington, your home.

I renew that invitation today.

Your visits have made it a lot easier for me to be away from home and to carry on my duties as I would wish to do and that you would have me to do.

Being in frequent touch with the sentiment of the people back home is vitally necessary to any Senator or Congressman who would maintain a proper perspective in Washington's hectic and chaotic atmosphere.

Let me remind you, and let me remind the people of Georgia, though HERMAN TALMADGE is in Washington in attendance upon the Senate, that he is as near to you as your mailbox or your telephone.

I would be remiss if I did not tell you how pleasant has been my service with the Members of the Georgia delegation in Congress.

They form a great team.

I am proud to be one of its Members.

I take this occasion to pay each and every member of the Georgia delegation in the House the highest tribute for their long and effective service to the people of Georgia and to thank them for their valuable help and cooperation they have extended me in my initial year's service as a freshman Senator.

No words can adequately describe my feeling of gratitude for the wise advice and helpful counsel given me by my distinguished senior colleague, Senator RICHARD B. RUSSELL.

Under his sagacious leadership the South has been spared many inequities—inequities which would have been forced upon us had it not been for his statesmanship and resourcefulness in the leadership of many gallant fights which have turned back the tide. This leadership is an inspiration for all who love their country. It is without reservation that I say to you I am honored to be fighting at his side and under his able direction.

At this time, I feel that I must recall the rewarding association which all of us on the Georgia delegation had with one of its members, Judge Henderson Lanham, of the Seventh District, who has passed from among us.

Judge Lanham, who won his spurs as a champion of the people in this very hall, was one of the Nation's best Congressmen. He was devoted to his people and, significantly, was going to attend a public meeting when a tragic and untimely accident ended his life. My memory is warm for him, just as are the memories of his constituents whom he served so well. All of us miss him very much.

Gentlemen of the general assembly, never before in the annals of this country have we seen a time like this in our Nation's history.

It is a time of frustration, a time of uncertainty, a time of anger, and a time when there is a growing lack of confidence.

It is a time of danger, both from within and from without.

This situation has been caused in varying degrees by a lack of leadership, by a refusal to adhere to constitutional processes, by the lag in our defenses despite the billions we have spent, by the unconstitutional armed invasion of a sovereign State, by the present decline in our economy, by the farm depression, and by a host of other factors.

It was on October 4 that Soviet Russia, a nation considered backward and a third-rate power 25 years ago, launched a missile containing in its head a satellite which was placed in an orbit around this earth at a speed of 18,000 miles per hour.

That accomplishment shocked the world.

It told the American people that we have been asleep.

It told the American people that many of our leaders have been more interested in selfish political considerations than they have been in defending the country.

Even though past failures and shortcomings in maintaining our defenses must be laid at the doors of both political parties, these failures and shortcomings are not in any instance—that I know of—the fault of Congress.

Congress consistently has been ahead of the Executive in recognizing and acting to meet the peril to our country. Our trouble has been purely and simply the result of maladministration, lack of leadership and, indeed, even indifference on the part of the executive branch. In no instance has Congress failed to heed the requests and recommendations of the Executive in any major defense area.

Congress can appropriate money and can make the laws but the major responsibility must be fulfilled by the Executive and this it has not done.

The sad truth is that our defense effort has become mired in its own sprawling bureaucracy.

Senator RUSSELL, chairman of the Senate Armed Services Committee, has moved promptly.

Prior to the session of Congress he designated a Special Preparedness Committee, under the leadership of the resourceful Senator LYNDON B. JOHNSON, of Texas, to inquire into the state of our defenses.

What that committee has found is alarming, indeed. The findings have demonstrated that the Congress must step in to insure the safety and security of this Nation.

Let us examine for a moment some of the testimony which this Nation's top scientists and top military men gave to the Johnson committee.

Gen. James B. Gavin, Chief of Army Research and Development, swore that the Army could have put up a satellite a year or more ahead of the Russians. That they had the missile to do the job—the Jupiter-C. Further that request after request was made for permission to put up an American satellite, the first request as early as the spring of 1956. But that all of these requests were denied. Instead of approving

Army's project Orbiter, the responsibility was assigned to the Navy for a new and separate project Vanguard, in spite of the fact that the Navy then had no missile in being or in prospect to raise the satellite.

This faulty decision, of which General Gavin spoke, resulted in an immense loss of prestige to this Nation at a crucial time in world history.

It is no wonder then that he retired from the Army in apparent disgust with the assertion that he could do more for the Army speaking for it as a free and unfettered citizen than he could do in uniform.

Witness after witness cited other shortsighted and disastrous mistakes which have been costly beyond measure to the defense posture of this country. And to cap the climax, the outspoken, widely respected, and admired Gen. Curtis E. LeMay, Vice Chief of Staff of the Air Force and former Chief of the Strategic Air Command, had some most interesting testimony for the Johnson committee. He said that the mighty Strategic Air Command bombers were grounded for 5 weeks in mid-1957 because of a failure of the Budget Bureau to provide funds for gasoline.

I ask you, in the name of reason and in the name of commonsense, what kind of leadership do we have which squanders millions of dollars on an arrogant, illegal, and unconstitutional airborne invasion of the sovereign State of Arkansas, yet, does not have one red cent to spend for gasoline to power our mighty bombers?

What kind of leadership do we have which takes such drastic measures against our own people at a time when arrogant dictators of a godless power are brandishing their mighty weapons and threatening to blow every one of us off the face of the earth?

There have been a series of reports on the state of our defenses which have been equally as alarming as the testimony before the Johnson committee.

Some months ago, the President appointed a distinguished committee of eminent and qualified Americans to study our defenses and to make a report to the National Security Council.

This report, based upon America's long-range prospects, found our position to be one of cataclysmic peril.

That report has been suppressed by the White House, but a few of its details have leaked out to the press.

Other reports such as the Rockefeller report and the top-secret Johns Hopkins report are startling in their revelations. Summing up, they say the position of our country is deteriorating and that time is running against us.

These are the dismal facts which confronted Senators and Members of Congress as they returned to Washington on January 7, this year.

The Soviets have a disturbing lead over us in other areas:

They have almost as many army divisions as all of the nations of the free world combined and they are highly mechanized.

Soviet submarines now number 600 or more while we have only 110.

They have hundreds of long-range bombers.

They are expected to have an intercontinental ballistic missile by July of this year.

Top experts, now conducting secret studies for the Army, say that Russia has a force in being capable of throwing several hundred atomic bombers and perhaps 50 or more submarines with missile-launching equipment at us in a surprise attack. They would be more than adequate to kill 20 or 30 million people in this country, it is said, and knock out more than 10 percent of our economy—perhaps 20 percent.

Soviet Russia with its avowed dedication to conquer the world is not building this great military force as a defensive establishment.

The budget proposed by the President to meet this grave situation contains $4 billion in additional funds for defense over fiscal 1957. Most of this increase will be spent on missiles and for the maintenance and superiority of the Strategic Air Command.

Out of the highest peacetime budget ever submitted to Congress—$73.9 billion—the President asked for $39.8 billion for the Defense Department.

If this monstrous amount of money proposed for defense is expended prudently, we will have nothing to fear.

Even more funds can be found for needed weapons within the Defense Department itself by eliminating appalling waste and needless duplication of effort.

The overall budget proposed by the President is faulty in several respects.

It seeks to make cuts where reductions are undesirable.

It seeks to make increases in nondefense spending where increases are undesirable.

The proposed budget would further cripple the farmers of this Nation; it would double interest rates on REA loans; it would leave our farmers to shift for themselves in case of disaster; it would bring an end to support for vocational education by 1960; it would reduce assistance for our old people, our dependent children, our needy blind, and our totally disabled; it would terminate grants to local governments for operation of schools in federally impacted areas; it would shift to States and localities the responsibility for public housing; it would curtail hospital construction to meet only urgent needs and expected in a special supplementary message later is a proposal to reduce veterans' compensations and pensions.

Now, I ask you what kind of a philosophy is it that has millions and billions for foreign potentates and Communist dictators but has no compassion for our veterans, their widows, our elder citizens, the farmers, and others who work to sustain this Nation?

What kind of a philosophy is it that demands billions more for outright gifts to seventy-odd foreign nations of the earth and in the same message demands that Congress raise the present debt limit of $275 billion by another $5 billion?

What kind of a philosophy is it which demands an extension of trade and tariff policies that have caused dumping of slave-wage goods on American markets to the harm and detriment of many American industries and their workers?

What kind of a philosophy is it where the Federal Reserve Board with its tight-money policy attempts to keep the lid on top of the economic chimney while the budget makers are feeding the flames of inflation at the bottom of the chimney?

What kind of a philosophy is it that pursues a policy of scarce dollars and inflated dollars at one and the same time?

What kind of a philosophy is it that pursues a policy of hard money for the people and easy money for the bureaucrats?

What kind of a philosophy is it that pursues a course of more and more inflation further endangering the insurance policies, the savings, the retirement programs of all our people and all of those other benefits which are based upon value of a sound currency?

What kind of a philosophy is it that has already robbed our people of more than 50 percent of their savings and pension rights by deficit financing in 1939?

What kind of a philosophy is it that would let the farmers of this Nation fall by the wayside to shift for themselves when billions of dollars in Federal Government subsidies are parceled out annually to industry and to other lines of endeavor?

The administration in Washington cannot answer these questions.

It is time the American people demanded satisfactory answers to all of them.

Of particular concern to those who are interested in the economic welfare of this Nation is the plight of the American farmer.

In a special message to Congress in mid-January, the President made several recommendations which, if adopted, would deliver the final destructive blow to agriculture in this Nation.

He would cut parity to 60 percent.

He would repeal the law requiring that tobacco be supported at 90 percent of parity when marketing quotas are in effect, regardless of supply.

Secretary Benson's policies have driven many farmers off the land. They have plunged most of those who have remained into depression. They have kept our farmers under constant threat of bankruptcy.

We have had enough.

We want no more of Benson's starvation.

I am fighting it all the way.

As a farmer, as a Member of the Senate, and as a member of the Senate Agriculture Committee, I will oppose these thoughtless and indifferent proposals as vigorously and as effectively as I know how.

It takes no expert to see that current national farm policies are planned depression for the farmer.

One does not have to be an economist to see that this starving to death of one major group in our economy is spreading to other groups, as it inevitably does, and is now doing.

His loss of income and buying power is drying up vital markets for industrial products.

Nothing less than a bold, new effective approach to this problem will suffice. Such a new farm program must be forthcoming soon if the present farm crisis is to be solved and if the agricultural depression is to be prevented from wreaking further havoc on other segments of our economy.

This program must be devised to: (1) Let the farmer farm; (2) assure him prices for what he produces commensurate with those of manufactured products; (3) assure him and his family a fair and equitable share of the national income based upon the labor he expends in his work.

The farmers of this Nation must look to an overwhelmingly democratic Congress and a new Democratic administration dedicated to old-fashion Jeffersonian democracy to right these wrongs, to resolve these inequities, and to really do something for the farmer and the American people.

And, in conclusion, a word to our veterans, their widows, and their dependent children.

All of those administration proposals which have been made or which may hereafter be made at this session of Congress to trim veterans benefits, to lower existing compensation benefits for their widows or for their children, face certain defeat in Congress.

Not only are we going to have to look for new concepts of administration in our Government at home but also we are going to have to look for new concepts in the conduct of our foreign affairs.

The cost of the cold war rises year by year.

We see vast armed forces arrayed against each other in Europe, in the Middle East, in Africa, and in Asia.

A careless shot could detonate a power that could destroy civilization itself.

Time will soon be at hand when we will have to recognize conditions as they are.

Though the future may now look dark, I know that you share with me an abiding faith in the inherent greatness of our beloved country and in the sturdy fiber and resolute character of her sons and daughters.

You ask how can we insure America's future strength and safety?

The answer is clear.

Now is the time to anchor our destiny to those tenets of Americanism that have stood the test of time and have been tried in the crucible of experience—tenets which have never failed us in time of need.

Now is the time for leaders and for leadership.

We—the masses of the American people—are steadfastly determined to press into the fray every sinew of our beings and every resource at our disposal to guarantee our country's continued role as the acknowledged leader of the free nations of the world and the true champion of right and justice for all men.

As we prepare ourselves to meet that sacred obligation we do so, as Americans have done since they first set foot on this homeland of ours.

We do so humbly and with prayer to Almighty God for His benevolence and guidance.

We do so with a solemn resolution on our part to make the sacrifices and to do the work that needs to be done.

Doing that, Americans and all free peoples everywhere can look to the horizons of tomorrow with the assurance that peace and security under God will continue to be their heritage.

Secretary Benson, Meet Budget Director Brundage

EXTENSION OF REMARKS
OF
HON. HENRY S. REUSS
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 5, 1958

Mr. REUSS. Mr. Speaker, the Secretary of Agriculture, Mr. Benson, and the Director of the Budget, Mr. Brundage, apparently are not speaking to one another these days.

I say this because Mr. Brundage has recently made a statement that is in agreement with my criticism of our farm program and Congress' criticism of our farm program, and in opposition to Mr. Benson's views.

On the NBC television program Youth Wants To Know of January 26, 1958, Mr. Brundage was asked why the farmers are antagonistic toward Mr. Benson's program, Mr. Brundage replied that not all farmers were antagonistic, then added:

> But the trouble is that our present [farm] program benefits the large commercial farm as against the individual farmer.

I think Mr. Brundage summed it up nicely. Many of us in the Congress have complained long and loud that Secretary Benson's programs do not help the farmer who needs help—the family-sized farmer—but give as much as $278,000 in taxpayers' money to the big-business farm producer who does not need help.

That is why the Congress last year put a limit of $3,000 on acreage reserve soil bank payments "to any one producer," as the law reads. Secretary Benson has changed the meaning of the $3,000 limitation to apply to any one farm, so that one farm producer who owns 20 or 30 farms can still be paid $60,000 or $90,000. I trust that the Secretary eventually will be called to account for this.

It is interesting to note that Secretary Benson last year opposed a per producer acreage reserve limitation of even $5,000. In a letter to the chairman of the Committee on Agriculture [Mr. COOLEY], Secretary Benson contended that "such a rigid limitation" would discourage farmers from participating in the soil bank program.

Secretary Benson has again been shown to be a poor prophet. With the rigid $3,000 limitation on the books, the Department of Agriculture is having to ration the $500 million available for the acreage reserve program. There is no lack of participation. Farmers are complaining that they can't participate, even if they want to bank small acreage. An official of the Department of Agriculture recently told me that there will be offerings of land to take up the full $500 million, and then some.

Secretary Benson is going to have to answer some questions if the soil bank is oversubscribed and farmers are denied participation. How many big business farm producers—multiple farm owners—are going to get more than their $3,000 maximum per producer? How many family-sized farmers are going to be denied participation in the acreage reserve, to the extent of perhaps $500 or $1,000, because Secretary Benson is going to pay $60,000 to one producer who owns 20 farms? Isn't Mr. Benson's $3,000 per farm interpretation of the acreage reserve limitation one reason why there isn't enough soil bank money to go around? Despite Congress' clear intent to halt huge payments to big business farmers, isn't Secretary Benson doing everything he can to continue those payments, even to twisting the law?

I hope we can get the answers quickly. And I hope that Mr. Brundage, who seems to agree that our farm programs aren't helping the individual family farmer, will be able to make an appointment with Mr. Benson and impress upon him the folly of his ways.

John Nicholas Sandlin

EXTENSION OF REMARKS
OF
HON. OVERTON BROOKS
OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 5, 1958

Mr. BROOKS of Louisiana. Mr. Speaker, John Nicholas Sandlin, for 16 years a Member of this House of Representatives and a great American, died last Christmas Day at his home in Minden, La. A large number of the present Members of the House served with Judge Sandlin and knew him well. It is with a heavy heart that I report his passing to the House.

Words are wholly inadequate to express our true feelings when death takes from our midst such a devoted servant of the people.

I knew Congressman Sandlin well and considered him one of my best friends. I did not have the privilege of serving with him in the House of Representatives as I succeeded the judge as Representative of the people of the Fourth Congressional District of Louisiana when in 1936, after serving 16 active years in the House of Representatives, he chose not to run for reelection to this high post.

At the time of his death, Judge Sandlin was 85 years old. Up to the time of his retirement 20 years ago, he had devoted over 40 years of his life to public service to the people of Louisiana and the Nation. Even in his so-called retirement, Judge Sandlin continued his active efforts to be of service to our people.

John Sandlin was born in the small community to McIntyre, not far from his home in the city of Minden, La., on February 23, 1872. He attended the public schools of Webster Parish. Later he began the study of law and in 1896 was admitted to practice law at the bar of the State of Louisiana. He began practicing law in Minden and later that same year was elected to his first public office—that of alderman of the city of Minden. He was later appointed postmaster of Minden and served in this capacity for 7 years.

In 1904 this great American was elected prosecuting attorney for the Second District of Louisiana. He served in this post until 1910 when he was elected judge of the Second Judicial District of Louisiana. It was at this time my late friend acquired the title of judge and he was effectionately so-called this until the date of his death.

Judge Sandlin served on the bench until 1920, a period of 10 years. It was while serving in this capacity that he was selected a delegate to the Democratic National Convention at St. Louis.

The judge was elected to the 77th Congress and arrived in Washington the year President Harding took office. He diligently served his people and the Nation through the seven succeeding Congresses and retired from Congress on January 3, 1937.

Never one to shirk public service and always ready, when his health permitted, to champion the rights of his people, John Sandlin, after his retirement, offered himself as a candidate for the democratic nomination for United States Senator and later served as a presidential elector from Louisiana in 1944.

Although in the later years of his life our former colleague's health began to fail him, he yet continued to exert a profound influence in State and local affairs.

Yes, Mr. Speaker, I am proud and deem it a privilege to have been counted among the many close friends of John Sandlin and I, along with the countless thousands of his friends and admirers, mourn his passing. His devotion to his people, his sincerity in handling their problems, and his steadying influence as a member of the Appropriations Committee of the House during years of severe economic strife in this country, are some of the numerous attributes which endeared him to the people.

During my first years in the Congress I received counsel and advise often from my good friend and he honored me with

his confidence and patience. John Sandlin on numerous occasions expressed himself on local, State, and national problems and his clear logic, deep thinking, and helpful solutions were respected and appreciated by all who knew Judge Sandlin.

We are living in urgent times. Times in which men search their minds and hearts for answers to tremendous and grevious problems. We now, more than ever before, have a distinct need for such great minds as had our devoted friend, John N. Sandlin.

He will be sorely missed and we mourn this loss. Death has taken a heavy toll here. It is a long, dark road we all must travel. For those of us who keep the faith, as did this great man, the journey should hold no fear. He had a most fruitful life; he carved his niche in the hall of fame; he contributed unselfishly to the stability of our Nation during chaotic economic years; and he served well the great people of his district, State, and Nation. At last, he became a victim of the terrific strain of his tireless and self-sacrificing labors in behalf of his people.

Now he is gone. His passing will be keenly felt. Our country has lost one of its truly great Americans.

Legislation To Encourage Basic Scientific Research Activity

EXTENSION OF REMARKS
OF
HON. THOMAS B. CURTIS
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 5, 1958

Mr. CURTIS of Missouri. Mr. Speaker, my distinguished colleague on the Committee on Ways and Means, the gentleman from Pennsylvania [Mr. SIMPSON], and I have today joined in cosponsoring legislation to encourage basic scientific research activity in the United States. In joining together in the sponsorship of this legislation we have issued a press release briefly describing the bill and setting forth its essential purpose. I will include at this point as a part of my remarks a copy of that press release:

The Honorable RICHARD M. SIMPSON, Republican, of Pennsylvania, and the Honorable THOMAS B. CURTIS, Republican, of Missouri, members of the taxwriting House Committee on Ways and Means, today announced the joint sponsorship and introduction of identical bills to amend the Internal Revenue Code so as to encourage basic research activity in the United States and thereby enhance scientific knowledge.

The bill would provide a tax concession with respect to contributions to universities and nonprofit organizations for basic research in science as well as a tax concession to industries for basic research in science. The tax concession in the case of contributions to universities and nonprofit organizations would take the form of a credit against tax to the extent of 90 percent of the contributions made with a further limitation that the credit shall not exceed 5 percent of the tax. In the case of basic research activity by industry the credit would be limited to 75 percent of the expenditures with a further limitation that the credit shall not exceed 3 percent of the tax.

It will be recalled that the report to the President on basic research by the National Science Foundation, dated October 15, 1957, indicated that the Nation's basic research effort must be substantially increased. The cosponsors of this legislation indicated that the proposed amendments to the Internal Revenue Code would give effect to the recommendation made by the National Science Foundation by providing increased financial resources for basic science research on the part of universities and other nonprofit organizations as well as providing a positive encouragement to similar efforts on the part of industry.

Expressing the view that encouragement of basic research by inducing contributions to organizations covered under the bill and by encouraging industrial expenditures for such purposes is preferable to a system of Governmental grants, the cosponsors stated that under the provisions of the bill interference in the research programs by the Federal Government would be kept to a minimum. In the case of contributions to universities and nonprofit institutions there will be no interference in that under the bill a determination of what constitutes basic research in science would be left to the conducting institution. In the case of expenditures by industry the bill would provide for the establishment of a certifying authority consisting of a board of eminent scientists appointed by the President on the recommendation of the National Science Foundation. Thus, there will be preserved in the Federal participation in the program the point of view of the active scientific researcher rather than the point of view of an administrator of a Government agency.

The cosponsors of the legislation stated their conviction that favorable action on this legislation designed to enhance basic scientific research in the United States would do much to assure the maintenance of our country's scientific and industrial world preeminence in the interest of fostering the improvement of humanity and the cause of peace.

The Individual in the Age of Space

EXTENSION OF REMARKS
OF
HON. ROMAN L. HRUSKA
OF NEBRASKA
IN THE SENATE OF THE UNITED STATES
Wednesday, February 5, 1958

Mr. HRUSKA. Mr. President, my colleague, the junior Senator from Nebraska [Mr. CURTIS], has a long and distinguished record in the Congress. He served in the House for 16 years, in 10 of which he was a member of the Ways and Means Committee.

My colleagues in the Senate are aware of his splendid service in this body. However, I should like to call their attention to the fact that the junior Senator from Nebraska has many other activities and attainments, among them his membership on the board of trustees of the Nebraska Wesleyan University, where he is making a very worthwhile contribution to the advance of that splendid institution of higher learning.

On January 30 he addressed a convocation of the university on the occasion of their founders day.

I ask unanimous consent that this splendid address be printed in the CONGRESSIONAL RECORD.

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

THE INDIVIDUAL IN THE AGE OF SPACE

(Convocation address delivered by Senator CARL T. CURTIS, at Nebraska Wesleyan University, Thursday, January 30, 1958)

At this founders day convocation, it is appropriate that we turn our thoughts to the beginning of Nebraska Wesleyan University. It was on January 20, 1887, that the action was taken to bring this institution into being. The history of Nebraska Wesleyan has been a history of service rendered. Year after year those who enrolled were given an opportunity for an education and an enrichment of their lives to the end that they might leave to serve. As time goes on our gratitude to those pioneering Methodists of faith and vision increases.

Twenty-three years before this founding, Abraham Lincoln stated in a speech at Baltimore, Md., on April 18, 1864, "It is no fault in others that the Methodist Church sends more soldiers to the field, more nurses to the hospital, and more prayers to heaven than any. God bless the Methodist Church. Bless all churches, and blessed be God, who, in our great trial, giveth us the churches."

In my lifetime man has witnessed the greatest technological advance ever encompassed in the span of 50 years. We have come to accept the great changes in transportation and communications as routine living; the marvel of television, and the speed of jet transportation are ordinary. One of the most significant accomplishments of this period, and one which occurred during your lives was the splitting of the atom.

The world was awed by the military potential of atomic energy. It filled men with both doubt and fear. Individuals of faith and vision rejected the idea that atomic power had been perfected to destroy all the monuments of civilization and culture, and all the evidences of God's love and grace. As a result great strides have been made toward the peaceful use of atomic energy.

A highly important aspect of the peacetime atom is the great source of electric power. Our own State of Nebraska is having a part in that development. Our country's first atomic powered submarine, the *Nautilus*, not only makes almost limitless runs without refueling but it can travel under ice. Our railroads are becoming deeply interested in atomic powered locomotives.

Since World War II ended we have shipped tens of thousands of shipments of radio isotopes from Oak Ridge, Tenn., for use here and abroad. These isotopes used as tracers, have been particularly of benefit in the fields of medicine and agricultural chemistry. By the use of this tracer technique we have learned how milk is formed in the cow, how much nutrition corn derives from applied fertilizer, and how the release of noxious substance from lake bottoms kills fish, and many other important facts.

Our shipments of isotopes have enabled English doctors to provide better treatment for blood diseases and thyroid disorders. Danish physicians have patients gather at one central location to be treated when phosphorous and iron radio isotopes arrive from the United States. In Latin America, noteworthy progress has been made in the treatment of chronic leukemia, thyroid disorders, tumors and other tropical diseases. In Japan, where atomic bombs were dropped only 12 years ago, shipments of our isotopes have vastly improved pearl culture by illustrating how calcium is deposited in oyster shells and pearls. The future will hold many, many advances which will be for the benefit of mankind.

Now we enter the age of space. From the very birth of reason in mankind, man has had an interest in space. Egyptian astronomers charted the paths of the major planets. Babylonian astronomers developed a remarkably accurate calendar from the stars. Phoenician sailors steered the courses of their venturesome ships from the heavens. If further proof of the universal interest in space held by the ancients is needed, look to their gods and goddesses. How many of them were sun gods and moon goddesses? It is no accident that names such as Mars, Venus, and Neptune are applied, even today, to the earth's companions.

According to legend, the Greeks even embarked on the actual conquest of space. Of course, that legend was imaginative. Yet, the possibilities of flight into space were never entirely forgotten. Galileo made lasting contributions to aerodynamics. Leonardo da Vinci constructed a model airplane. The alchemist, Nostradamus, prophesied that man would some day fly. There were successful balloon ascensions while Louis XVI sat on the throne of France. Our own Benjamin Franklin flew a kite during a storm and proved the existence of electricity. During the Civil War the South used a balloon as an observation post. All this—years before the Wright brothers made the first sustained heavier than air flight some half-century ago. Man has had the conquest of space in mind almost since the time when man first existed.

Willie Ley, scientist and author, describes this new age, Man Invades Space. He says, in part: "It was noon in Asia, early morning in Europe, and late evening in the Western Hemisphere on October 4, 1957, when shortwave sets, for the first time in history, received manmade signals from space. The planet earth had just acquired another satellite."

Since the first manmade satellite began to orbit many people have been prone to view the future with pessimism, to predict calamity, and to feel that man and civilization were headed for oblivion. They wondered if materialistic communism was proving to be superior to Christianity.

Let us reject all such feelings of gloom and distrust. Let it be asked: In whose hands does the future rest and what being has dominion over the limitless space?

The answers to those questions are the same today as they were prior to October 4. He who views the age of space with fear and trembling doubts God.

These days of rapid development and the fast changes are a time of testing. Our faith is being tested. It is time that we asked ourselves some elementary and basic questions. Is God's domain limited? Is this earth His creation and the recipient of His love, and is all of outer space beyond His realm?

A recent article in Life magazine discusses the frontier of space. It speaks of the number of planets as being in the hundreds of billions. The vastness of the universe is beyond our comprehension. It invites the curiosity of all and raises doubts for some.

A few days before Daniel Webster died he wrote these lines which have been carved on his tombstone:

"Philosophical argument, especially that drawn from the vastness of the universe, in comparison with the apparent insignificance of this globe, has sometimes shaken my reason for the faith that is in me; but my heart has always assured and reassured me that the Gospel of Jesus Christ must be divine reality. The Sermon on the Mount cannot be a mere human production. The belief enters into the very depth of my conscience. The whole history of man proves it."

The basic needs of man have not changed since the ancient Egyptian astronomers charted the paths of the major planets or since our shortwave radio sets received the first manmade signals from outer space. The individual still needs a power beyond himself to guide him and to help him overcome his bent for evil. The individual still needs faith and confidence. He still needs forgiveness and he needs the love and friendship of his fellow man. He still needs an anchor. He has need of all the wisdom of the ages.

The accomplishments of the Communists in launching two satellites is a matter of serious importance. It does call for a reappraisal of our program for national defense. In no sense does it prove that a Communist economy is superior. Neither does it prove that America's educational system has failed. Had our Government realized in 1947 that the Communists were going to place a prime effort upon the satellite race in their missile program, America, if it had so chosen, could have won that race. We did not lose the race because our institutions of learning were inferior. Our Nation did not fully avail herself of the scientists that our institutions of learning had produced.

Certainly our educational system at all levels should constantly be reappraised. We should always examine our program to determine where new emphasis should be added. The tremendous problems of our time demand that we increase our contributions to education and prayerfully consider our responsibilities. When educational institutions or individuals cease to strive for improvement they deteriorate.

Education that is based solely upon materialistic science, in a society that rejects a belief in God, is dangerous and destructive. Knowledge is power and the use of knowledge without commitment to and guidance from God is like the mightiest engine rushing forward without controls or pilot.

What does it profit a nation if it excels in materialistic science and loses its own soul? If America loses its soul, what is there left to defend?

As man's knowledge of the physical becomes greater, the need for his total education becomes infinitely greater. He must have an education that not only enables him to split the atom and to build a satellite, but to understand his neighbor, and to love and respect his fellow man. To accomplish this he must be trained in the literature, the art, and the music that has stood the test of time. He must know the history of mankind and understand the theory of the law. He must know himself. Above all, he must be educated in the Christian faith.

The need was never greater for highly trained individuals, whose wills are the will of the infinite One, and who possess a passion for service akin to Him who said: "He that would be greatest among you, let him be the servant of all."

Nebraska Wesleyan has many outstanding departments that have made records worthy of wide recognition. A dedicated man, Dr. John Christian Jensen, spent long years in the science department. He was in truth and in fact an incarnation of the school's theme of great teaching. The biographies of the science graduates of Nebraska Wesleyan would constitute an important miniature who's who. Their work has contributed much to the health and well-being of our Nation and to the security and defense of our Republic.

These great contributions in science did not come about by reason of a narrowed materialistic view and approach to science. They did not come about because this institution was better equipped or possessed superior facilities. Rather, they are an illustration that educational institutions as individuals can profit most by putting first things first and all the other will be added.

The aim of our Nation's schools has been, and should be, the education of the masses. Yet it should never be by mass education—rather, it should be the education of each individual in our society. Our schools should never be an assembly line production, with each pupil being an inanimate part of the State. We should teach them as individuals and help them to be, in the words of Herbert Hoover, "uncommon men and women." Their individual gifts and talents must be found, encouraged, and brought to full realization. So long as America is a land of individuals of faith, capable of thinking for themselves, liberty and our way of life are secure.

We should never undervalue the individual. When the Master teacher came to earth, one of the principle themes of His teaching was the great worth of the individual personality. Our Founding Fathers devised a form of government based on the rights of the individual. Our most treasured documents, the Declaration of Independence and the Constitution of the United States, are a recitation of the rights and responsibilities of individuals.

Man is God's finest creation. The individual personality is most precious. Space, like the Sabbath, was made for man.

The age of space is the age of the individual. Let us enter it with faith and vision.

I like the lines of John Greenleaf Whittier's poem The Eternal Goodness, which read:

"I know not where His islands lift
Their fronded palms in air;
I only know I cannot drift
Beyond His love and care."

Those familiar lines could well be rewritten to read:

"When satellites and rockets wing their way
Into the limitless something called outer space,
I know the whole universe belongs to God
And men cannot escape His love and grace."

The Mallory Case

EXTENSION OF REMARKS
OF
HON. EDWIN E. WILLIS
OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 5, 1958

Mr. WILLIS. Mr. Speaker, the ruling of the Supreme Court in the Mallory case has aroused wholesome public interest. It has been the subject of thoughtful study and searching analysis. An outstanding example is the editorial which appeared in the Times Picayune, of New Orleans, on January 22, 1958, which I ask leave to make part of my brief remarks.

Last year a special subcommittee of the House Committee on the Judiciary was created to study questions raised by the recent Supreme Court decisions, including the Mallory case, and I have the privilege to serve as chairman of that subcommittee. After rather extensive hearings, the subcommittee unanimously decided to make legislative recommendations in connection with the Mallory case. We are in process of formulating our recommendations to the full committee, but in the meantime I think it would be appropriate for me to review the facts in the Mallory case and express my personal opinion on the far-reaching effects of the ruling of the Supreme Court, and

at the same time make an effort to answer some of the questions posed by the Times Picayune and other thought-provoking editorials.

In order to appreciate the significance of the Mallory decision, we must remember that crimes involving heat of passion, such as fist fights, assault and battery, and manslaughter usually occur wherever a provocation arises and in the presence of whatever witnesses happen to be at the scene. But the most serious of all crimes, those that are carefully planned in advance, such as premeditated murder, robbery, rape, espionage, and sabotage are never committed in the open. In such cases the police have to employ the time-honored and heretofore well recognized process of interrogation and elimination, because under our system of justice it is as important not to charge the innocent with crime as it is to prosecute the guilty.

Mallory raped a woman in the basement of her own home. As usual, there were no witnesses to the criminal attack, and Mallory took the further precaution to disguise himself. And so, following the heretofore usual and accepted practice, the police questioned him. Seven hours went by between his arrest and arraignment. During that time, he was fed, talked freely, and confessed his crime.

The confession was free and voluntary, and what is more, it was truthful. He was given a speedy and public trial and was found guilty by a jury of his own peers.

The Supreme Court, however, invalidated the confession, not because it was induced by threat or violence, or involuntary for any other reason, but solely because of the delay between arrest and arraignment. Moreover, for all intents and purposes in all Federal cases the process of interrogation between arrest and formal arraignment, if not prohibited, is now certainly ineffective and practically useless.

The ruling of the Supreme Court in the Mallory case does serious damage to an old and fundamental rule of evidence regarding the admissibility of a confession. Prior to the Mallory decision, a confession was admissible if it was trustworthy as testimony, and this rule was applied both in the State and Federal courts as well as under the common law. In order to determine whether a confession was admissible or inadmissible, practical tests were applied over the years. If there was sufficient inducement to elicit an untrue confession of guilt, or if a confession was induced by a threat or a promise, by fear or hope, the confession was not regarded as being trustworthy as testimony and was therefore inadmissible. But if a confession was freely and voluntarily made, then it was deemed to be trustworthy and therefore admissible.

As indicated, under the Mallory ruling the mere fact that the confession was made between arrest and formal arraignment invalidated it. Timing rather than trustworthiness becomes the test.

Prior to Mallory, if delay between arrest and arraignment was taken advantage of as an occasion for pressure or coercion in order to obtain a confession, then delay, of course, was a factor to be considered in determining whether or not the confession was admissible, and no one should want to change this rule. But it is difficult for me to see how mere delay between arrest and arraignment, in and of itself, can invalidate a free, voluntary, truthful, and otherwise admissible confession.

To apply time alone as the test is unsound and can well result in not only freeing the guilty but in doing grievous wrong to the innocent.

Thus both an honest charge, based on mistaken identity, and a false tip, believed by the police to be true, constitute probable cause to arrest the person mistakenly identified or falsely charged with serious crime. Again, a person arrested on probable cause, may contend that he was not at the scene of the crime or was even out of the city when the crime was committed. This is what is called an alibi. An honest alibi is the most perfect defense known to law, while a false alibi is a reprehensible plea. The person who can establish the whereabouts of the accused at the time of the crime may not be readily available and the police cannot always take the word of the accused in the face of his arrest made on what appears to be solid evidence making out a case of probable cause. Law enforcement officers are thus faced with a hopeless dilemma as the result of the ruling of the Supreme Court in the Mallory case. It can be readily seen, therefore, that if the police are not given time, through the process of interrogation and elimination, to verify the truth or falsity of an identification, a tip or an alibi, innocent persons can and will be unjustly charged with shocking crimes.

And similarly, to apply the test of time alone can and will result in freeing the guilty. There can be no better illustration of this than the Mallory case itself. Mallory confessed his crime freely and voluntarily. He told the truth. He was and is guilty. But as the result of the decision of the Supreme Court, he was set free and footloose.

Following his release, Mallory was befriended with a job, but he assaulted his benefactor and then fled from justice. And so, roaming the streets, highways and byways somewhere in the United States today is a confessed rapist and a fugitive from justice. When and where he will strike again no one knows.

This decision, of course, applies in all Federal courts. The Federal courts in the several States and outside of the District of Columbia have jurisdiction of Federal crimes or crimes defined by Congress only, while the Federal courts in the District of Columbia have jurisdiction over all common law crimes committed within the District as well as Federal crimes. For that reason, while the decision will have greater impact on law enforcement within the District of Columbia, it must be remembered that the ruling has universal application in all Federal courts in the country.

The Times Picayune editorial follows:

CONFESSIONS CURB

In the fervor of destroying or weakening trial by jury, Congress last year failed to get around to (among other things) any emergency correction of the startling United States Supreme Court decision of last June relative to voluntary confessions of crime—the Mallory case.

Congressman KEATING, who did his part toward establishing contempt-procedure as a sure way to conviction, did find time to urge a House judiciary subcommittee to report his bill to restore the admissibility of nonduress confessions, regardless of delay between arrest and arraignment. A report from the Justice Department, which at the time expressed great concern over the Mallory decision, seems still lacking. Congressman WILLIS, as chairman of this subcommittee, undoubtedly will do his best to speed action, as Mr. KEATING again urges.

One helpful step would be introduction in the CONGRESSIONAL RECORD of the text of the decision.

It has been said that the appellate court at Washington previously went further than any other circuit in throwing out confessions; and that the High Court made the matter a national rather than District of Columbia problem; also, that the latter's new rule was actually or in effect made earlier in what is called the McNabb case.

Congressman POFF defended the particular interpretation of what constitutes unnecessary delay between arrest and arraignment but was unable to see why it affected validity of the confession.

Others say that in addition to invalidating confessions, the decision prohibits arrests on suspicion; and any questioning at headquarters which lends itself to eliciting damaging statements or making a case or establishing better than probable cause, following arrest. Police can abstain from arrest, they say, in hope of getting a confession—taking the risk of an escape. The possibility of confusion in interpretations seems sorrowfully present here, as in too many other decisions.

Imports of Wheat at Substandard Duty Rates

EXTENSION OF REMARKS

OF

HON. ROBERT J. McINTOSH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1958

Mr. McINTOSH. Mr. Speaker, American farmers are being forced to take losses on their production of seed wheat because of an increasing flood of imports into the United States which are entering at duty rates applicable to wheat fit only for animal feeds and purposes other than human consumption.

To prohibit such imports at substandard duty rates, I have introduced H. R. 10205, which is designed to give American farmers a reasonable price for the seed wheat they produce.

The record regarding seed wheat imports shows clearly that foreign seed wheat producers are driving American growers out of their own domestic market. By taking unfair advantage of the existing law and regulations and distorting the clear meaning and intent, imported seed wheat enters the American market at a price which makes it difficult, if not impossible, for American farmers to realize their costs of production.

Under laws, Executive orders, and regulations regarding wheat imports in effect in the early 1940's, import duty schedules call for the payment of a reasonable duty of 21 cents per bushel of wheat of standard commercial quality. Since seed wheat is a quality of grain at least equal to or, most often, superior to the standard commercial grades, it was scheduled for classification with the great volume of wheat imports at the 21 cents per bushel import duty rate. This was done even though seed wheat always commands a premium price at the market.

In addition to the standard duty rate of 21 cents per bushel, there was a special classification for substandard quality grains which were unfit for human consumption and which could be used only for animal feeds or for nonfood commercial purposes. The duty rate specified for this low-quality grade is 5 percent ad valorem.

For many years, wheat imports have been classified in these two categories on the basis of the quality of grain. In years past, American seed-wheat producers have supplied almost entirely the high quality grains needed for domestic seed purposes. The annual imports were only a fraction of the seed-wheat requirements of the United States. American seed-wheat growers were able to realize a sufficient premium price for their seed wheat, as compared with other grades, to cover the extra costs of production of this premium quality grain. Imports competed in the free market with American production.

Beginning in fiscal year 1954, foreign importers began to color their seed gram or treat it with chemicals in such a way as not to impair the premium quality for seed-wheat purposes and insisted on the classification of such grain as being unfit for human consumption because of its color or chemical treatment. By this method of classification, seed-wheat exporters were able to send into the United States increasing volumes of seed-wheat qualifying for the 5 percent ad valorem duty and escape the 21 cents per bushel tariff rate.

The important advantage of using this classification is clearly evident from the import figures, showing the rapid jump in volume of such wheat imports. From 1953, seed wheat imports jumped from 6,297,000 pounds to 13,456,000 pounds in 1954. During 1955, imports nearly trebled to 38,105,000 pounds. In 1956, imports more than trebled again to 135,383,000 pounds. Imports dropped slightly in volume in 1957. But for the first 5 months of the 1958 fiscal year, imports were nearly trebled again over the figures for the corresponding months for the previous year.

The clear language of the laws and regulations and the long practice and custom in connection with the grading and classification of wheat indicates beyond question that seed wheat could never be classified as being of a quality unfit for human consumption. The artificial color or chemical treatment making it unfit for human consumption, is merely a way of escaping the provisions of law. This practice is a method of getting past the customs collector and avoiding the payment of legitimate duty charges. Any pretense that the Federal Government intended any special concessions on seed wheat so that it could be imported at reduced duty rates is without any foundation. Anyone familiar with import practices and customs regulations recognizes this fact.

From time to time, the executive branches of the Government and the Congress find it necessary to amend laws and regulations to accomplish the intended purposes. If tax laws or other Federal statutes are being avoided or evaded by our own citizens, the Congress and the executive agencies usually move rapidly to close any loopholes. Such action is needed in this case. Allowing the practice to continue loses customs revenues to the United States and forces unfavorable prices upon our own wheat producers.

American seed-wheat producers have substantial additional production costs over and above the cost for the production of commercial quality wheat. These costs may vary from State to State depending upon the requirements of growing seed wheat, but in general, these additional costs run up to around 50 cents per bushel. The farmer must meet certain requirements as to previous land usage before he may plant his crop. He must purchase certified seed on which he pays a premium price. During the growth of the crop he must pay fees for inspection of the wheat stand. The harvest and handling must be given special care. The seed grain must be tested and certified before he may properly sell it on the American market as seed grain.

The device of classifying seed wheat as substandard in order to qualify for the minimum duty rates, combined with low production costs have hit the American seed-wheat grower very hard. Numerous farmers in the Seventh District of Michigan have, in the past, grown seed wheat successfully and enjoyed a reasonably good market for their production. Tuscola and Huron County farmers were the heaviest producers. In recent years, some farmers have been forced to discontinue such production while others have found it to be a marginal crop. They want and should be given, in all fairness, an opportunity to realize a reasonable price. As long as existing customs classifications are permitted as a result of the torturing of the language applying to the wheat imports, such an opportunity is not possible.

The effect of H. R. 10205 will be that all seed wheat imports will again be classified for entry under the 21 cents per bushel duty payment, according to the practice for many years past. Such action will not be unfair to our good neighbor to the north, but will restore the good relationship which existed for many years and which was the clear understanding and intent of both nations.

The Department of Agriculture is alerted to this problem and believes that the issue should be resolved on a proper basis. I trust that favorable recommendations on my bill may be made by the executive branch of the House Committee on Agriculture.

To fail to deal forthrightly with this distortion of our import regulations can result only in further disregard of the laws and regulations of this Nation. I am sure that wheat farmers, generally, throughout the Nation will join in asking favorable consideration of such legislation by the Congress.

Antitrust Subcommittee Meets Foreign Mission

EXTENSION OF REMARKS

OF

HON. KENNETH B. KEATING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1958

Mr. KEATING. Mr. Speaker, today the Antitrust Subcommittee of the House Judiciary Committee was host to a group of European and Japanese officials touring this country under the auspices of the International Cooperation Administration.

This group is studying antitrust legislation in the United States and the competitive economy it generates. It is expected that upon completion of their mission, the group will recommend government policies and new legislation on restrictive business practices in their own countries.

I know I speak for all of the members of the Antitrust Subcommittee in saying that it was a real pleasure to exchange ideas with these officials. Projects of this kind will provide them with a much fuller understanding of the United States experience in this area and the extent to which it is relevant to conditions in their own countries.

Mr. Speaker, under unanimous consent, I include in the RECORD the remarks which Chairman CELLER and myself made to this group:

REMARKS OF CHAIRMAN CELLER

As chairman of the House of Representatives' Committee on the Judiciary and of its Antitrust Subcommittee, I am pleased to welcome the distinguished representatives of this mission sponsored by the European Productivity Agency of the Organization for European Economic Cooperation. I am sure that my colleague, Mr. KEATING, ranking minority member of the Judiciary Committee and of the Antitrust Subcommittee, joins me in my welcome to you. We are also pleased to have with us representatives of the Japanese Restrictive Business Practices Study Team who are visiting the United States in a sponsored program of the International Cooperation Administration.

Since both of these missions include Government officials directly responsible for important programs that are designed to curtail restrictive business practices in their respective countries, I am sure that our discussions will be mutually beneficial.

This morning Mr. KEATING and I propose to discuss with you policies that underlie decisions to establish the so-called regulated industries. That is, the industries which, for a number of reasons, have been withdrawn from the free play of competitive forces and subjected, in varying degrees, to direct supervision by Government officials. Our discussion will include some of the antitrust problems that arise in these industries and in other areas of the economy where exemptions from our basic antitrust legislation have been granted.

Traditionally, the economic policy of the United States has been directed to the promotion and preservation of competition in free markets. To this end Congress repeatedly has declared its reliance on a private competitive economic system as the primary method by which essential energies are released for increased industrial productivity and for technological development. In addition to the economic benefits afforded by competition, we in the United States have come to recognize that our political freedoms under a representative of Government require the solid foundation of a free economy. We believe that for a democracy to be strong, adaptable, and progressive, it must be secure in its economic liberties.

These conclusions are bipartisan. Both of our major political parties for many years have proclaimed the necessity to assure economic opportunity and to limit aggregation of economic power which is incompatible with the maintenance of competitive industrial conditions.

Despite this universal agreement as to the values to be derived from a competitively organized economy, in a number of our important industries we have found it necessary to restrict the role of private competitive enterprise and to substitute controls exercised by Government officials. Where this has occurred, it should be noted that concurrently with the withdrawal of an industry or a segment of an industry from the free play of competitive forces, Government officials have been given responsibility for business direction. In no instance has a commercial activity been relieved from the necessity to comply with the provisions of our general business law, the antitrust laws, unless at the same time supervisory powers were lodged in Government officials in order for them to accomplish the results that otherwise competition would be relied upon to provide.

There are several reasons that underlie the decision to remove a particular business activity from the forces of competition. First, there are some fields of economic endeavor—the so-called natural monopoly situations—where competition either will not work, or at best will work only in a wasteful manner. If you have one waterfall, for example you generally can have but one hydroelectric plant. Since it is impossible to have competitive hydroelectric plants at that location some other device must be created to assure that prices are reasonable and services adequate. Other examples of natural monopolies of this nature are found in the public utilities for distribution of water, gas, and electricity to the residences in a particular community.

Closely related are those industries where regulation came in response to abuses of economic power by private operators in businesses that have the characteristics of natural monopolies. As early as 1887, Congress established regulation over the railroad industry as a result of investigations which demonstrated widespread abuses of private economic power. In some railroad operations, competition, in the sense of numerous rival offers of the same service, was recognized as wasteful, duplicatory, and that physical factors sharply limited the number of possible operators.

In other instances, Congress has imposed positive Government supervision at the request of industry in order to meet problems that developed during periods of economic crisis and to assist in the development of new and weak industries. It was found, for example, in the depression of the 1930's that the problems of railroads were aggravated by competition from motor carriers. Consequently, the demand for motor carrier regulation came not from shippers as in the case of the railroads, but from representatives of the railroads themselves, who urged that the virtually unregulated motor carriers jeopardized their financial stability. Similarly, in the case of the newly developing field of commercial aviation, representatives of the airlines and officers of their trade association, took a preeminent role in advocating the institution of Government controls over the infant industry.

Since our regulatory legislation in general has developed to prevent unfair and discriminatory practices in natural monopoly situations, or has developed during periods when the competitive system was experiencing an economic crisis, it is not surprising that the role of competition within the regulatory framework has been subordinated. The basic techniques of regulatory bodies are anticompetitive in nature. Once regulation has been imposed upon a given sector of the economy, it is customary that (1) freedom of entry is severely restricted; (2) expansion is restrained; (3) merger and consolidations are encouraged; and (4) agreements anticompetitive in nature may be approved by Government officials.

It is customary, for example, to require that a certificate or a license be obtained from the regulatory body before commencing operations in an industry that is subject to regulation. Once a company has gained entrance to a regulated industry, the statutes generally require that any extension of facilities or enlargement of operations must be approved by the regulatory body prior to their going into effect.

Usually, the regulatory statutes also establish procedures that enable companies in the industry to enter into agreements which otherwise would be prohibited by the antitrust laws. Although price fixing clearly is illegal per se under the antitrust laws, for example, ratemaking agreements among railroads and among motor carriers may be approved by the Interstate Commerce Commission. Similar agreements among water carriers may be approved by the Maritime Commission. The Civil Aeronautics Board has specific authority to approve price-fixing agreements, pooling arrangements, and agreements for divisions of earnings and traffic service. The Board's general powers include authority to approve agreements among air carriers "for controlling, regulating, preventing, or otherwise eliminating destructive, oppressive, or wasteful competition" and to approve "other cooperative working arrangements."

In addition to the subordination of the role of competition in regulated industries by the exercise of direct supervision by Government officials, the regulatory statutes also provide methods by which exemptions may be made from the requirements of the antitrust laws. The Interstate Commerce Act, for example, provides that "* * * any carriers * * * participating in a transaction approved or authorized * * * are relieved from the operation of the antitrust laws." Similarly, the Shipping Act states that "* * * every agreement * * * lawful under this section shall be excepted from the provisions * * *" of the antitrust laws. The Civil Aeronautics Act provides that "any person affected by any order * * * shall be * * * relieved from the operations of the antitrust laws * * * insofar as may be necessary to enable such person to do anything authorized, approved, or required."

Although the role of competition has been subordinated in regulated industries and exemptions from the antitrust laws are authorized to be granted in enacting this body of regulatory legislation Congress has not departed from the general national policy in favor of a competitive economy. On the contrary, Congress, in the regulatory statutes, has required the administrative bodies to exercise their authority so as to accommodate their particular regulatory responsibilities with the national policy favoring competition.

An example of this concern for competition in the regulated field is found in the Civil Aeronautics Act of 1938. In section 2 (d) of that act, Congress provided specifically that competition, to the extent necessary to assure the sound development of a national air transportation system, is in the public interest and in accordance with public convenience and necessity. The act itself contains an express declaration of Congressional intent that competition is to go hand in hand with administrative regulation.

In regulating the radio and television industries, Congress made no provision for exemptions from the antitrust laws, and affirmatively required the Federal Communications Commission to develop a competitive system of broadcasting within the framework of the antitrust laws. In addition to making antitrust legislation fully applicable to the radio and television broadcasting industries, the act also provides that, as an additional form of relief, a court may direct the revocation of station licenses held by a party found guilty of antitrust violations. Further, the Communications Act directs the Commission to refuse further station licenses to any person whose license has been so revoked.

From this general background, it is apparent that competitive problems of two types arise in regulated industries: First, there is always present the question of the appropriate weight to be afforded to competitive considerations when administrative determinations are made. Under the statutes the various commissions and boards have been given considerable latitude as to the determination of the public interest in any particular factual situation. In a case where all other factors neutralize one another, a regulatory body should resolve an issue in favor of competition rather than monopoly, in order that the standard of public interest gives effect to antitrust policy.

Second, in regulated industries, there are certain industry activities for which the statute has granted no antitrust exemption. For these activities, difficult jurisdictional questions may arise as to initial enforcement responsibility. In certain cases, it is appropriate for the administrative body to proceed and to take action under the regulatory statute. In other cases, antitrust enforcement officials may proceed directly against industry behavior which has not been subjected to affirmative supervision by the regulatory body and has not been specifically exempted from the antitrust laws.

During the 84th Congress, the Antitrust Subcommittee conducted extensive investigations into monopoly problems in regulated industries, particularly the television industry and the airlines industry. The subcommittee's reports on these investigations are available for those of you who want copies. These reports contain detailed information, with respect to the competitive problems that are present in these two industries, which you may find helpful in your studies.

You will note that the committee in each of these reports was critical of many activities in the television and airlines industries. I should point out, however, that in both of these industries, although the committee found much to criticize, the system of regulation apparently has been successful.

Both industries are strong and flourishing. Under the system of regulation that has been established, our commercial air transport has experienced a phenomenal growth and technological development. The industry, for example, had increased from 345 airplanes in service in 1938 (when it was first subjected to regulation), to 1,454 airplanes in 1955, the date of our investigation. This was a gain of 321 percent. Similarly, in 1938 the entire industry flew a total of but 533 million passenger miles whereas in 1955 the industry accounted for a total of 21.9 billion passenger miles. This amounted to an increase of more than 4,000 percent.

The television industry in the United States also has demonstrated great vitality under the system of regulation that has been established. In the short space of 10 years television has become a profound social force in the United States. Now 90 percent of the Nation's population has access to television broadcasting and there are more than 39 million television sets in American homes, representing an investment that exceeds $15 billion.

In its investigations, the Antitrust Subcommittee selected the airlines industry because in many respects airline regulation exemplifies administrative control of industrial enterprise as it exists in this country. Control of prices, regulation of entry, supervision of consolidations, administrative inspection of records—all of these supervisory powers exist over the entire field of commercial air transport. Since such authority generally is conferred where there is a public utility or a quasi-public utility type of industry to be subjected to regulation, application of these principles to the new and emerging air transport industry presented an excellent case study.

In its investigation of the airlines industry, the subcommittee studied in great detail the Board's activities with respect to airline rates and fares. This phase of the committee's investigation related directly to the policy issue of whether the public interest is better served by a system of regulated competition under an independent agency rather than by competition within the confines of the antitrust laws. In its report the subcommittee found that one of the most significant failures of the Civil Aeronautics Board to justify the presumption for its creation had been in the realm of passenger fares.

Although rate regulation is one of the primary reasons for Government supervision of the industry, the Civil Aeronautics Board in its entire existence had never been able to conclude a formal investigation of passenger fares. Since the Board had never concluded an investigation of the general level of passenger fares, the subcommittee found that it had not developed the standards that are essential to enable the Board to determine whether the fares and charges in use by the airlines were unjust or unreasonable, discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful. Absent the formulation of standards, which could only be determined by an overall investigation into the structure and characteristics of the airline passenger fares, the Civil Aeronautics Board was not in a position to answer any of those questions. This failure was particularly significant in view of the fact that more than 80 percent of all the revenues received by our domestic trunkline carriers had been derived from the transportation passengers.

The subcommittee's experience with the Board with respect to rates and fares illustrates the type of problem that must be carefully watched by a legislature when it delegates responsibility for an industry to a regulatory body. Without the adjustments that are automatically determined in competitive markets, extreme vigilance must be maintained to assure that the regulatory body in fact accomplishes what otherwise competition would provide.

Another type of antitrust problem encountered in our investigation of the airline industry concerns the activities of the trade association. Here the committee found that the trade association, the Air Transport Association of America (ATA), had been used by its members to unite the industry in joint programs that appeared questionable under the antitrust laws. Many of the trade association's activities involved agreements among the carriers to participate in concerted efforts that were designed to exclude either a particular competitor or a group of competitors from access to the industry.

The trade association also was used by its members to conduct extensive publicity campaigns that were designed either to influence the Board's decision in pending cases or to destroy public confidence in the operations of competitors to the members of the association. Even though these activities occur in a regulated industry, they could be elements of a conspiracy to restrain competition that would violate the Sherman Act.

Activities of this nature in the motor carrier field, for example, recently have been held by a United States court to constitute violation of the antitrust laws. In that case, *Pennsylvania Truckers Association* v. *American Association of Railroads*, the trade association and other elements of the railroad industry had used similar techniques to discredit motor carriers in the public eye and to obstruct decisions favorable to motor carriers in State legislative and administrative bodies.

It was ascertained in our investigation that many of the trade association's activities involved agreements and joint actions that affected air transportation which never had been submitted to the Board for its approval and accordingly had not received exemption from the antitrust laws. As a result, the subcommittee concluded that a substantial number of the trade association's activities for its members presented serious antitrust problems. The subcommittee recommended that the Department of Justice take further action as appropriate.

This phase of our investigation demonstrates that although extensive authority is given to a regulatory body, vigilance is required in regulated industries both by the legislature and by antitrust enforcement officials to insure that industry conduct accords with the provisions of the antitrust legislation.

REMARKS OF REPRESENTATIVE KEATING

First of all, I want to join in welcoming all of you here.

This kind of visit, I believe, can do much to promote mutual understanding and solution of the problems of the free world. We are glad to attempt to assist you in your effort to understand the American system, and I know that people such as you have done much to increase American understanding of European and Japanese problems and policies.

The subject of your present missions, restrictive business practices, is one upon which you will find a large degree of unanimity among the American people. It is almost an American article of faith that the aims of political and economic democracy can be best achieved by fostering a competitive order. And restrictive business practices inimical to competition are viewed as a threat to our political as well as our economic well-being.

The Sherman Act, the Clayton Act, and the Federal Trade Commission Act reflect the desire of Congress to maintain and perpetuate a system of private competition. These acts set forth in unmistakable terms the principle that in a free market, enterprise, and initiative shall have opportunity to compete without fear of restraint by combination and without fear of reprisal by monopoly methods. From this standpoint, the Sherman Act is both a Magna Carta for business and a guaranty to the public that the competitive system will not be circumvented by the devices of collusion or concentration of control.

The policy of the Sherman Act had wide bipartisan support in its inception, and with the exception of some attempts in the 1930's to adopt industry codes of competition such as the NRA, has had bipartisan support in its implementation.

The act itself was a direct outgrowth of the abuses of certain large business trusts during the 1800's. The public's alarm at the growing concentration of economic power in that period led both the Republican and Democratic Parties to affirm their faith in a competitive economy and their determination to safeguard it. The Republicans in their 1888 platform declared their opposition to all combinations of capital, organized in trusts or otherwise, to control arbitrarily the condition of trade and recommended such legislation as will prevent the execution of all schemes to oppress the people by undue charges on their supplies, or by unjust rates for the transportation of their products to market. The Democrats also spoke out during this period. Their platform declared that the interests of the people are betrayed when * * * trusts and combinations are permitted to exist, for they rob the body of our citizens by depriving them of the benefits of natural competition.

The bill which evolved out of these platforms (S. 1, 51st Cong., 1st sess., 1899) was originally introduced by Senator Sherman, of Ohio, and was passed with only 1 dissenting vote in the Senate and no dissenting votes in the House.

The antitrust laws should not be conceived of as antibusiness laws or even anti-big-business laws. At the same time, it must be recognized that there is an instinctive hostility among the American people to large concentrations of economic power. This feeling makes the people suspicious of large corporate mergers, acquisitions, and similar combinations of industry. I think that the ideal economic system to most Americans, practicalities aside, is that symbolized by the independent small-business man.

Despite these feelings, the antitrust laws were not designed and have not been applied against bigness as such. In the Steel case, for example, it was held by the Supreme Court that the United States Steel Co. was not an unlawful monopoly even though at the time it was manufacturing 45 percent of the domestic pig iron, 66 percent of the steel ingots and castings, 66 percent of the steel rails, 60 percent of the steel plates and sheets, and about 72 percent of the wire rods produced in the United States. The Court said that these facts alone did not establish a violation because the law did not make mere size an offense.

Senator Sherman, the author of the bill which became the Sherman Act, expressed like sentiments when he said:

"The bill does not seek to cripple combinations of capital and labor, the formation of partnerships and corporations, but only to prevent and control combinations made with a view to prevent competition, or for the restraint of trade, or to increase the profits of the producer at the cost of the consumer. * * * If their business is lawful, they can combine in any way and enjoy the advantage of their united skill and capital, provided they do not combine to prevent competition."

Bigness is not equated with badness. Large corporate enterprises are essential for the development of such devices as missiles and rockets, for the furnishing of such utilities as electricity, and for the manufacture of such consumer products as automobiles. While it is true that concentrations of economic power are carefully watched, the antitrust laws are more concerned with the abuses of economic power than with the extent of economic power. The question under the law always is whether the acquisition of economic power is made with an intent to monopolize and restrain competition or whether it is a natural response to the economic demands of society.

I would like to comment briefly on two additional exemptions from the antitrust laws relating to labor and agriculture.

Labor's status under the Sherman Act was unclear until the Supreme Court decision in *Loewe* v. *Lawlor*, the *Danbury Hatters* case. That case involved a nationwide boycott organized by the Hatters Union against the

hats of a nonunion manufacturer. The Sherman Act was held to apply and the Hat Co. was able to recover treble damages from the members of the Danbury local of the union.

As a result of this decision and the growing use of court injunctions to interfere with union activities, organized labor turned to Congress for relief from what it regarded as judicial oppression.

Congress first responded in 1914 by enacting section 6 of the Clayton Act. This section stated that "nothing contained in the antitrust laws shall be construed to forbid the existence and operation of labor * * * organiaztions * * * or to forbid or restrain individual members of such organizations from lawfully carrying out the legitimate objects thereof * * *."

Labor leaders hailed this section thinking that it exempted them completely from the antitrust laws. However, the Supreme Court in a series of decisions made it clear that the Clayton Act did not give labor the relief it expected. In the Duplex Printing Press case, for example, the Supreme Court held that the antitrust laws still prohibited secondary boycotts by labor unions. In the Coronado Coal case, the Court held that the antitrust laws applied to an attempt by a coalworkers' union to prevent the shipment of nonunion coal to other States where it would compete with union-mined coal.

As a result of these cases, Congress in 1932 enacted the Norris-La Guardia Act which specifically barred court injunction of enumerated union organizational and economic activities. In the case of *United States* v. *Hutcheson,* which involved a strike by one union against an employer who had assigned work to a competing union's members (a jurisdictional strike) the Supreme Court held finally that such labor activities were exempt from the antitrust laws. While there are still some disputed questions as to the scope of this exemption where labor and management jointly accomplish some direct market restraint, the general exemption of labor from the antitrust laws is not well settled.

The exemption of agricultural cooperatives is contained in several statutes. The so-called Capper-Volstead Act provides that agricultural producers may "act together in associations, corporate or otherwise, with or without capital stock" for the purpose of "collectively processing, * * * handling, and marketing [their] products." Under the Cooperative Marketing Act of 1926, agricultural producers and their associations may acquire and exchange "past, present, and prospective" pricing, production and marketing data. And the Robinson-Patman Act provides that limitations on price discriminations shall not prevent "a cooperative association from returning to its members * * * net earnings on surplus * * * in proportion to their purchases or sales from, to, or through the association."

These exemptions from the antitrust laws demonstrate two facts about legislation in this field. The first is that economic theory and public policy do not always coincide; the second is that the antitrust laws while vital are not the sole means of preserving our democratic society.

From the point of view of economic purists, such considerations are irrelevant. They argue that the public interest is jeopardized no less by monopoly power in the hands of organized labor or restrictive practices by small farmers than it is by such powers and practices on the part of business. In their view, the interference with the workings of a free competitive economy is the same.

But legislation is never framed within such narrow and coldly logical limits. As Congressmen we frankly are concerned with more than just economic theory. We are also concerned with the social value, the popular sentiment, and similar factors, in determining the wisdom and utility of any particular enactment.

This is well illustrated by the agricultural and labor exemptions. In the case of agriculture, the exemption is based on a desire to preserve the family farm as the primary unit of agricultural production. We know that without the right to join together small farmers would be at the mercy of the large purchasers and processors with whom they must deal. The cooperative movement, whatever its antitrust implications to the theorist, is a matter of survival to the farmer. And because Congress wants the small farm to survive as a part of the American way of life, it sanctions this departure from the antitrust laws.

The situation with respect to labor is more complex but is based on similar assumptions. The attitude here is not so much that organized labor should be outside the antitrust laws as it is that labor-management relations should be considered in tailormade legislation. And in framing such legislation Congress has given greater weight to the value of collective bargaining in preventing labor disputes than it has to the harm to unfettered competition which may result from concerted employee activities.

Apart from these direct exemptions, other policies of the Government obviously have an important bearing on the competitive system. The monetary and fiscal policies of the Government are an example. Violent changes in the general price level and in the level of national income such as occur in periods of inflation or depression are incompatible with the orderly functioning of a competitive economy. The success of the Government in checking these ruinous phenomena, therefore, directly affects the vitality of private enterprise.

The Government's trade policy is another example. Competition thrives in an environment characterized by widening markets, advancing technology, and increasing investment. An economy whose growth is retarded by various trade barriers generally is inhospitable to competition. Sales and investments abroad and a reciprocal flow of imports give strength to the competitive forces of the whole world.

These and similar indirect influences on the economic order do not deal directly with restrictive business practices. They really are measures to promote a political and economic climate in which competition is fostered. In a sense, they are the preventive medicine for warding off economic ills.

The antitrust laws are always in readiness, however, to strike down maladies threatening free competition. I hope that you will take back to your countries our faith in the general utility of and necessity for these statutes.

SENATE

THURSDAY, FEBRUARY 6, 1958

Rev. Robert W. Olewiler, minister, Grace Reformed Church, Washington, D. C., offered the following prayer:

Most gracious God, in whom we live and move and have our being, we thank Thee for life and love, for the mystery and majesty of existence, and for the miracle of our conscious life by which we behold the wonders of the universe.

We confess that we are not worthy of all Thy goodness to us, and ask Thy mercy, so that we may prove our repentance by lives dedicated more fully to Thee and to the common good.

We beseech Thee, our Father, to bestow Thy spirit upon all the nations of the earth. We pray Thee especially to bless our land, its people, and all who are in authority. May Thy presence always abide with the Members of this, our Senate of the United States. Grant that they may serve to the end that mercy and truth, righteousness and peace will everywhere prevail; and may all that we are and all that we do reflect Thy holy will, now and forever. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, February 5, 1958, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

FINAL REPORT OF ADVISORY COMMITTEE ON WEATHER CONTROL—MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Interstate and Foreign Commerce:

To the Congress of the United States:

Pursuant to the provisions of section 10 of the act of August 13, 1953 (Public Law 256, 83d Cong.), as amended, I hereby transmit the Final Report of the Advisory Committee on Weather Control.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *February 6, 1958.*

REPORT OF ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 326)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was referred to the Committee on Public Works:

To the Congress of the United States:

Pursuant to the provisions of section 10 of Public Law 358, 83d Congress, I transmit herewith for the information of the Congress the report of the St. Lawrence Seaway Development Corporation, covering its activities for the year ended December 31, 1957.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *February 6, 1958.*

(NOTE.—Actual report transmitted to the House of Representatives.)