whom pensions or improved retirement benefits will have to be provided, scheduling of production, an entirely new philosophy of sales—all these are your constant companions. Above all we must be sure that automation is here to serve and not to rule us. As one shop steward said: "Automation can be a wonderful thing indeed. But we must not lose sight of the fact that the unautomated divinely created human model T will still most likely be around for some time and that his inner and outer needs cannot long be ignored with impunity." That is, I submit, the essence of the challenge of automation.

SENATE

WEDNESDAY, APRIL 2, 1958

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

Our Father, God, in this holy week of the Passion, by a crude cross lifted up on the earth, that blossomed into victory, help us to realize anew, from that invincible symbol, that Thy purposes are beyond defeat. In the light of that cross, may we see that Thy purposes of redemption are as wide as mankind. Forbid that in cushioned ease we should greedily grasp a full chalice of plenty while multitudes of our fellows, sharing this planet with us, hold in their enfeebled hands a cup of anguish. Suffer us not complacently to satisfy the pangs of our hunger oblivious to uncounted millions whose prayers for daily bread Thou canst answer only through our response. May we gladly accept even the Calvary of sacrifice, that through our self-denial salvation may come to those whose very life is our trust. We ask it in the name of the One who despised the shame and endured the cross. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, April 1, 1958, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

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 April 1, 1958, the President had approved and signed the act (S. 3418) to stimulate residential construction.

EXPLORATION OF OUTER SPACE—MESSAGE FROM THE PRESIDENT (H. DOC NO. 365)

The VICE PRESIDENT. The Chair lays before the Senate a message from the President of the United States. The message having been read in the House of Representatives, the reading of the message will be dispensed with, and the message will be referred to the Special Committee on Space and Astronautics.

(For President's message, see House proceedings of today's RECORD.)

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 and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 1313. An act for the relief of Berta Reitberger;

H. R. 2076. An act for the relief of M. E. Boales;

H. R. 2093. An act for the relief of Alfonso Giangrande;

H. R. 2635. An act for the relief of William Winter and Mrs. Regina Winter;

H. R. 2966. An act for the relief of Harry F. Lindall;

H. R. 5976. An act for the relief of Chester Tomasi;

H. R. 6932. An act for the relief of the estate of W. C. Yarbrough;

H. R. 6963. An act for the relief of Mrs. Elba Haverstick Cash;

H. R. 7733. An act for the relief of Arnie M. Sanders;

H. R. 7746. An act for the relief of Elmer L. Conrad and others;

H. R. 7917. An act for the relief of Ernst Haeusserman;

H. R. 8039. An act for the relief of Edward L. Munroe;

H. R. 8839. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of Lt. Col. Edward G. Breen for disability retirement as a Reserve officer or Army of the United States officer under the provisions of the act of April 3, 1939, as amended;

H. R. 9397. An act for the relief of William T. Manning Co., Inc., of Fall River, Mass.;

H. R. 9775. An act for the relief of William J. McGarry;

H. R. 9885. An act for the relief of Frank A. Gyescek;

H. R. 10260. An act for the relief of Natale H. Bellocchi and Oscar R. Edmondson;

H. R. 11203. An act for the relief of the State House, Inc.;

H. R. 11767. An act making appropriations for the Department of Agriculture and Farm Credit Administration for the fiscal year ending June 30, 1959, and for other purposes;

H. J. Res. 551. Joint resolution for the relief of certain aliens; and

H. J. Res. 577. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

ENROLLED BILLS SIGNED

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

S. 1562. An act for the relief of Winifred C. Lydick;

S. 1877. An act for the relief of Louis G. Whitcomb; and

S. 2132. An act for the relief of Leonard C. Fink.

HOUSE BILLS AND JOINT RESOLUTIONS REFERRED

The following bills and joint resolutions were severally read twice by their titles and referred as indicated:

H. R. 1313. An act for the relief of Berta Reitberger;

H. R. 2076. An act for the relief of M. E. Boales;

H. R. 2093. An act for the relief of Alfonso Giangrande;

H. R. 2635. An act for the relief of William Winter and Mrs. Regina Winter;

H. R. 2966. An act for the relief of Harry F. Lindall;

H. R. 5976. An act for the relief of Chester Tomasi;

H. R. 6932. An act for the relief of the estate of W. C. Yarbrough;

H. R. 6963. An act for the relief of Mrs. Elba Haverstick Cash;

H. R. 7733. An act for the relief of Arnie M. Sanders;

H. R. 7746. An act for the relief of Elmer L. Conrad and others;

H. R. 7917. An act for the relief of Ernst Haeusserman;

H. R. 8039. An act for the relief of Edward L. Munroe;

H. R. 8839. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of Lt. Col. Edward G. Breen for disability retirement as a Reserve officer or Army of the United States officer under the provisions of the act of April 3, 1939, as amended;

H. R. 9397. An act for the relief of William T. Manning Co., Inc., of Fall River, Mass.;

H. R. 9775. An act for the relief of William J. McGarry;

H. R. 9885. An act for the relief of Frank A. Gyescek;

H. R. 10260. An act for the relief of Natale H. Bellocchi and Oscar R. Edmondson;

H. R. 11203. An act for the relief of the State House, Inc.;

H. J. Res. 551. Joint resolution for the relief of certain aliens; and

H. J. Res. 577. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens; to the Committee on the Judiciary.

H. R. 11767. An act making appropriations for the Department of Agriculture and Farm Credit Administration for the fiscal year ending June 30, 1959, and for other purposes; to the Committee on Appropriations.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. MANSFIELD. Mr. President, under the rule, there will be the usual morning hour, for the introduction of bills and the transaction of other routine business. In that connection, I ask unanimous consent that statements be limited to 3 minutes.

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

EXECUTIVE COMMUNICATIONS, ETC.

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

AMENDMENT OF TITLE 10, UNITED STATES CODE, RELATING TO PROMOTION AND RETIREMENT OF CERTAIN OFFICERS OF THE ARMED FORCES

A letter from the Secretary of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, to revise certain provisions relating to the promotion and involuntary retirement of officers of the regular components of the Armed Forces (with accompanying papers); to the Committee on Armed Services.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

REPORT PRIOR TO RESTORATION OF BALANCES, BUREAU OF CUSTOMS

A letter from the Acting Secretary of the Treasury, transmitting, pursuant to law, a report of the Bureau of Customs covering restoration of balances withdrawn from appropriation and fund accounts under the control of the Treasury Department, as of February 28, 1958 (with an accompanying report); to the Committee on Government Operations.

REPORT ON REVIEW OF CONTRACT WITH POMEROY-HAWAIIAN DREDGING-BECHTEL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of contract NOy-79345, Pomeroy-Hawaiian Dredging-Bechtel, Subic Bay Naval Base, Philippine Islands, dated March 1958 (with an accompanying report); to the Committee on Government Operations.

PETITIONS AND MEMORIALS

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

By the VICE PRESIDENT:

A joint resolution of the Legislature of the State of California; to the Committee on Public Works:

"Senate Joint Resolution 14

"Joint resolution relative to flood-control works on the Sacramento River from Chico Landing to Red Bluff

"Whereas the storms in February of this year and the flood flows resulting therefrom (which flows were about equal to historical maximum flows and resulted in extensive damage to locally built levees, soil erosion works, orchards, State and county highways, and other private and public property) prove conclusively that Shasta Dam cannot provide adequate flood control to protect the areas lying along the Sacramento River below the dam, because of the great quantities of runoff originating below the dam; and

"Whereas the presently authorized levee works for flood control on the Sacramento River and tributaries do not extend upstream above Chico Landing; and

"Whereas there is presently before the House of Representatives for consideration, the current omnibus flood control authorization bill (S. 497), which includes therein authorization of bank revetment work (but no levee construction work) between Chico Landing and Red Bluff; and

"Whereas there is an urgent need for the early construction of the flood control works in this area which are at present authorized but not constructed, which works include the Iron Canyon Dam on the Sacramento River, Black Butte Reservoir on Stony Creek, improvement of levees along the west bank of the Sacramento River from Stony Creek south to the Colusa County line, and the construction of a levee on the east side of the Sacramento River from Chico Landing to connect with the present levee at the south boundary of the Parrott Grant; and

"Whereas a resolution has been suggested to California Senators and Representatives in Congress by certain groups in the northern Sacramento Valley for adoption by the respective Public Works Communities of the House of Representatives and the Senate, substantially as follows:

" '*Resolved by the Public Works Committee of the Senate (or the House of Representatives) of the United States,* That the Board of Engineers for Rivers and Harbors be, and is hereby, requested to review the report on Sacramento River and Tributaries, California, from Collinsville to Shasta Dam, submitted in House Document No. 649, 78th Congress, 2d session, and other pertinent reports, with a view to determining if the plan of improvement for the Sacramento River and Butte Basin should be modified at this time, particularly with respect to the Table Mountain (Iron Canyon) project on the Sacramento River, and possible supplementary storage on streams tributary to the Sacramento River between Shasta Dam and Red Bluff'; and

"Whereas the California Water Commission and the Department of Water Resources, as well as other groups in the northern Sacramento Valley, are supporting this proposed study: Now, therefore, be it

"*Resolved by the Senate and Assembly of the State of California (jointly)*—

"(1) That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to enact the principles as set forth in S. 497 in order that the urgently needed bank revetment work between Chico Landing and Red Bluff authorized therein may be accomplished at the earliest possible time to provide added flood protection to this area of the State of California; and

"(2) That the Legislature further respectfully memorializes the Senators and Representatives from California in the Congress of the United States to secure the early adoption of a Senate or House Public Works Committee resolution requesting a review report on the Sacramento River and tributaries flood-control project, as indicated in this resolution, and including a study of levee requirements in the area above Chico Landing, together with a request that funds be made available immediately to the Corps of Engineers in order that it may proceed at once with such review; and

"(3) That the review report shall include a complete study of the flood control and multiple use possibilities of reservoirs on Cottonwood Creek and other main tributary streams above Iron Canyon as urged by the California Water Commission; and be it further

"*Resolved,* That the secretary of the senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

EXTENSION OF UNEMPLOYMENT COMPENSATION INSURANCE BENEFITS—RESOLUTION

Mr. HUMPHREY. Mr. President, the St. Louis County Legislative Research Committee, Duluth, Minn., recently adopted a resolution urging the Congress of the United States to extend unemployment compensation insurance benefits for an additional period of 16 weeks.

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

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

"RESOLUTION, ST. LOUIS COUNTY LEGISLATIVE RESEARCH COMMITTEE

"Whereas the unemployment compensation insurance benefits received by many of the unemployed during the present recession are about to expire; and

"Whereas the prospects for increased employment in the next few months are not bright; and

"Whereas as these benefits expire the responsibility will be transferred to local communities for welfare benefits and public assistance for the unemployed, causing a great load to be placed upon the taxpayers each local community: Now, therefore, be it

"*Resolved,* That this committee call upon the Congress of the United States to take action to extend unemployment compensation insurance benefits for an additional period of at least 16 weeks, and that the cost of this program be borne by the Federal Government.

"Motion by Representative Willard Munger; seconded by Representative Paul Widstrand.

"Senator ELMER PETERSON,
"*Chairman.*"

The above resolution was unanimously adopted at a meeting of the St. Louis County Legislative Research Committee held on March 14, 1958, at the courthouse, Duluth, Minn.

RALPH J. OLSON,
Consultant to the Committee.

RESOLUTION OF MINNESOTA EDUCATION ASSOCIATION

Mr. THYE. Mr. President, I have received from the Minnesota Education Association a letter which includes the text of a resolution adopted by that association on March 28. I ask unanimous consent that the letter be printed in the RECORD, in order that the appropriate committees may have the information the letter provides.

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

MINNESOTA EDUCATION ASSOCIATION,
St. Paul, Minn., March 31, 1958.

The Honorable EDWARD J. THYE,
House of Representatives,
Washington, D. C.

SIR: At the delegate assembly meeting of the Minnesota Education Association on Saturday, March 29, 1958, at the Lowry Hotel, St. Paul, the following resolution was passed:

"Now at a time when the Nation has demanded a strengthening of American education through every means possible, the Minnesota Education Association is alarmed at the announcement of the administration's proposal to strengthen the economy through an anti-recession program which ignores the emergency need for school construction.

"Therefore, the delegate assembly of the Minnesota Education Association representing some 25,000 teachers, meeting in St. Paul, Minn., March 28, 1958;

"*Resolves,* That we go on record supporting S. 3311 and H. R. 10763, the Murray-Metcalf bill, for school construction and teachers' salaries, believing that these proposals would not only provide Federal funds to strengthen education in the States by assisting schools in the present emergency, but would also be a means of bolstering the national economy; be it further

"*Resolved,* That a copy of this resolution be sent to the President of the United States, the Education Committees in both Houses of Congress, the Minnesota Senators, and the Members of the House of Representatives from Minnesota urging them to support the aforementioned bill."

Very truly yours,

A. L. GALLOP,
Executive Secretary.

TAX EQUITY FOR CERTAIN TEACHERS—LETTER

Mr. THYE. Mr. President, I have received from the Minnesota Education

Association a letter which includes the text of a resolution adopted by that association on March 28. I ask unanimous consent that the resolution be printed in the RECORD.

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

MINNESOTA EDUCATION ASSOCIATION,
St. Paul, Minn., March 31, 1958.

The Honorable EDWARD J. THYE,
House of Representatives,
Washington, D. C.

SIR: At the delegate assembly meeting of the Minnesota Education Association on Saturday, March 29, 1958, at the Lowry Hotel, St. Paul, the following resolution was passed:

"More than ever before, we need quality teachers in our classrooms, teachers who have not stopped learning. Teachers should not be penalized by Federal tax laws for expenses that in other professions are legitimately deductible: Therefore be it

"*Resolved,* That the delegate assembly of the Minnesota Education Association, meeting in St. Paul, March 28, 1958, formally endorse and urge vigorous action on the part of Senate Finance and House Ways and Means Committee members and Minnesota congressional delegation for the passage of H. R. 4662, the King-Jenkins bill, to provide tax equity for teachers who spend their own money to improve their professional competence; be it further

"*Resolved,* That copies of this resolution be sent to members of the Ways and Means Committees of the Senate and House of Representatives and to the Minnesota congressional Members."

Very truly yours,
A. L. GALLOP,
Executive Secretary.

LOWER LEVELS IN AGRICULTURAL COMMODITY PRICE SUPPORTS LETTER

Mr. THYE. Mr. President, I have received from the Atwater Community Club, of Atwater, Minn., a letter which includes a resolution in opposition to the recommendations for still lower price levels for agricultural commodities. I ask unanimous consent that the letter be printed at this point in the RECORD, so the Committee on Agriculture and Forestry may have the information.

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

THE ATWATER COMMUNITY CLUB,
Atwater, Minn., March 28, 1958.

Hon. EDWARD J. THYE,
United States Senate,
Washington, D. C.

DEAR MR. THYE:

"*Be it resolved,* That we, the Atwater Community Club, Atwater, Minn., commend and thank you for your efforts on behalf of farmers in our area in the past; and be it further

"*Resolved,* that you continue your good efforts in opposing the recommendations for still lower farm price levels. The lowering of price supports on dairy products, as recommended by the Secretary of Agriculture, would have the economic effect of a loss of approximately $80,000 per year income to the farmers and business places in the Atwater, Minn., community; be it further

"*Resolved,* That copies of this resolution be sent to United States Senator EDWARD J. THYE, United States Senator HUBERT H. HUMPHREY, Representative H. CARL ANDERSEN, and Representative FRED MARSHALL."

The above resolution was presented at the regular meeting of the Atwater Community Club held on March 25, 1958, upon being put to vote, was unanimously carried. There are 68 members of the Atwater Community Club.

D. M. FLEMING,
Secretary.
M. L. MARTINSON,
President.

EXEMPTION OF STATES AND SUBDIVISIONS FROM THE USE OF FEDERAL DOCUMENTARY STAMPS ON CERTAIN DEEDS OF CONVEYANCE—LETTER

Mr. THYE. Mr. President, I have received from the county auditor of Hennepin County, Minn., a letter which includes a resolution adopted by the board of county commissioners. I ask unanimous consent that the letter be printed in the RECORD.

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

MINNEAPOLIS, MINN., *March 27, 1958.*

The Honorable EDWARD J. THYE,
United States Senate,
Washington, D. C.

DEAR SIR: Enclosed herewith is a copy of the resolution adopted by the board of county Commissioners, Hennepin County, Minn., March 25, 1958, urging passage of Senate Resolution 2362, House Resolution 6849, which exempts States and their political subdivisions from the requirement of affixing Federal documentary stamps on deeds of conveyance to them.

Very truly yours,
ROBERT F. FITZSIMMONS,
County Auditor and Secretary to the County Board.
T. J. THOMPSON, *Deputy.*

Commissioner Matthews offered the following resolution and moved its adoption:

"Whereas the commissioner of highways of the State of Minnesota has advised this board of House Resolution 6849 and Senate Resolution 2362 now pending in the Congress of the United States to exempt States and political subdivisions thereof from the requirement of affixing Federal documentary stamp tax on deeds of conveyance to them; and

"Whereas the Department of Highways of the State of Minnesota through its commissioner has directed letters to all Members of the House and Senate in Congress urging their support of said House and Senate resolutions; and

"Whereas this board believes it to be for the best interest of the State of Minnesota and the county of Hennepin that House Resolution 6849 and Senate Resolution 2362 be passed: Now, therefore, be it

"*Resolved,* That this board urge the adoption of House Resolution 6849 and Senate Resolution 2362 and urge the House and Senate delegation from this State to work for passage of such legislation; be it further

"*Resolved,* That the clerk of this board be directed to send a copy of this resolution to each of the Members of the House and the Senate in the Congress of the United States and to the commissioner of highways of the State of Minnesota."

The question was on the adoption of the resolution, and the roll being called, there were five yeas and no nays.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service, without amendment:

S. 2033. A bill to provide for the Board of Trustees of the Postal Savings System to consist of the Postmaster General and the Secretary of the Treasury (Rept. No. 1434).

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 and Mr. KENNEDY):

S. 3592. A bill to direct the Secretary of Commerce to establish a program of applied research and technical liaison to assist the domestic woolen and worsted fabric manufacturing industry; 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. GORE (for himself and Mr. KEFAUVER):

S. 3593. A bill to amend the Atomic Energy Community Act of 1955 in order to authorize the Atomic Energy Commission to dispose of certain property for college purposes; and

S. 3594. A bill to authorize the Atomic Energy Commission to construct a modern administration and office building at Oak Ridge, Tenn.; to the Joint Committee on Atomic Energy.

By Mr. HOLLAND:

S. 3595. A bill to amend section 406 of the Federal Food, Drug, and Cosmetic Act in order to provide that maximum concentrations for certain color additives used in coloring oranges be prescribed by regulation; to the Committee on Labor and Public Welfare.

By Mr. FLANDERS (for himself, Mr. COOPER, and Mr. MORTON):

S. 3596. A bill to establish a Commission on Country Life, and for other purposes; to the Committee on Agriculture and Forestry.

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

By Mr. BARRETT:

S. 3597. A bill for the relief of Mary C. Williams; to the Committee on the Judiciary.

By Mr. SMATHERS:

S. 3598. A bill for the relief of Reiga Chirinsky Roseman; to the Committee on the Judiciary.

ASSISTANCE TO DOMESTIC WOOLEN AND WORSTED FABRIC MANUFACTURING INDUSTRY

Mr. SALTONSTALL. Mr. President, on behalf of myself, and my colleague, the junior Senator from Massachusetts [Mr. KENNEDY], I introduce, for appropriate reference, a bill to aid the American woolen and worsted fabric industry. The bill has been drafted after considerable study, with the cooperation of several Government agencies, and representatives of the woolen and worsted fabric industry.

Under the provisions of the bill the Business and Defense Services Administration of the Department of Commerce would, first, initiate and support economic, applied scientific and technical

research relating to the manufacture, utilization, and marketing of woolen and worsted fabrics; and, second, collect and foster and facilitate the dissemination and interchange of economic, scientific, and technical information relating to the manufacture, utilization, and marketing of woolen and worsted fabrics to and among all domestic manufacturers thereof.

The bill further provides for a woolen and worsted fabric advisory board to be appointed from the industry by the Secretary of Commerce. The Business and Defense Services Administrator would consult with the Board in implementing the provisions of this bill. An annual budget of $1.5 million is anticipated for the operation of this proposed legislation. The bill is similar in concept to the Saltonstall-Kennedy Fisheries Research Act enacted in 1954, which has been very helpful to the New England fishing industry.

The American woolen and worsted fabric industry has declined more than 50 percent since World War II, measured by machinery devoted to woolen and worsted fabric manufacture, cloth production, or employment. This decline has resulted in considerable part from the competition of imports of fabrics manufacture in Britain, Japan, Italy, and France at wage rates very substantially lower than those paid by American manufacturers.

This bill has been written in an effort to help the industry to help itself. In the face of heavy, low-cost, foreign imports our domestic industry has had to struggle to keep its plants operating and has therefore been unable to engage in programs of applied research. Such programs could lead to production diversification, greater manufacturing flexibility, improved distribution and marketing practices. This research could equip the industry better to compete against the low-cost products of its foreign competitors.

For the past 3 years President Eisenhower has invoked the Geneva reservation with respect to imports of woolen and worsted fabrics. This has been of tremendous benefit to our woolen textile industry but even with these import restrictions the industry has suffered continuing injury from imports.

The composition of the New England segment of the industry whose productive capacity comprises almost one-half of the United States total includes a substantial number of smaller mills which are especially vulnerable to the competition of imported foreign fabrics. In most instances they are not equipped for diversity of production and are therefore especially hurt by volume imports of fabrics in the categories which they produce.

A research program such as that called for under the provisions of this bill would therefore be of substantial benefit to these smaller firms.

The economic health of a considerable segment of New England is directly related to the economic health of the textile industry. There are still approximately 75,000 persons who depend for their livelihood upon the textile industry. Although this is less than one-half the number who were employed by the industry 10 years ago it still represents a huge part of our New England economy. In several communities textile mills are the principal sources of employment and the steady decline in recent years has caused many areas to suffer from severe depressions. Unemployment in these communities has seriously affected other services performed and products manufactured in New England.

I have pointed out, however, that this is by no means a New England problem alone. In time of national emergency there would again be heavy demands placed on our textile industry, since the clothing which it would have to manufacture would be of vital importance. In the face of the continuing decline in the textile industry, the Federal Government must act to render every possible proper assistance not only in the economic interest of this substantial part of our Nation's industry and the many thousands of persons dependent upon the textile industry for their employment, but also for the security of all our people and Nation in case of war.

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

The bill (S. 3592) to direct the Secretary of Commerce to establish a program of applied research and technical liaison to assist the domestic woolen and worsted fabric manufacturing industry, introduced by Mr. SALTONSTALL (for himself and Mr. KENNEDY), was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

PROPOSED COMMISSION ON COUNTRY LIFE

Mr. FLANDERS. Mr. President, on behalf of myself, the senior Senator from Kentucky [Mr. COOPER], and the junior Senator from Kentucky, [Mr. MORTON], I introduce for appropriate reference, a bill to establish a second Presidential Commission on Country Life. I ask unanimous consent that the bill be held at the desk for 24 hours, to enable other Senators to join in sponsoring it.

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 Vermont.

The bill (S. 3596) to establish a Commission on Country Life, and for other purposes, introduced by Mr. FLANDERS (for himself, Mr. COOPER, and Mr. MORTON), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. FLANDERS. Mr. President, I should like to make a brief explanation of the purpose of the bill:

Nineteen hundred and fifty-eight is the 50th anniversary of the appointment by President Theodore Roosevelt, in August 1908 of the first Commission on Country Life, and is the centennial of his birth. The industrial revolution had by that time made a significant impact on the agricultural life of our country. The Commission made broad recommendations for the preservation and improvement of the social, economic, and moral values of rural living.

After half a century of change in country life, the gentleman from Arkansas, Representative HAYS, and the two Senators from Kentucky and myself have joined in a bipartisan proposal for a new study of the development of our rural areas.

Mr. President, the old Commission made many real achievements. The Agricultural Extension Service is indebted to it for much of the stimulus that led to its creation. Improvements based on the Commission's work took place in mailing services, roads, schools, public health, libraries, churches, and other areas of public interest. Other suggestions on ways to meet the needs of farmers were later championed by various farm organizations and cooperatives.

There have been many separate studies of various phases of the agriculture problems of the country. But for 50 years there has been no single, overall pulling together of the various existing studies to tackle the problem as a whole in the way that only a Presidential Commission can do.

The American Country Life Association has done the groundwork for the establishment of a new Commission. There has been widespread interest. Many farm organizations, farm journals, church groups, and others who are interested in rural life have applauded the move. There is a growing awareness of the need for a fresh approach.

The Congressional sponsors of this bill believe that the best way to deal with this problem is to examine the conditions in rural towns and on farms, to see where the technological revolution has wrought changes which require attention. Rural and urban forces are now much more interwoven, and a new country community is being shaped. This is a time of great social and economic adjustment. The primary emphasis must be on creating new conditions of living which preserve what is good of the old way of life and add the best aspects of the great, new technological advances. While full advantage of agricultural science and technology must be taken, country people should not be deprived of the elements of their existence that have meant so much to the moral growth of good citizens.

The bill calls for the creation of a 25-man Commission—15 to be appointed by the President, 5 by the Senate, and 5 by the House. The 15 should be experts in all areas of public life concerned with country living—men from such groups as farm organizations, universities, religious organizations, business interests, and labor unions. The study would last for 2 years, at the end of which time the Commission would be dissolved. The Commission would make broad recommendations concerning the total development of country

life, looking toward the needs of the next 50 years.

Mr. COOPER. Mr. President, 50 years ago this August, President Theodore Roosevelt established a Commission on Country Life. The Commission was composed of truly outstanding men, such as Liberty Hyde Bailey, who became Chairman of the Commission; Uncle Henry Wallace, the grandfather of the recent Secretary of Agriculture; Gifford Pinchot, the father of modern forestry; Kenyon L. Butterfield, president of Massachusetts Agriculture College, and connected with the rural program of the Presbyterian Church; Walter Hines Page, late Ambassador to England; Charles S. Barrett, president of the Farmers' Union; and W. A. Beard.

Although the report of the Commission received little attention at the time, out of it came suggestions which led to our present county agricultural agents, teachers of vocational agriculture, and the Federal Land Banks; and, indeed, the groundwork was laid for soil conservation, reforestation, farm-to-market roads, balanced farming, and other advances.

Modern advances in communication, transportation, agriculture, and industry have brought changes in country life in the last 50 years. But the value to the Nation of rural people is of fully as great importance today. By reviving Theodore Roosevelt's suggestions of 50 years ago, we can again examine the problems of country life, strengthen it, and thus help it remain a strong force in the Nation.

I am glad to join the Senator from Vermont [Mr. FLANDERS] in this proposal to create a second Presidential Commission on Country Life. It is fitting that we should do so on the 50th anniversary of the first such broad commission, and on the centennial of the birth of Theodore Roosevelt—who contributed so greatly to agricultural progress, and who pioneered in soil and water conservation.

The opportunities brought about by the changing conditions of rural living, and the close relationship developed in recent years between urban and country life, can be new forces in the development and progress of this country.

It is good to take a longer view, so as to keep in their proper perspective the values of farm life. Lately we have been required to deal chiefly with the problems of farm production, and farm prices. These are important, but other problems such as health, transportation, and schools, are also parts of the fabric of country life.

I believe my friend, Samuel R. Guard, editor of the farm magazine, Breeder's Gazette, originated this idea. On May 1 of last year he suggested such a Commission to President Eisenhower. He also submitted his idea to the American Country Life Association, which took it up, as well as to the National Grange, and others.

I believe such a Commission could serve a very useful purpose at this time in bringing fresh thoughts and a new approach, not only to the problems of agriculture, but to the place of agriculture and country life in the future of the Nation.

Mr. President, I believe that the proposed Commission would examine all the problems in connection with farm and country life—for instance, as regards health, communications, industries, and social problems. I believe it would be well for us to look at country life and farm life in broad perspective, rather than in the narrow sense in which the Congress has been required to look at it.

Mr. President, I ask unanimous consent to have printed in the RECORD at the close of my remarks an editorial by Samuel R. Guard, editor of the national livestock magazine Breeder's Gazette, and an editorial from the Louisville Courier-Journal.

I have also obtained from the Senate Library, Senate Document No. 705 of the 60th Congress, which is the special message from the President transmitting to the Congress the report of the List Country Life Commission. I ask that the last paragraph of Theodore Roosevelt's remarks at that time also be printed in the RECORD, because I believe that they are equally true today.

The VICE PRESIDENT. Is there objection to the request of the Senator from Kentucky?

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

[From Breeder's Gazette]

COMMISSION ON FAMILY FARMING?

Fifty years ago about now a good old cowboy sat in the White House thinking about life on farm and ranch. Then on April 10, 1908, Theodore Roosevelt finished his letter to Prof. L. H. Bailey, asking if he would be Chairman of his Commission on Country Life. The President wrote: "The farmer must first of all grow good crops in order to support himself and his family. But when this has been secured, the effort for better farming should cease to stand alone, and should be accompanied by the effort for better business and better living on the farm." The Country Life Commission reported on January 23, 1909, aroused the conscience of the Nation. Back to the land. Remember? Congress passed acts establishing county agents, vocational agricultural teachers, the Federal land banks. Conservation of soil and natural resources, reforestation, farm-to-market roads, balanced farming, eventually came. Today watching the efforts to put agriculture on a parity plane, maybe we need another commission—men such as Bailey, Uncle Henry Wallace, Butterfield, Pinchot, Page, Beard, and Charlie Barrett—to take evidence at the grassroots, study the contribution of the family farm to the national welfare, outline agricultural policy for the next 50 years.

[From the Louisville Courier-Journal]

RURAL LIFE IS MORE THAN FARM PROGRAMS

There is news from Lexington of a request that the President appoint a commission on country life. The idea is presented to the Kentucky Council of Churches by Samuel R. Guard, the farm editor and active champion of rural interests, as he becomes the council's president.

The proposal takes note of a truth that sooner or later strikes most thoughtful people who concern themselves with the so-called farm problem. They come to see that this is a problem of living, a problem of status, a problem involving a sense of belonging and a need of hope; in short, a problem of the spirit—it is this as well as a problem which has too long and tiresomely been presented in terms of economics and ravening politics.

We can't help finding a reminder of words by the late Harry Hopkins who, as head of public relief in 1937, said of the rural-relief program: "We thought that we were dealing with the effects of the depression, but when we became familiar with the situation of farm families, we saw that the need of many of them was of long standing. Rural life had been on the decline for many years before the financial crash."

We are not going to dispute the suggestion of a Presidential commission for the job, though we have some misgivings as to its calling for Government action. The Nation has gone a long way in this field since Theodore Roosevelt appointed the first Country Life Commission. We do feel, however, that Mr. Guard has come to it under proper auspices. Rural life and its social enrichment, as distinct from farm programs, is a concern of the church with its power for refreshment of moral values.

[Excerpt from S. Doc. No. 705, 60th Cong., 2d sess.]

I warn my countrymen that the great recent progress made in city life is not a full measure of our civilization; for our civilization rests at bottom on the wholesomeness, the attractiveness, and the completeness, as well as the prosperity, of life in the country. The men and women on the farms stand for what is fundamentally best and most needed in our American life. Upon the development of country life rests ultimately our ability, by methods of farming requiring the highest intelligence, to continue to feed and clothe the hungry nations; to supply the city with fresh blood, clean bodies, and clear brains that can endure the terrific strain of modern life; we need the development of men in the open country, who will be in the future, as in the past, the stay and strength of the Nation in time of war, and its guiding and controlling spirit in time of peace.

THEODORE ROOSEVELT.

THE WHITE HOUSE,
February 9, 1909.

INCREASE IN RATES OF BASIC COMPENSATION OF OFFICERS AND EMPLOYEES IN FIELD SERVICE OF POST OFFICE DEPARTMENT—ADDITIONAL AMENDMENT

Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service, reported an additional amendment to the bill (S. 27) to increase the rates of basic compensation of officers and employees in the field service of the Post Office Department, which was ordered to lie on the table, and to be printed.

AMENDMENT OF FEDERAL EMPLOYEES' GROUP LIFE INSURANCE ACT OF 1954, RELATING TO REDUCTION IN INSURANCE OF PERSONS OVER AGE 65—AMENDMENTS

Mr. JOHNSTON of South Carolina submitted amendments, intended to be proposed by him, to the bill (S. 2127) to amend section 3 (d) of the Federal Employees' Group Life Insurance Act of 1954, relating to the reduction in amounts of insurance of persons over the age of 65, which were ordered to lie on the table, and to be printed.

AMENDMENT OF MUTUAL SECURITY ACT OF 1954—AMENDMENTS

Mr. JAVITS submitted amendments, intended to be proposed by him, to the bill (S. 3318) to amend further the Mutual Security Act of 1954, as amended, and for other purposes, which were referred to the Committee on Foreign Relations, and ordered to be printed.

COMMUNITY FACILITIES ACT OF 1958—AMENDMENT

Mr. JAVITS. Mr. President, I submit an amendment, intended to be proposed by me to the bill (S. 3497) to expand the public facility loan program of the Community Facilities Administration of the Housing and Home Finance Agency, and for other purposes. I point out it is my purpose to amend the bill to include civil defense facilities.

The VICE PRESIDENT. The amendment will be received, printed, and will lie on the table.

METHODS OF STATING BUDGET ESTIMATES AND ESTIMATES FOR DEFICIENCY AND SUPPLEMENTAL APPROPRIATIONS—AMENDMENT

Mr. SALTONSTALL (for himself and Mr. BRIDGES) submitted an amendment, intended to be proposed by them, jointly, to the bill (H. R. 8002) to provide for improved methods of stating budget estimates and estimates for deficiency and supplemental appropriations, which was ordered to lie on the table, and to be printed.

AID TO FARMERS AND NEEDY PERSONS—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of March 31, 1958, the names of Mr. MURRAY, Mr. SPARKMAN, Mr. PROXMIRE, Mr. MCNAMARA, and Mr. MANSFIELD were added as additional cosponsors of the bill (S. 3577) to authorize the Secretary of Agriculture to provide varied commodities to schools and institutions and for needy persons and families out of funds appropriated for diversion of surplus agricultural commodities, introduced by Mr. HILL (for himself and Mr. SCOTT) on March 31, 1958.

ELIGIBILITY OF CERTAIN CLINICS FOR FEDERAL AID—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of April 1, 1958, the names of Mr. BRIDGES and Mr. COTTON were added as additional cosponsors of the bill (S. 3588) to amend title VI of the Public Health Service Act, as amended, in order to make certain clinics in rural areas eligible for Federal aid to diagnostic or treatment centers, introduced by Mr. PAYNE (for himself and Mr. FLANDERS) on April 1, 1958.

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. HUMPHREY:

Article entitled "Challenge For All," written by him, and published in the April 1958 issue of the Eagle.

NOTICE OF HEARING ON NOMINATIONS OF KINGSLEY DAVIS TO BE THE REPRESENTATIVE ON THE POPULATION COMMISSION OF THE ECONOMIC AND SOCIAL COUNCIL OF THE UNITED NATIONS, AND DR. ALTHEA K. HOTTEL, TO BE THE REPRESENTATIVE ON THE SOCIAL COMMISSION OF THE ECONOMIC AND SOCIAL COUNCIL OF THE UNITED NATIONS

Mr. GREEN. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that the Senate received today, the nominations of Kingsley Davis, of New York, to be the representative of the United States of America on the Population Commission of the Economic and Social Council of the United Nations, and Dr. Althea K. Hottel, of Pennsylvania, to be the representative of the United States of America on the Social Commission of the Economic and Social Council of the United Nations.

Notice is given that the nominations 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 S. 921—FREEDOM OF INFORMATION

Mr. HENNINGS. Mr. President, I wish to announce, as chairman of the Subcommittee on Constitutional Rights of the Committee on the Judiciary, that on Tuesday, April 16, 1958, the subcommittee will resume public hearings in Washington on S. 921, a freedom of information bill which I introduced in the Senate last year. S. 921 would amend section 161 of the Revised Statutes (5 U. S. C. 22), the housekeeping statute which permits executive department heads to prescribe regulations for the custody, use, and preservation of the records and papers in their departments, to make it clear beyond any doubt that the statute does not authorize censorship or the withholding of information from the public.

Among the witnesses we plan to hear are representatives from various newsgathering mediums, as well as other spokesmen for groups and organizations which have taken an active interest in the subject of freedom of information. Of course, the heads of the executive departments will be given ample opportunity to appear and present their views on this important piece of legislation.

Mr. President, the Constitutional Rights Subcommittee already has heard the head of one of the executive departments testify regarding S. 921, but, unfortunately, with something far less than satisfactory results.

On March 6 of this year the Attorney General appeared before the subcommittee to give his views regarding the power of the President and heads of the executive departments and agencies to withhold information from Congress. At that time, he also presented what purported to be his views on S. 921.

I say that the Attorney General presented what purported to be his views on S. 921, Mr. President, because just 1 week after his appearance before the subcommittee on March 6, the Attorney General sent to me a letter which clearly repudiated at least part of his original testimony dealing with S. 921. To put the matter bluntly, in certain respects he seemed to contradict his own testimony.

Under these circumstances, I think it is incumbent upon the Attorney General unequivocally to state his views on S. 921. It is inconceivable that he would want the record to remain in its present self-contradictory state.

In a letter delivered to him on March 25, 1958, I invited the Attorney General to appear at some mutually convenient time and more fully explain his views to the subcommittee. To date, he has not even seen fit to acknowledge this invitation. I am now inviting the Attorney General to appear at the subcommittee's hearing on April 16, 1958, to put the record straight once and for all, and to try to harmonize the obvious discrepancies in his testimony.

NOTICE CONCERNING CERTAIN NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. MCCLELLAN. Mr. President the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Theodore F. Bowes, of New York, to be United States attorney, northern district of New York, for the term of 4 years—reappointment.

J. Bradbury German, Jr., of New York, to be United States marshal, northern district of New York, for the term of 4 years—reappointment.

Claire A. Wilder, of Alaska, to be United States marshal, western district of New York, for a term of 4 years—reappointment.

Clarie A. Wilder, of Alaska, to be United States marshal, for division No. 1, district of Alaska, for a term of 4 years—reappointment.

Fred S. Williamson, of Alaska, to be United States marshal, for division No. 3, district of Alaska, for a term of 4 years—reappointment.

Albert Fuller Dorsh, Jr., of Alaska, to be United States marshal, for division No. 4, district of Alaska, for a term of 4 years—reappointment.

William T. Plummer, of Alaska, to be United States attorney, for division No. 3, district of Alaska, for a term of 4 years—reappointment.

Harlington Wood, Jr., of Illinois, to be United States attorney, for the southern

district of Illinois, for a term of 4 years, vice John B. Stoddart, Jr., resigned.

J. Leonard Walker, of Kentucky, to be United States attorney, for the western district of Kentucky, for a term of 4 years—reappointment.

Louis Gorman Whitcomb, of Vermont, to be United States attorney, district of Vermont, for a term of 4 years—reappointment.

George Edward Rapp, of Wisconsin, to be United States attorney, for the western district of Wisconsin, for a term of 4 years—reappointment.

Cedric E. Stewart, of Nevada, to be United States marshal, for the district of Nevada, for a term of 4 years—reappointment.

Ray H. Schoonover, of Wisconsin, to be United States marshal, for the western district of Wisconsin, for a term of 4 years—reappointment.

Thomas Ramage Ethridge, of Mississippi, to be United States attorney for the northern district of Mississippi, for the term of 4 years—reappointment.

Daniel H. Jenkins, of Pennsylvania, to be United States attorney, middle district of Pennsylvania, for a term of 4 years, vice J. Julius Levy, resigned.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Thursday, April 10, 1958, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearings which may be scheduled.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, there are several nominations on the Executive Calendar. I move that the Senate proceed to the consideration of executive business, in order to consider the nominations.

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

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT 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.)

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

NOMINATIONS PASSED OVER

The Chief Clerk read the nomination of John F. Dyer, of Hawaii, to be seventh judge of the first circuit, circuit courts, Territory of Hawaii, for a term of 6 years, which nomination had previously been passed over.

Mr. MANSFIELD. Mr. President, this nomination is to be held over; and I ask that it be passed over.

The VICE PRESIDENT. Without objection, the nomination will be passed over.

UNITED NATIONS

The Chief Clerk read the nomination of Henry J. Heinz II, of Pennsylvania, to be a representative of the United States of America to the 13th session of the Economic Commission for Europe, of the Economic and Social Council of the United Nations.

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

DEPARTMENT OF LABOR

The Chief Clerk read the nomination of Newell Brown, of New Hampshire, to be an Assistant Secretary of Labor.

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

NATIONAL LABOR RELATIONS BOARD

The Chief Clerk read the nomination of John Harold Fanning, of Rhode Island, to be a member of the National Labor Relations Board for the term of 5 years expiring December 16, 1962.

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

PUBLIC HEALTH SERVICE

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

POSTMASTERS

The Chief Clerk proceeded to read sundry nominations of postmasters.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the postmaster nominations will be considered en bloc; and, without objection, they are confirmed.

THE ARMY

The Chief Clerk proceeded to read sundry nominations in the Army.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations in the Army will be considered en bloc; and, without objection, they are confirmed.

THE REGULAR AIR FORCE

The Chief Clerk proceeded to read sundry nominations in the Regular Air Force.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations in the Regular Air Force will be considered en bloc; and, without objection, they are confirmed.

THE REGULAR ARMY AND THE REGULAR AIR FORCE

The Chief Clerk proceeded to read sundry nominations in the Regular Army and in the Regular Air Force, which had been placed on the Vice President's desk.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the action taken by the Senate on these nominations.

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

LEGISLATIVE SESSION

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

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

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, for the information of the Senate, and with the concurrence of the minority leader, let me state that the unfinished business is, of course, the conference report on Senate bill 497, the Flood Control Act of 1958.

When the consideration of that measure is concluded, the following measures will be taken up for consideration, depending on the circumstances at that time:

Calendar No. 1430, Senate bill 2318, to convey certain land of the United States to the city of Salem, Oreg.

Calendar No. 1433, Senate bill 1748, to add certain lands in Idaho and Wyoming to Caribou and Targhee National Forests.

Calendar No. 1434, Senate bill 1697, to authorize an exchange of certain lands at Black Canyon of the Gunnison National Monument, Colo.

Calendar No. 1444, Senate Resolution 273, to provide additional funds for the Committee on Post Office and Civil Service.

Calendar No. 1443, Senate Resolution 282, for the payment of a gratuity to Margaret C. Pride.

Calendar No. 1445, Senate Resolution 277, to authorize additional expenditures by the Committee on Interior and Insular Affairs.

Calendar No. 1447, Senate Resolution 281, to authorize the printing of a Senate document.

Calendar No. 1456, Senate bill 3093, to extend for an additional 2 years the President's authority to regulate exports under the Export Control Act of 1949.

Calendar No. 1459, House bill 4640, to amend the Civil Service Retirement Act with respect to payments from voluntary contributions accounts. This particular bill will be considered by the Senate only

when the report on it is available. At that time it will be discussed with the minority leader, for his approval.

NUCLEAR TESTS AND DISARMAMENT

Mr. SMITH of New Jersey. Mr. President, I regret that I was not present yesterday afternoon when the junior Senator from Minnesota [Mr. HUMPHREY] took President Eisenhower and Secretary of State Dulles to task for the wise position they have taken on Russia's unilateral suspension of nuclear tests.

The administration position in this case is the only one which could possibly be taken. It is astonishing that the chairman of the Disarmament Subcommittee of the Foreign Relations Committee would charge the President and the Secretary with lack of leadership and lack of a policy in this matter, for that charge indicates that the Senator misunderstands the crux of the whole disarmament problem.

While he criticizes the administration for not immediately suspending our own testing, the very fact that we have not been panicked into doing so is proof that we do have both firm leadership and a sound disarmament policy.

The consistency and wisdom of this policy is clearly outlined in an editorial entitled "Banning Bomb Tests," which was published yesterday in the New York Times. The editorial makes the point which the Senator from Minnesota has ignored: namely, that any ban on nuclear tests must be based on effective controls, and that the latest Soviet move amounts in effect to a stratagem to evade such controls. I ask unanimous consent to have the editorial printed at this point in the body of the RECORD, as a part of my remarks.

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

[From the New York Times of April 1, 1958]

BANNING BOMB TESTS

Premier Khrushchev begins his rule as undisputed ruler of the Soviet empire with a spectacular but transparent maneuver. He announces through Foreign Minister Gromyko, to the cheering approval of the Supreme Soviet, that Soviet Russia is suspending unilaterally and of its own accord all further atomic and hydrogen weapons tests as a first step toward disarmament and asks the United States and Britain to follow suit. He also declares that it is the chief aim of the Soviets "to reach agreement with other powers on an unconditional ban of all types of atomic and hydrogen weapons, the ending of their production and complete destruction of existing stocks with appropriate control."

The announcement is clearly part of Moscow's campaign to represent Soviet Russia as being in the vanguard in the drive toward peace and disarmament, and there is little doubt that it will have a wide impact as propaganda. But the real meaning of this move is self-evident.

First of all, as the State Department points out, the announcement comes only after the Soviets have completed their own latest series of intensive weapons tests, in which they are believed to have perfected nuclear warheads for their intercontinental missiles. Prior to these tests they categorically rejected appeals to stop the tests on the ground that they could not do so as long as the United States and Britain continued their tests. As some time is bound to elapse before the Soviets are ready for their next test series, they are obviously utilizing the necessary interval in an effort to score a cheap propaganda gain.

Furthermore, the Soviets make their test suspension conditional on like action by the United States and Britain and declare that if other countries continue testing they will be free to resume their own tests. This is obviously aimed at the tests scheduled by the United States under foreign observation this spring and summer, against which the Soviets have already protested. These tests are designed to perfect our own nuclear missile warheads, to develop depth charges against the threat of the vast Soviet submarine fleet, to improve our tactical atomic arms and to develop a clean bomb which can be also used for peaceful purposes, without the fallout which the Soviet bombs are scattering.

The Soviet reasoning is plain. Should the United States now cancel its tests, the Soviets would score not only a propagandistic but also a decided military advantage. If the United States does not cancel its tests, as it will not, the Soviets will cancel their own test suspension and blame the United States.

Finally, it should be noted that the Soviets profess to suspend their own tests, and demand like suspension by others, without, and certainly prior to, the establishment of adequate controls. The Western Powers have long pressed for an end to the tests, and the United States has been moving even to a divorce of the test suspension from the prior demand for an end to bomb production, but always only under adequate control. The Soviet move therefore amounts in effect to a stratagem to evade such controls.

A similar purpose is evident in the Soviet's proposal to ban nuclear weapons, stop their production, and destroy existing stockpiles. This, too, has been a long-standing aim of the West, advanced as early as the Baruch plan. But the West always has and always must insist on two conditions. One is adequate control to guarantee the West against Soviet surprises. The Soviets do mention "appropriate" controls in this context, whatever that may mean, but in practice they have rejected every "appropriate" plan to put such controls into effect, and to prevent any further progress on achieving such controls they now boycott the United Nations Disarmament Commission.

The second necessary condition is simultaneous reduction and control of conventional armaments. Until this has been achieved the atomic and hydrogen weapons remain not only the main safeguards of the West against being overrun by Communist-dominated Eurasian land armies but also the greatest deterrent to Communist aggression and therewith the best guaranty of peace.

If the Soviets are honest in their professed desire for disarmament, let them heed the call of the United Nations and deal with the problem in an orderly way in keeping with the U. N. Charter or bear responsibility for the continued arms race.

Mr. SMITH of New Jersey. Mr. President, another clear statement of our disarmament position was made yesterday by the State Department. The statement points out that the United States has repeatedly expressed its readiness to have the whole disarmament question submitted to the United Nations, whereas Russia has time and time again refused to do so in violation of its agreement as a signer of the United Nations Charter. I ask unanimous consent that the State Department statement be printed at this point in the RECORD in connection with my remarks.

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

[From the New York Times of April 1, 1958]

UNITED STATES STATEMENT ON THE SOVIET DECISION

WASHINGTON, March 31.—Following is the text of a statement by the State Department today on the Soviet Union's announcement of intention to suspend testing of nuclear weapons:

"The Soviet statement about nuclear testing will, of course, be studied in detail. But some general observations can be made at once.

"The Soviet statement comes on the heels of an intensive series of secret Soviet tests. They should arouse world opinion to the need to deal in an orderly and dependable way with the testing and related aspects of the disarmament problem.

"Soviet official propaganda incessantly seeks to create abroad the image of a peace-loving Soviet Government. But that same government openly defies the United Nations with respect to both the substance and the procedure of disarmament.

"The Charter of the United Nations gives that organization broad authority with reference to principles of disarmament and the regulation of armaments.

"In the exercise of that authority the United Nations General Assembly has, by an overwhelming vote, approved the comprehensive first-stage disarmament proposal and called on the nations concerned to begin at once technical studies as to how these proposals might be carried out.

"These studies include the studies needed for a supervised suspension of nuclear testing. The United States stands ready instantly to respond to that resolution. But the Soviet Union refuses to comply.

"The same General Assembly reconstituted and enlarged its Disarmament Commission. The United States wants that Commission to carry out its mandate. But the Soviet Union boycotts the Commission.

"The charter makes the Security Council responsible for formulating plans for the establishment of a system for the regulation of armament. The United States has recently proposed to the Soviet Union that this responsibility be discharged. But the Soviet Union refuses to cooperate.

"The Soviet Government declines to deal with the subject of armaments in any of the several ways prescribed by the United Nations Charter.

"It prefers elusive formulations of its own.

"It is elemental that free nations which want to remain free will not, and should not, forgo their indispensable collective capacity to deter and defend against aggression merely in reliance on a Soviet statement of intentions for which there is no system of verification, which can be evaded in secrecy and altered at will.

"The United States again calls on the Soviet Union to deal with the vital problem of disarmament in an orderly way, in accordance with the United Nations Charter, to which the signature of the Soviet Union is affixed. That charter constitutes a solemn agreement. If it is nullified by the Soviet Union, why should the world place confidence in new Soviet engagements?"

POSTPONEMENT OF CONSIDERATION OF THE COMMUNITY FACILITIES ACT

Mr. SMITH of New Jersey. Mr. President, the Senate acted wisely yesterday

in putting off consideration of the Community Facilities Act. The debate on this matter was very healthy, because it underlined some of the basic principles which should continually be kept in mind as we consider antirecession measures in the coming weeks. I should like to recapitulate some of these principles, which were so ably stated during the debate.

First, there is the collective responsibility of the Senate to legislate with due deliberation, particularly in cases where large amounts of taxpayers' money are involved. Like most of my colleagues, I did not see a copy of the report on the bill, or the bill itself, until early yesterday afternoon. I believe that a proposal to authorize the expenditure of $1 billion must receive more extended consideration than that, before it is voted.

Second, if the situation is such as to demand a speedup of our deliberations, certainly we should consider such measures strictly on a priority basis. Before taking up more marginal issues, we should proceed to the subjects of topmost priority, such as the extension of unemployment compensation and aid to education.

Finally, all antirecession measures should be considered as parts of a carefully planned economic program.

As the junior Senator from Ohio so clearly pointed out yesterday, such measures as the Community Facilities Act raise fundamental issues of economic and fiscal policy which must be considered within the context of an entire legislative program. We must find out what other bills are to come before us for the spending and lending of money; we must determine the extent to which necessary expenditures are expected to exceed estimated revenues, and how the additional money needed is going to be raised. We must decide how far we are prepared to go in deficit spending, or whether we are willing to face the necessity of imposing additional tax burdens.

It seems to me that all proposed legislation which we consider in the weeks following the Easter recess must be weighed in terms of these three principles: First, responsible deliberation; second, priority of legislative importance; and third, consideration in terms of overall policy.

ARE WE GOING TO NEGLECT THE MISSILE SUBMARINE?

Mr. COTTON. Mr. President, newspapers report that Secretary of Defense McElroy has submitted to the President his recommendations for $1.7 billion in additional defense appropriations for fiscal year 1959.

The newspaper accounts indicate that funds are included for the construction of only two missile-firing, nuclear-powered submarines. In my opinion, this means we are starting on a program which will be too little and too late.

Possibly the reports may be incorrect, since they are only attributed to reliable Pentagon sources. I hope so. I hope the President will ask the Congress to authorize the construction of at least six more Polaris missile submarines. These should be built at the earliest possible moment.

An adequate fleet of Polaris submarines will provide us with the most defense and the greatest security at the least cost. Ten such submarines, hidden in the oceans off the coasts of Russia and China, could blanket the great bulk of the Communist world with retaliatory power, deadly and swift.

The unique characteristics of the missile submarine lie in the fact that, first, it can effectively hide beneath the surface of the water or under the polar ice cap, out of reach of all radar detection, and second, that it can move swiftly and silently from one place to another. Concentration on missile submarines, a field in which we already have a clear lead in production and experience, can enable us to leapfrog Russian developments in missiles. It would enable us to retain the balance of world power on the side of the Free World, and on the side of peace.

The cost of such a fleet of missile submarines would be far less than the cost of a comparable defense in terms of land-based missiles and bombers. Not only would it cost fewer dollars, but it would require fewer resources and fewer men.

In order to keep 10 missile submarines stationed near Russia at all times we would need a fleet of about 30 or 40.

However, if our rate of construction is only to be 2 or 3 such submarines a year, as is indicated by the present reports, it will take us at least 10 years to build this essential defense force. We cannot wait 10 years.

Mr. President, I believe we must concentrate on the missile submarines as the best possible weapon available to us, because we simply cannot afford to build and maintain all the available weapons. We must not scatter our defense dollars on so many projects that we never have enough strength in any field, and must be fully alert to the changes which have taken place in weapons.

While the requests for missile submarines seems fated to come to Congress in driblets, we still continue to spend millions of dollars and manhours on projects which would have doubtful value in a modern war.

Apparently, we are going ahead with the construction of a $300 million nuclear-powered aircraft carrier authorized last year, despite the possibility it may be obsolete before it is finished. The budget for the coming fiscal year includes funds for the procurement of long lead-time items for another such carrier to be formally authorized next year.

The time has come when we must ask ourselves if it is not so shortsighted as to be almost stupid to put so much money, so many men, and so much equipment into such a splendid target.

Mr. President, these are the reasons why I was sick at heart when I opened the newspaper last Sunday and saw the first intimation that the ambitious plan for Polaris submarines that was being whispered about on Capitol Hill 6 weeks ago may dwindle down to a plan for 2. I suppose there are those in the Navy who are still devoted to their super carriers and surface ships as they were once devoted to the battleship. It is natural that the Air Force should be placing the emphasis on strategic bombers. I do not question their sincerity, but somewhere along the line we are losing out on the quickest, cheapest, surest weapon in our arsenal.

Mr. President, America cannot afford to neglect the Polaris submarine.

CANADIAN ELECTION AND PROPOSED TAX REDUCTIONS

Mr. NEUBERGER. Mr. President, I should like to call to the attention of the Senate an aspect of the recent Canadian election which I think holds significance for us in this country.

The Conservative Party won a landslide victory over their Liberal opposition. The Conservatives had advocated extensive public works as the best method for relieving the economic recession and unemployment which have gripped Canada much as they have our own country. The Liberal Party, by contrast, had proposed a massive income-tax cut totaling some $400 million, which would have amounted to approximately a 25-percent tax cut for every person in many tax brackets. According to the Associated Press, this Liberal promise to cut taxes drastically "went over like the proverbial lead balloon."

Mr. President, I do not mean to say that this explains the results of the Canadian elections. Obviously many other factors were involved. It is also important to keep in mind that the labels "Conservative" and "Liberal," in the case of the two main Canadian political parties, do not reflect what is generally meant by those terms in common parlance in the United States.

Nevertheless, Canada is not so different from our own country. Its people and ours share many similarities in language, culture, social institutions, and economic life. Now Canada is stricken with hard times, as are we. Among other factors, Canadians in their recent national election have chosen public works and constructively expanded government spending over sweeping tax cuts.

The significance of this choice should not be disregarded by us in the Congress of the United States when we confront a choice of measures for our own fight against economic contraction and unemployment. It will be interesting to see the steps that Canada's new conservative government will take to accelerate public works investments for the further development of that great country, and what the effect will be on the Canadian economy. Coming from a region of the United States where our development is in many ways only 20 or 30 years ahead of the development of the Canadian west, I can appreciate the importance of the choice which Canada appears to have made in this respect. I share the conviction that this choice will in the long run prove to have been the more

constructive one for the economic future of Canada, as it would be for the economic future of much of our own country.

THE UNITED STATES SUPREME COURT: THE ULTIMATE GUARDIAN OF OUR FREEDOM

Mr. HENNINGS. Mr. President, during its current term the United States Supreme Court has continued to hand down decisions, which directly protect the individual rights of all American citizens, but which in all probability will be highly unpopular in certain quarters. I see no reason whatever to congratulate the nine Justices on our highest Court, as I believe they will continue to hand down decisions as they see them regardless of any criticism or abuse.

I do not think that anyone, including the nine Justices themselves, would be in entire agreement with every decision that the Court hands down during any term. It is certainly not my intention today to attempt to defend each and every one of these decisions.

During the spring term of 1957 the Court gave a number of decisions protecting the constitutional rights of a number of American citizens who espoused unpopular causes. In my view, these decisions were basically an expression of legal philosophy that the rights of none of us are secure unless the rights of all of us are secure.

I had the honor of having published in the March issue of the American Bar Association Journal an article entitled "The United States Supreme Court; the Ultimate Guardian of our Freedom." In this article I attempted to overcome many of the misconstructions placed upon the Court's recent decisions in the field of individual liberties. I would like to ask unanimous consent that this short article be printed in the body of the RECORD. I think that it would be particularly helpful if those who attack the Court most strongly could find an opportunity to look at the article. Of course, it would be even better if they could find time to sit down and read the decisions and the cases which cause them such anguish.

I wish I could report that the attack on the Supreme Court was diminishing in intensity. Unfortunately, I cannot. There are before the Congress a number of bills which, in effect, would censure the Court for its decisions in the past several years. Some of these would limit the terms of the Justices. Others would require a periodical confirmation of the Justices. Still others would require that the Supreme Court Justices be confirmed by both the House and the Senate or that they have specific prior judicial experience. Several of these bills would strike directly at the heart of the independence of our judiciary. The most virulent of these is the so-called Jenner bill, S. 2646, introduced by the distinguished senior Senator from Indiana. It would deprive the highest Court of appellate jurisdiction in 5 separate categories of cases. This bill has been vigorously opposed by the Attorney General, the House of Delegates of the American Bar Association, by the vast majority of deans of American law schools, and by a large number of eminent witnesses. This notwithstanding, the bill has been the pending business before the Judiciary Committee for several weeks and will be the pending business after the Easter recess. Furthermore, the committee is going to give serious attention to a number of amendments to the bill, proposed by the distinguished junior Senator from Maryland [Mr. BUTLER]. In my view, if the amendments were adopted, the bill would be worse than the one originally proposed. As little or no publicity has been given to the proposals of the Senator from Maryland [Mr. BUTLER], it is my intention, before the end of the week, to issue a comprehensive memorandum with respect to them. There have been no hearings on the amendments, and I think that the American people should be aware of their serious nature and the consequences before they are considered by the Judiciary Committee.

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

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

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

THE UNITED STATES SUPREME COURT: THE ULTIMATE GUARDIAN OF OUR FREEDOM

(By THOMAS C. HENNINGS, Jr., United States Senator from Missouri)

(The following statement was originally prepared by Senator HENNINGS for delivery on the floor of the Senate in July 1957. The statement is a defense of the Supreme Court against recent widespread criticism. The Senator is the chairman of the Senate Committee on Constitutional Rights. He argues that the Court is performing its constitutional function by striking down statutes and practices that are unconstitutional and unlawful.)

During the past few months a growing tide of criticism has been directed against the Supreme Court because of a number of decisions it has handed down recently.

Attacks have been made on the Court, not only in the newspapers and over the air, but also in the halls of Congress.

These attacks have ranged from carefully reasoned criticisms of what the Court has done and said, to malicious vilification of the Justices themselves.

Suggestions have been made that the power of the Court be curtailed.

Among the ways proposed to limit the Court's power have been to have the Justices of the Court elected by the people, rather than appointed by the President and confirmed by the Senate, as is now the case; to change their tenure of office from life tenure to a specified number of years; and to have their appointments subject to periodic review by Congress.

I in no way suggest that the Supreme Court is above criticism, or that all lawful and orderly means should not be used, by everyone so inclined, to change any or all decisions of the Court. In fact, I think that frank and open criticism of all public institutions, including the Supreme Court, is a healthy and vital part of our democratic processes.

I thoroughly agree with what one member of the Court itself said almost 60 years ago about criticism of the Court. In the words of Justice David J. Brewer, uttered in 1898:

"It is a mistake to suppose that the Supreme Court is either honored or helped by being spoken of as beyond criticism. On the contrary, the life and character of its Justices should be the objects of constant watchfulness by all, and its judgments subject to the freest criticism. The time is past in the history of the world when any living man or body of men can be set on a pedestal and decorated with a halo. True, many criticisms may be, like their authors, devoid of good taste, but better all sorts of criticism than no criticism at all."

While I think that free and open criticism of the Court's decisions and opinions is healthy and desirable, I deplore, and earnestly caution against, any hasty or ill-considered attempt to limit the powers of the Court by changing its basic structure.

The governmental system established by our forefathers almost 170 years ago has served this Nation well and should not be changed except in unusual circumstances, and then only after the most careful study and thought.

Certainly it should not be tampered with in a moment of passion or temporary pique.

An integral part of our Government system is an independent judiciary constituting a coordinate and equal branch of the Government.

Alexander Hamilton expressed this view—which prevailed at the Constitutional Convention in 1787 and was incorporated into the Constitution—when he said in the Federalist: "The complete independence of the courts of justice is peculiarly essential in a limited constitution."

Since most of the suggestions made in recent weeks for changing the structure of the Supreme Court would seriously affect the independence of the Court, they are bad, in my opinion, and should be rejected.

One of the suggestions we have heard for curbing what is claimed to be the excessive power of the Court is the appointment of Justices for limited terms instead of for life.

But obviously, when a judge periodically must look to some person or group for approval of his record and his acts while in office, he is subject to political pressures and influences, and his independence is, accordingly, reduced. To quote Hamilton again: "Periodic appointments [of judges] however regulated or by whomsoever made, would, in some way or other, be fatal to their necessary independence."

Another suggestion now being urged as a desirable means of limiting the power of the Supreme Court is that the Constitution should be amended to provide a periodic review by Congress of judicial appointments.

This suggestion, reduced to its essentials, is simply a variation of the proposal that judges be appointed for limited terms. It would engender the same evil results.

Such a system would tend to make judges political creatures; it would subject the judiciary to the control of the reviewing authorities; and would disturb the delicate, carefully planned balance of power which now exists among the three branches of our Government.

The independence of judges inevitably would suffer, and the judicial branch quickly would become inferior.

One final suggestion voiced in recent days for curbing the power of the Supreme Court is that the Justices of the Court be elected to office by the people rather than appointed by the President and confirmed by the Senate.

This proposal, I imagine, has considerable appeal to most Americans' democratic instincts. However, in my opinion, it not only would be cumbersome and extremely difficult to put into operation on a national scale, but it undoubtedly would give rise to what Charles Evans Hughes described as "political intrigue" which would impair the independence and blight the dignity of the entire Court. It should be discarded with the rest.

THE DECISIONS CRITICIZED—INDIVIDUAL FREEDOM

Let me turn now for a moment to a consideration of some of the decisions of the Supreme Court during the past term which have inspired many of the bitter attacks against it.

Without exception, the decisions that have aroused the most outspoken criticism have been those dealing with basic rights of the individual.

The decision in the Jencks case, for example, where the Court held that the defendant was entitled to see any statements made to the FBI by the witnesses testifying against him, apparently finds its rationale in the time-honored sixth amendment right of an accused to be confronted with the witnesses against him.

The decision the Mallory case, in which the Court threw out the confession obtained from the defendant while he was being detained by the police for an unreasonable length of time prior to arraignment, was founded ultimately in the history of the long-established right of an individual not to be compelled to be a witness against himself.

The Watkins case, wherein the Court held that Watkins had improperly been convicted of contempt of Congress, dealt with the due process clause of the fifth amendment and the individual's rights under that clause.

The Smith and Covert cases, in which the Court reversed the court-martial convictions of two women for killing their husbands while they were in the military service overseas, involved the right of civilians to be tried by civilian courts, and not by courts-martial, in the absence of a declaration of martial law.

The so-called West Coast Communists cases in which the Court ordered the acquittal of 5 defendants and granted a new trial to 9 others after analyzing and applying the Smith Act to the facts of the cases, were decided in the light of the free speech guaranty of the first amendment.

The decisions in all of these cases seem to be supported by the law and the facts, and to be within the framework of the rights and protections set forth in our Constitution.

What is it about them, then, that has raised the tempers of some of the Court's critics to a fever pitch?

One answer, it seems to me, lies in the fact that in each of the cases the Court's decision has upset some practice or procedure which has found acceptance—or at least has been frequently employed—in our country during the emergency beginning with World War II and continuing through the cold-war period.

In outlawing these practices, the Court has been accused by some persons of seriously interfering with the work of our security forces, including the police, the FBI and the military.

The Court has also been accused of attempting to preempt the powers of Congress, since in several of the cases Congressional enactments or procedures have been affected.

On the surface, these accusations may seem somewhat plausible, since certainly the decisions of the Court in the Jencks case, in the Mallory case, and in the Smith and Covert cases, will force the police, the FBI, the military and even Congress, to alter some of their procedures to some degree. Recently the Attorney General stated before the Senate Subcommittee on Improvements in the Federal Criminal Code that the Jencks decision had created a grave emergency in law enforcement.

What seems to be overlooked or ignored by most of the Court's detractors is that if the practices or procedures of the Government, examined by the Court in recent cases, had been tailored in the first place to fit the requirements of the Constitution, they would not have been struck down by the Court, and no "grave emergency in law enforcement" would now face the Nation.

In other words, it is not the Supreme Court that should be criticized in the present circumstances. It is the unconstitutional and unlawful procedures which have been permitted to develop in this country in recent years that should be criticized.

During the past several decades—and particularly with the impetus of the grave threat of communism during the past 10 years—this Nation has adopted a number of practices deemed necessary for the national security, but which would have shocked our forefathers.

Many of these are being tested now for the first time before the courts, and are being found in violation of rights guaranteed by the Constitution.

In striking down what in their considered judgment a majority of the Court determines to be beyond the permissible bounds of the Constitution or the laws enacted thereunder, the Supreme Court is merely continuing in its historic role of helping to insure the continuance of our system of freedom and justice.

I predict that from the standpoint of civil liberties and constitutional rights, future historians will rate the past term of the Supreme Court one of the most significant in the middle of the 20th century, and will credit the Court with playing a major role in the preservation and rejuvenation of our traditional concepts of individual liberty.

The function of the Court today is that envisioned by the Founding Fathers and so aptly described by James Bryce in The American Commonwealth:

"The Supreme Court is the living voice of the Constitution—that is, of the will of the people expressed in the fundamental laws they have enacted. It is, therefore, as someone has said, the conscience of the people, who have resolved to restrain themselves from hasty or unjust action by placing their representatives under the restriction of a permanent law. It is the guarantee of the minority, who, when threatened by the impatient vehemence of a majority, can appeal to this permanent law, finding the interpreter and enforcer thereof in a court set high above the assaults of faction.

"To discharge these momentous functions, the Court must be stable even as the Constitution is stable. * * * It must resist transitory impulses, and resist them the more firmly the more vehement they are. Entrenched behind impregnable ramparts, it must be able to defy at once the open attacks of the other departments of governments, and the more dangerous, because impalpable, seductions of popular sentiment."

Rather than being denounced for its decisions of recent weeks, the Court should be praised for fulfilling its function as the ultimate guardian of human rights and freedom in our society.

JOINT USE BY UNITED STATES AND CANADA OF COLUMBIA RIVER

Mr. NEUBERGER. Mr. President, since 1955, when I first became a Member of the United States Senate, one of the most serious and difficult problems to which I have devoted my attention has been the deadlock between the United States and Canada over the development of the upper Columbia River Basin. Hearings on the status of this problem were held by the Senate Committee on Interior and Insular Affairs, with the collaboration of members of the Committee on Foreign Relations, in the spring of 1956. The eminent chairman of the Senate Interior Committee, the senior Senator from Montana [Mr. MURRAY], has indicated that these hearings will be reopened very soon after the coming Easter recess.

Recently I wrote an article, which was published in the Toronto Star, of Toronto, Ontario, on March 29, 1958, in which I suggested that the magnitude of the values at stake in the upper Columbia Basin, and in the Canadian plan for diverting part of the upper Columbia into the Fraser River Basin, of Canada, are so great that they may face Canadian-United States relations with their most serious crisis in over a century.

In publishing my article, the Toronto Star also printed a representative expression of the very nationalistic viewpoint of some Canadians, which necessarily colors the Canadian attitude toward this problem, in the form of a comment on my article by Mr. Robert Taylor, chief of the Ottawa bureau of the Toronto Star Weekly.

I ask unanimous consent to have printed in the CONGRESSIONAL RECORD my article, followed by Mr. Taylor's comments, so that interested readers may have my assessment of the controversial challenge confronting our two countries.

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

[From the Toronto Star of March 29, 1958]

STERNEST CRISIS IN 111 YEARS?—THAT'S WHAT UNITED STATES SENATOR NEUBERGER PREDICTS IF THE COLUMBIA RIVER POWER DEADLOCK IS NOT BROKEN, ENDING A "TRAGIC FAILURE" TO AGREE. BUT CANADIANS TAKE QUITE A DIFFERENT STAND

WASHINGTON.—I stood on the timbered shores of a mighty river where ramparts of granite framed the sky overhead. Ghosts filled the canyon—the specters of brave men who had explored these lonely solitudes. I thought of Mackenzie, Fraser and David Thompson, of fur brigades and French-Canadian voyagers navigating fleet canoes through the turbulent riffles which foamed below me. Such men had been capable of great sacrifices. They had starved and bled and courted death in a hundred other forms so that a majestic continent might be settled.

I looked around me at the British Columbia business leaders and members of Parliament who had come along on this inspection tour of the headwaters of the Columbia River, near the mountainous divide which their vast province shares with Alberta. A mounted policeman in his cocoa-brown service tunic hovered in the background. And I wondered if we of this generation—citizens of the United States and Canada alike—would find within ourselves the same sense of dedication that had characterized the first souls to chart the remote fastnesses where we stood.

The frontiersmen had left hearth and home in quest of horizons yet unconquered. They had reached those horizons, leaving behind them nameless graves but also a few farflung log outposts where flew the Union Jack or the Stars and Stripes. The outposts became the early beginning of empire, whether ruled by British monarch or United States President. Today we of our era have an unparalleled opportunity to bring about rich economic development of this wilderness, but we must match the heroism of the pioneers with a willingness of our own to abandon false pride, political expediency and personal stubbornness. The challenge faces both the United States and Canada with equal urgency.

Can the two great nations of North America end their tragic failure to find agreement for mutual use of the immense waterpower and flood-control resources of the upper Columbia River? The benefits of such an agreement could transform the Pacific seaboard of both lands. This is what lies at stake in terminating the present stalemate which has frustrated so many leaders of Government and industry north as well as south of the international boundary.

Furthermore, a successful formula for joint use of the Columbia might result in similar pacts on the Yukon River in the sub-Arctic and the St. John River in the east, both of which flow across the border. The result could be booming new payrolls for Alaska, the Yukon territory, New England, and the Canadian Maritimes.

How can our 2 countries use a river that does not form the border, as in the case of the St. Lawrence, but which frets a tempestuous course of 465 miles in Canada and then spends its final 745 miles in the United States, surging to its destiny in the Pacific Ocean?

The answer is simple, once understood. The Columbia, cradled in glaciers and snowbanks, varies widely in flow throughout the year. It can fluctuate from a poky trickle to a champing monster with five-sixths the water of the Mississippi. This dooms the huge hydroelectric plants on the United States side of the line to a feast-or-famine schedule. But what if the Columbia's maximum volume could be stored back of towering dams in the canyons and gorges of the Canadian Rockies where the river rises? This would not only make possible the production of immense quantities of power in Canada, but would also add the equivalent of four more Bonneville dams to the power system of the Federal Government in the United States.

Yet such a goal, despite its mutual advantages, seems constantly to elude both our nations. Indeed, it may be farther off than ever because today Canada is studying the opposite possibility of diverting a large segment of the upper Columbia by tunnel through the Monashee Range into the Fraser River system. If this should occur, it would forever clamp a ceiling on future waterpower output across the boundary in the States of Washington and Oregon. I fear that Canada has a legal right to undertake such a drastic step. Yet, in my opinion, it could precipitate the sternest crisis in Canadian-United States relations since the angry "Fifty-four Forty or Fight" hostilities of over a century ago.

No two countries have less justification for this kind of deadlock than have Canada and the United States. They share 4,000 miles of border without a pillbox or stockade. Passports are not required for travel across the boundary. Together they have erected radar warning systems from the polar ice floes to the Great Lakes. The St. Lawrence Seaway is an example of what they can accomplish as partners. During World War II, I was aide-de-camp to Gen. James A. O'Connor, who built the famous Alaska Highway to Fairbanks. Despite its name, three-fourths of the 1,525 miles of this highway are on the soil of Canada. I sat in on conferences with mounted police officers, with Canadian Army commanders, even with the late Prime Minister W. L. Mackenzie King. I slept in pyramidal tents at bleak bivouacs with Canadian soldiers. We shared bacon and beans and hardtack. We huddled together for warmth in temperatures of 60° below. I, who was single in those days, dated pretty Canadian nurses and schoolteachers.

And whether I was associating with the high, the low, or the in-between, I invariably was impressed by the fact that people from Canada and the United States possess the greatest mutuality of understanding and friendship.

Yet, now we cannot agree on how to share the Columbia River—or the Yukon and St. John Rivers, elsewhere on the continent.

I have studied this entire question diligently for the United States Senate, and I would say that a portion of the blame attaches to both sides. These, in my estimation, are the principal shortcomings in the negotiations to date:

CANADA

1. Asking too high a price for use of Canadian storage facilities.

2. Refusing to discuss certain key projects even in principle.

3. Arousing personal antagonisms by frequently pressing the threat of diversion into the Fraser.

UNITED STATES

1. Appointing as negotiators men who criticize their own Nation's Federal waterpower plants.

2. Being unwilling to take the lead in offering Canada reasonable payment for storage in the form of kilowatts rather than dollars.

3. Offending Canada in other spheres, such as by the recent unwarranted embargo on Canadian oil shipments into the Pacific Northwest.

Because negotiations have failed, 4,186,000 kilowatts of energy are rushing to the sea, wasted. If we add in the power on the Yukon and St. John Rivers, likewise locked up because of the stalemate, the total soars to 5,653,500 kilowatts. This exceeds the output of Niagara Falls. It amounts to twice the installed capacity of the dozen or so dams in the celebrated Tennessee Valley Authority. It dwarfs even such prodigious powerplants as Canada's Kitimat and Shipshaw and the United States Grand Coulee. It could light thousands of farms and homes; it could fuel innumerable factories; it could increase the wealth of both nations.

There are two further reasons why I believe agreement on the Columbia River is so essential.

To begin with, we must now present a sorry picture to the rest of the world when the two close allies of North America are unable to decide how to divide between them the benefits of a fruitful watershed. How can we lecture to Europe or Asia about economic and political unity when we ourselves fail in so comparatively simple a matter as this? Secondly, the Soviet Union has embarked upon a sweeping program of developing to the full such mighty rivers as the Volga, the Yenisei, and the Angara. My friend, Senator ALLEN J. ELLENDER, of Louisiana, who recently visited the U. S. S. R., has told me of seeing turbines being built for a dam across the Angara which will be nearly three times larger than any turbines ever put into operation in either the United States or Canada. Forty big waterpower plants are under construction in Russia, and three of these each will exceed the kilowatt output of Grand Coulee, which has been the single biggest hydroelectric dam ever built.

Significantly, a successful agreement to tap Canadian storage could increase the nameplate rating on Grand Coulee's generators from 1,669,000 kilowatts to 2,759,000 kilowatts. Leveling off the flow of the Columbia might accomplish just such miracles as this. Furthermore, the main storage dam in Canada—that at Mica Creek, at the Columbia's Big Bend—would generate 704,000 kilowatts in its own turbines. Canada would receive not only this energy but also, as a matter of right, some of the additional kilowatts made possible downstream at Grand Coulee and elsewhere as a result of the reservoirs north of the border.

And yet agreement escapes our negotiators.

Energy reserves may decide the fate of the world. In the rampant rivers of Siberia, Russia possesses sources of waterpower which equal those of Canada and the United States combined. Can we permit pride or stubbornness to throttle the hydroelectric potentialities of our own mightiest waterways?

Russia is a nation geared to military supremacy. Its present emphasis on power production may stem from the fact that Russia's leaders have marked well a major lesson of World War II, a lesson forged in the United States when power projects fueled the vast aluminum production needed for airplanes.

I believe Canadians must bring pressure on their Government to be fair and reasonable in working out a program for the joint development of the Columbia, Yukon, and St. John Rivers. Americans, in turn, should urge their own Government to cease some of the selfish and capricious actions which have antagonized our friends in Canada—for I shall never cease to think that virtually all Canadians are, under the skin, warm friends of the United States.

The obstacles must be overcome. By people-to-people negotiations it can be done. I hope to journey to Ottawa this spring to discuss with my counterparts in the Canadian Parliament the hope of breaking the stalemate at the legislative level. As a United States Senator I am willing to advocate concessions by my country. I trust Canadian members of Parliament will share this desire.

A generous Creator has stocked our rivers with the sleeping giant of electricity. Our international boundaries must not become artificial barriers to the wise use of such bounty. I think this whenever I see the spray rockets of the Columbia's roaring rapids and waterfalls, and I remember all the unseen energy going needlessly to waste in the maelstrom of foam and spume.

THE CANADIAN VIEW: "SHOCKING PIRACY"; "AN OUTRAGEOUS UNITED STATES POSITION"

OTTAWA.—There is a growing awareness among Canadians in public life of the vast stake involved in the British Columbia waterpower resources and a quiet anger at the shocking record of how the United States Government and its officials have tried to grab these resources.

In their hydropower piracy the Americans have tried bullying Canada, as Senator NEUBERGER does in the accompanying article, by threatening the sternest crisis since the 54-40-or-fight days of 111 years ago.

They've tried flimflamming Canada, as the Senator does in his call to Canadians to bring pressure on their Government to be fair and reasonable in working out a joint program for the development of the Columbia.

There's a strong suspicion that United States interests have tried something close to bribery at various times in these power projects, and they certainly have been grossly unfair to Canada, truculent, misleading and uncooperative. They've tried to flout the legal rules on use of international rivers which they shoved down Canada's throat when, nearly 50 years ago, it served their purpose on east coast rivers to do so.

They've tried to get the priceless benefits of Canadian waterpower by offering only out-of-pocket costs of flooding damage. When this was rejected, they offered a deal that gave Canada only a 7-percent return on the value of the water this country provided.

It is from this outrageous position that Senator NEUBERGER generously offers to advocate concessions by his country. There are two pieces of evidence in his article that demonstrate it's not going too far to say his sincerity is, at the least, questionable.

One is that he makes a great deal of propaganda to the effect Canada is asking too high a price for the use of Canadian storage facilities. The other is the plain suggestion that Canada is threatening to divert water from the Columbia into the Fraser.

Canada at no time has put a value on this service but has asked only for a fair deal. What is a fair deal? What are the benefits Canada is being asked to provide?

First, the Canadian storage would eliminate flooding on the lower reaches of the Columbia. This damage often runs up to $30 million in a year and, if previous record floods come again, the flood damage could be up to $300 million in a year.

Second, the storing by Canada of some 22 million acre-feet of water seems the only way to provide a regulated supply for plants downstream in the United States. This regulated supply is of tremendous value for it will provide extra power when water is low by withholding temporarily from the Columbia water that otherwise would spill past present United States dams into the sea.

What is the value of this antiflood insurance policy and of this water, which is really "stored electricity"? Well, the Americans won't even discuss it.

As for Canada, the position was stated in 1955 by Hon. Jean Lesage, then Minister of Northern Affairs and National Resources. Canada, he said, wanted a "reasonable share of the downstream power or a fair return in real terms."

As for the plan to divert the Columbia into the Fraser which the Senator dismisses as a "threat," it would provide a minimum of some 16 billion extra kilowatt-hours, and this would mean more than 2 million kilowatt-hours of extremely cheaper power every hour of the day and night.

This cheap power and the vast additional power to the north in the fast-flowing high plateau country of interior British Columbia can make British Columbia of the future one of the world's great economic regions.

Fortunately it now appears possible that the United States is getting ready to move from the outrageous position it has assumed up to now. It is perhaps the most exciting thing bearing on Canada's economic future since the Leduc oilfield was discovered.

EISENHOWER DOCTRINE IN MIDDLE EAST

Mr. WILEY. Mr. President, I received a provocative letter this morning, the sum and substance of which was, "Why don't you Senators quit criticizing the President and go to work attending to your legislative business?"

Mr. President, I had to answer that, to show what the Senate had done with regard to legislative business, but in the letter was another item which said, in effect, "Mr. Senator, we ought to be grateful that we have not been precipitated into a third world war."

Today I saw a release in that regard, and I have prepared a little comment with regard to the matter.

The Eisenhower Middle East doctrine has made an important contribution to peace and stability in the Middle East. It has kept us out of a third world war. That is the most important fact to remember. The Eisenhower doctrine had served a very timely warning against Soviet overt aggression.

The doctrine was never intended, however, as a cure-all; especially against problems of internal Communist penetration.

So far as the new United Arab Republic is concerned, naturally we hope that it will be a step toward higher standards of living for the people of Egypt and Syria and peace and prosperity in the Middle East, as a whole.

Because of Colonel Nasser's position, in my opinion our attitude toward him should be one of friendship, but caution. We must be alert. We must keep our powder dry when dealing with Nasser. He is still somewhat of an enigma, an unknown quantity.

Obviously, Nasser has been trying to play both ends against the middle.

He has been trying to get aid, without so-called strings, from the United States. Meanwhile, Russian technicians have poured in on the basis of Nasser's arms and cotton agreements with Iron Curtain countries.

Meanwhile, too, Egyptian radio broadcasts have been broadcasting inflammatory propaganda against not only the English and the French, but against alleged United States "imperialism."

Under these circumstances, we can hardly do anything but keep alert; especially in view of Colonel Nasser's forthcoming visit to Soviet Russia.

Naturally, we would like to get along with Nasser, or with any other important head of state. We have nothing but good will and friendship for the peoples of the United Arab Republic.

Mr. President, while we do not like Colonel Nasser's brand of imperialism, our attitude must always be one, basically, of conciliation and friendship.

But on an overall basis, we can judge American foreign policy by its accomplishments. Keeping world peace is some accomplishment in this era of bonfires all over the globe.

BILLS RELATING TO APPELLATE JURISDICTION OF THE SUPREME COURT

Mr. JAVITS. Mr. President, I note that the debate on the bill, introduced by our colleague the Senator from Indiana [Mr. JENNER], which is pending in the Committee on the Judiciary, a bill seeking to limit the authority of the Supreme Court of the United States to deal with certain appeals, has now been transferred to an amended bill proposed by our colleague, the Senator from Maryland [Mr. BUTLER]. The Attorney General of the United States has come out now not only against the Jenner bill but also against the Butler amendment mentioning particularly the retroactivity feature of the latter involved as being a serious and vital defect.

Mr. President, I wish to join the Attorney General of the United States in such opposition.

Mr. President, I am a lawyer by profession. I have practiced actively all my adult life, trying cases in many courts. I served as attorney general for the State of New York, elected by the people of my State. I am deeply convinced, Mr. President, that the powers of our Government, divided as they are among the judiciary, the executive and the legislative, are in a secure position.

The mere fact that any of us do not like certain decisions does not mean that the whole structure of government should be twisted out of shape notwithstanding our experience of almost two centuries, during which the Supreme Court has been as essential a guarantor of the freedoms of our people as has either of the other two branches.

I think it is necessary to speak out on these subjects, although at the moment they are under committee consideration, because otherwise the impression is likely to get abroad that no one is saying anything about these bills in the Senate.

It may not be wise to wait until the debate stage, until the bills are reported from committee. I think it is necessary to record one's views now, and to alert the people of the country as to what is afoot.

The Supreme Court has been a strong guarantor of the liberties of our people for a very long time. This goes for the very people who are often in the minority, and who are opposed to some of its decisions.

I feel that the enactment of these bills into law would strike basically at the capability of the Supreme Court to protect the liberties of the individual under the Constitution, and I consider it a high privilege, as a member of the American bar, a Senator, and a former attorney general of my State, to declare myself on the subject at an early date.

PROSPERITY AND DEFENSE REORGANIZATION

Mr. SYMINGTON. Mr. President, at this time we are having major discussion about the recession and the current unemployment, problems which are tied in tight with our prosperity.

Eighty-four cents of the tax dollar paid by every American taxpayer goes for past wars or a possible future war; and therefore, when we talk about this problem of taxes, we should realize that a small percentage saving in the Department of Defense is worth far more than a large percentage of saving anywhere else in the Government.

Because of the tremendous waste everybody knows is now going on in defense activities, we should approach this vital question as one which is at least as important as any other now facing our Nation.

Far more is involved in any defense reorganization than merely our prosperity. Our security is at stake.

Any time now the Congress will be asked to approve another reorganization bill for the Pentagon, a bill which its backers will say will furnish the United States maximum defense at minimum cost.

I believe we should all take a good long look, because in the future, to be effective, our defense organization must be one that can react instantly to any threat against our Nation.

In past wars, protected by two oceans, America has been allowed years in which to build up its defense against such threats. In any possible future war forced upon us, however, we will not have years, or even days, or even hours.

Therefore, any organization should be one in which the chain of command is absolutely clear, one in which decisions can be made at once.

Putting it mildly, what is being done in the Pentagon today does not meet that

test, bound in also, as it is, with the restraints prevalent in the current law.

Recently there has been published a most thought-provoking book entitled "Forging a New Sword."

In this connection, I ask that a recent editorial by Gen. Thomas R. Phillips, military analyst of the St. Louis Post-Dispatch, be printed in the RECORD at this point.

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

PENTAGON NOT EVEN ORGANIZED FOR WAR, CRITICAL REVIEW OF DEFENSE DEPARTMENT REVEALS—WOULD IMPROVISE COMMAND POST AFTER FIGHTING STARTS—NO MECHANISM FOR FAST JOINT ACTION BY PRESIDENT, STATE AND DEFENSE HEADS, JOINT CHIEFS

(By Brig. Gen. Thomas R. Phillips, U. S. Army (retired), military analyst of the Post-Dispatch)

WASHINGTON, March 31.—A study of the organization of the Defense Department comes at the precise moment when it is needed, in view of the prospective battle between the administration and Congress over widely different proposals for reorganizing the largest institution in the United States.

The study, entitled "Forging a New Sword," was made largely by Army Col. William R. Kintner.

It contains the most able examination of Defense Department organizational weakness and operations published.

The book is roughly in three parts: The first 56 pages deal with the changes in the organization of the Defense Department since World War II; the next 113 pages are devoted to a study of the present organization of the Department and its faults; the remaining 68 pages give the recommendations of the authors for changes.

Kintner had as collaborators Col. Joseph I. Coffey, who has served on the Army General Staff and in the Department of Defense and is now a lecturer on international affairs for Georgetown University, and Raymond J. Albright, for several years a foreign affairs officer in the Department of Defense.

MOST COMPLETE STUDY

Kintner was mainly responsible for the first two parts. These are by far the most valuable sections of the book. They are, in fact, the most complete and knowledgeable study of the operations of the Defense Department. Kintner and his associates and friends have studied the problem in detail from the inside. They have a knowledge of the workings of this vast bureaucracy that could never be acquired by a nonmilitary study group.

Coffey is largely responsible for the conclusions and recommendations, since Kintner was ordered to Europe for duty before the book was completed. The recommendations and conclusions fail to solve the problems of organization so brilliantly analyzed in the first two parts of the book.

They do not stand comparison with the outstanding recommendations on reorganization made in the Rockefeller report on the military aspect of international security.

COMPROMISE AND DELAY

"The committee nature of the Joint Chiefs of Staff," Kintner writes, "emphasizes the importance of reaching unanimous agreement on conclusions and plans," and "this has resulted in compromise and delayed military plans because of service views."

Consequently "the predominantly civilian staffs in the Office of the Secretary of Defense must arbitrarily make basic decisions to settle divergent service strategic and logistic concepts in order to come up with defense programs that can be fitted into a unified budget."

"A foggy mixture of civilian and military functions further weakens decision making in the current defense organization," the author continues, "by increasing the frequency with which civilian patterns of decision making are erroneously applied to problems more effectively resolved by established military procedures.

"The professional military men are trained in the command pattern of decision making, which requires clear-cut decisions regarding alternative courses of action," Kintner declares.

But "top level civilian officials, especially political appointees, are accustomed to reaching solutions by response to pressure or by compromise reflecting a consensus of the majority."

SPECIALISTS IGNORED

Kintner says defense executives recruited from industry tend to make their own intelligence estimates rather than accept those of their specialists. It was for this reason, he declares, that executives recruited from industry refused to believe the reports presented to them innumerable times since 1954 concerning the accelerating technological advances within the Soviet Union.

Excessive secrecy, Kintner declares, and administrative insistence on following a policy line, whether witnesses agree with it or not, prevent Congress from gaining adequate information on which to legislate and appropriate for defense.

The public is in even a worse place, since it gets only sporadic and incomplete glimpses of military views on defense problems. As a result the professional military are placed in a position where it is almost necessary to capitalize on differences of opinion to make their sincere interests heard.

FUNCTION DILUTED

Something few realize, Kintner says, is that the Assistant Secretary of Defense (International Security Affairs), who is supposed to deal with the military assistance program, has become the principal adviser to the Secretary of Defense on matters coming before the National Security Council and the Operations Coordinating Board.

The result is that the Joint Chiefs of Staff, by law designated as military advisers to the President, the National Security Council and the Secretary of Defense have had their advisory function thoroughly diluted.

The Joint Chiefs' functions are also hampered by the injection of service views at all levels with the result that every paper becomes a compromise.

Kintner finds for a number of reasons that technological and scientific innovations make slow progress through the Pentagon. Civilian scientists are used widely in an advisory capacity but are without authority to make advances with defense planning.

NOT SET UP FOR WAR

The question of whether, in an emergency, rapid decisions can be made through the command and Secretary channels in the Pentagon is carefully examined. The authors declare that "no mechanism exists to bring together rapidly in practiced harness the President, the Secretary of State, the Secretary of Defense and the Joint Chiefs of Staff."

Nor is there a command post in Washington, nor a staff for it. In other words, the Pentagon is not organized for war and the organization would have to be improvised after a war starts.

The National Security Council, the authors believe, has failed to give policy guidance to the Defense Department except in terms "in which the vagueness of language may be acceptable to the various participants but is inadequate to direct the integration of the various programs into a cohesive and effective effort."

WOULD CUT NUMBER OF AIDS

The authors propose that the Joint Chiefs of Staff should be separated from the service chiefs of staff and assume direction of the unified commands over the world. The authors would provide the Secretary with a military secretariat and reduce the number of Assistant Secretaries. They then pick up the Hoover Commission recommendation for a program budget.

In spite of inadequate proposals to cure the evils so fully explored in the Defense Department, the examination in the first two parts of the book is the best delineation written on the Pentagon jungle. This part is invaluable to everyone who wants to know what is wrong with defense operations and who wants to develop ideas for improvement.

Mr. SYMINGTON. Early this year, another editorial appeared in the Kansas City Star, the final paragraph of which read:

A reshaped truly unified defense organization could absorb the extra costs of space weapons and produce economy with efficiency as well.

No truer words were ever spoken. If the Congress and the administration, together, do not take prompt steps to organize the Pentagon, in a proper way, the country's economy will run a race with the country's security to see which one collapses first.

Last month, another fine editorial entitled "Ganging Up on the Hopes for Real Defense Unity" appeared in the Kansas City Star. I ask that it also be printed in the RECORD.

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

[From the Kansas City Star of March 4, 1958]

GANGING UP ON THE HOPES FOR REAL DEFENSE UNITY

The move to reorganize the Nation's defense structure has run into strong Congressional opposition. Some of the most powerful men in Congress seem determined to block fundamental reforms. Their apparent strategy is to push legislation that would leave the separate services more completely on their own than they are even under the present system.

This system provides for the vague form but not the substance of unification. The three services operate separately, rather than on specific orders from any one source. The Defense Department is limited to the role of a loose coordinator.

The Secretary of Defense has never had the authority to run the Army, Navy, and Air Force. Of these three, the Navy has fought hardest against an extension of central power over the whole military program. And the Navy has its friends in Congress.

Now the three top-ranking members of the House Armed Services Committee are sponsoring a bill that would make unification more difficult than ever to attain. For it would strengthen the position of the civilian Secretaries who head the individual services.

The argument is that this approach would preserve civilian control over the military. But that isn't the real problem. The civilian control should be in 1 place and not scattered among 3 highly competitive services. It won't improve the situation for the Secretaries of air, sea, and ground to be admitted to the National Security Council. The voice of the Secretary of Defense is sufficient in this policymaking group.

But it should be a much stronger voice than the existing law permits. The Secretary of Defense, with the advice of the Joint

Chiefs of Staff Chairman, should be able to change the missions and functions of the individual services as new weapons are developed. Yet Congressmen who oppose unification now would now make basic service roles a matter of law.

The outlook for getting a more efficient plan of defense organization this year isn't encouraging. The changes suggested so far tend to go in the opposite direction.

Mr. SYMINGTON. In the past, Mr. President, other nations of the Free World were unwilling to face up to the importance of a proper defense establishment; and because they had no time to prepare, they would have been destroyed if it had not been for the later support—in blood and treasure—of the United States.

The way things are going on now in this world, however, with all the tremendous ideological, technological and economic developments, it is clear that in all probability this will be our Nation's last chance to organize a defense department based on progress, instead of continuing the tragic selfishness of putting up with one based on tradition.

If we fail this time to do what it is now all too obvious we should have done 11 years ago, we may never have another chance.

RESUMPTION OF HEARINGS BEFORE ANTITRUST AND MONOPOLY SUBCOMMITTEE OF THE COMMITTEE ON THE JUDICIARY, ON PRICES IN THE AUTOMOBILE INDUSTRY

Mr. KEFAUVER. Mr. President, as chairman of the Senate Antitrust and Monopoly Subcommittee, I announce that on April 29 the subcommittee will resume its hearings on administered prices in the automobile industry. The inquiry will be directed to the question of what has happened to the demand for automobiles. In addition, attention will be given to specific proposals designed to reverse the slump in automobiles sales. Witnesses will include recognized experts on the subject of the demand for automobiles. As part of the inquiry, an examination will be made of the extent to which the price paid by the typical automobile buyer in the form of monthly payments has risen as a result of increases in finance and insurance charges. New information on the subject is now being secured.

Current forecasts place 1958 production at somewhat above 4 million cars. This compares with the industry's own forecast last fall of 6.5 million and with actual production in 1957 of 5.7 million cars. It also compares with the industry's peak output reached in 1955 of 7.1 million and with its estimated capacity of 9 to 10 million cars.

With 1 out of every 7 workers dependent directly or indirectly upon the automobile industry for his livelihood, the effect of this decrease in automobile sales in aggravating and deepening the current recession should be obvious.

Moreover, there are signs that the decline in car sales is having a serious effect on small businesses throughout many industries which act as suppliers to the big automobile manufacturers. Many of these small firms are not in a position to stand a lengthly period of inactivity, and depend for their very survival upon an upturn in demand for automobiles.

I turn now to another subject.

The PRESIDING OFFICER. The Senator from Tennessee has the floor.

FOURTH ANNIVERSARY OF DEATH OF GEN. HOYT S. VANDENBERG

Mr. KEFAUVER. Mr. President, today, April 2, is the fourth anniversary of the untimely death of Gen. Hoyt S. Vandenberg, former Air Force Chief of Staff. He was born in Milwaukee, January 24, 1899, and died, after months of illness, in Walter Reed Hospital, April 2, 1954. He graduated from West Point, and in the next 30 years built a brilliant military career. He served with outstanding distinction as an air-combat officer in World War II, later was assigned as head of the Central Intelligence Agency, and then became Chief of Staff for the Air Force.

In 1953, when he felt that unwise cuts were being made in the Air Force budget by the administration, his great courage and single-minded devotion to the protection of the American Nation prompted him to publicly protest these reductions in national-defense services. In so doing he did not hesitate to place his own military career in jeopardy when he felt the interests of national security would be served by so doing.

General Vandenberg, as a man, and as a high military officer, left to this Nation a rich legacy by his career of honest, intelligent, courageous, and selflessly faithful devotion to public duty—a career which can well serve as a high inspiration to every loyal American.

In grateful appreciation of the useful life he devoted to our country, I am sure that many Members of Congress join in recognition of this fourth anniversary of General Vandenberg's death.

I turn now to still another subject.

The PRESIDING OFFICER. The Senator from Tennessee has the floor.

COMMUNITY FACILITIES ACT OF 1958

Mr. KEFAUVER. Mr. President, I regret exceedingly that, upon the urging of the minority leader [Mr. KNOWLAND], and with the votes of Republican members, the Senate yesterday postponed until April 14 the consideration of the Community Facilities Act of 1958, of which the Senator from Arkansas [Mr. FULBRIGHT] is the chief sponsor.

The great desideratum now is to get our people back to work. The building season, or the time within which buildings can be constructed, will end before the bill can be enacted if there are further delaying tactics.

It is unfortunate that the bill could not be considered by the Senate promptly, so that it might be passed, in order to enable municipalities, cities, and counties to make plans for construction work during the good building season this summer.

I have joined wholeheartedly with the Senator from Arkansas in the sponsorship of S. 3497, the Community Facilities Act of 1958, because I think it would serve as a needed stimulant to local public works.

It was suggested that mayors and city and county officials be consulted to obtain their views with respect to projects which would come under the terms of the bill.

I have written a number of mayors and county officials in Tennessee because I believe that there were many local public works which had been backlogged by war, inflation, and tight money. I have also talked personally with a number of officials about this situation.

It is true that there are a vast number of such projects in Tennessee, waiting to be started—and Tennessee is no different, I am sure, from other States in this regard. I have some letters from mayors and other officials which I want to put into the RECORD at the conclusion of my remarks. But meanwhile I should like to quote from a few, to show the type of activity which might be anticipated under this program.

Mayor Carl A. Johnson, Johnson City, Tenn., writes:

> Johnson City has a large backlog of public works improvements which should be constructed. We feel that public streets, sidewalks, highways, grade-crossing eliminations, school buildings, recreation buildings and other public facilities are necessary and that we should have some program for their normal construction.

Mayor James F. Corn, Cleveland, Tenn.:

> It happens that we do not have any project in contemplation at the present time, having recently completed new sewer and water installations but we could very readily expand our park and public recreational system which is already inadequate for the needs of our growing population. We have a municipal 9-hole golf course which should be expanded to 18 holes. We also need additional parks and playgrounds in several sections of our city. I estimate that we could readily spend $100,000 without overdoing the thing.

Mayor J. W. Dance, Knoxville, Tenn.:

> We here in Knoxville have a number of projects backlogged. We need a new fire hall; four recreational centers; auditorium (that has been voted by the people); expansion of the main building at the airport; and street expansion to intersect, or tie into the new highways being built. There are many other needed things too numerous to mention, and I have just listed some of the must items that we have been trying to find a way to build for sometime. Due to high interest rate and not enough income these things just have to wait.

Mayor George Smith, Jackson, Tenn.:

> I believe that (low interest loans for local public works projects) would accelerate the city of Jackson in starting three to four million dollars in public works projects which otherwise might be delayed several years: precisely—sewage disposal plant, public parking, public parks, and several other needed public facilities.

J. G. Engleman, recorder, Sweetwater, Tenn.:

> We are very grateful for the obtaining of a Federal grant which will assist in the construction of a sewage disposal plant but you

no doubt are aware of the financial strain the construction of a sewage disposal and filtration plant will place on the citizens of Sweetwater. This is especially true since we can only hope to issue 20-year serial revenue bonds at a 4½ percent or 4¾ percent interest rate. * * * The city is face to face with the following problems. The State health department is insisting on the construction of the above. The bond market is very unfavorable. Finances may require the rejection of all bids received either for the bonds or construction. If the bonds are issued, etc., the resulting effect could be disastrous.

Nevertheless, I do want to add a word of warning. I am not at all sure that this program will be as attractive with the Payne amendment, adopted in the Banking and Currency Committee, on the interest rate.

For instance, Mayor Crowder Chapman, of Brownsville, Tenn., writes:

As to the interest rate you suggest, it would not be attractive to Brownsville unless it was lower than 3 percent as we can get what money we need at that figure.

Mayor Johnson, of Johnson City, writes:

Three percent bonds would be very little cheaper than our last interest rate on school bonds and would not stimulate any improvements in our city.

If this program is going to be effective, Mr. President, it must result in interest rates which will stimulate local public works construction. That means low interest rates. I favor the original Fulbright formula, rather than the Payne formula which was adopted by the committee. I urge the Senate to adopt that original formula, and then enact this bill, so that cities and communities all over the Nation can have this needed spur to take up the slack in their economies.

I ask unanimous consent to make a part of the RECORD at this point several letters from Tennessee mayors and officials.

I now ask that the letters to which I referred be printed in the RECORD.

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

CITY OF JOHNSON CITY, TENN.,
March 27, 1958.

The Honorable ESTES KEFAUVER,
United States Senate,
Washington, D. C.

DEAR SENATOR KEFAUVER: Thank you for your letter of March 22 concerning the legislation sponsored by you and Senator FULBRIGHT on low-interest loans to localities for public-works projects.

Johnson City has a large backlog of public-works improvements which should be constructed. We feel that public streets, sidewalks, highways, grade-crossing eliminations, school buildings, recreation buildings, and other public facilities are necessary and that we should have some program for their normal construction. Johnson City's debt ratio, however, is approximately 26 percent and additional borrowing capacity at this time would not accomplish for our city the apparent pressing current need. Three-percent bonds would be very little cheaper than our last interest rate on school bonds and would not stimulate any improvements in our city.

We have a number of projects that could be started in the immediate future but we do not have funds for these programs today nor do we feel it wise to borrow for their construction. We feel as the Tennessee Municipal League has said that if a public-works program is to be inaugurated by the Federal Government as a step to slow the current recession then we would like to see it provide for Federal-city programs. We have had great success with our partnership programs.

We certainly appreciate your contacting us on this matter and we hope that something can be worked out which will be beneficial to cities during this period of recession.

Yours very truly,
CARL A. JOHNSON, *Mayor.*

CITY OF CLEVELAND,
Cleveland, Tenn., March 26, 1958.

Hon. ESTES KEFAUVER
United States Senate,
Washington, D. C.

DEAR ESTES: I have your letter of March 22 and will say that it looks to me as if you have devised a program that is not only practical and constructive but which offers prompt action toward relief of the present unsatisfactory employment situation which is so widespread throughout our country.

It happens that we do not have any project in contemplation at the present time, having recently completed new sewer and water installations but we could very readily expand our park and public recreational system which is already inadequate for the needs of our growing population. We have a municipal 9-hole golf course which should be expanded to 18 holes. We also need additional parks and playgrounds in several sections of our city. I estimate that we could readily spend $100,000 without overdoing the thing.

I trust that this information and comment will be of some value toward the accomplishment of the fine program you are proposing.

With all good wishes, I am,
Sincerely yours,
JAMES F. CORN, *Mayor.*

CITY OF KNOXVILLE, TENN.,
March 26, 1958.

Hon. ESTES KEFAUVER,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: I believe the bill referred to in your letter of March 22 would be very helpful, provided when passed the redtape could be cut to a minimum. It takes forever and a day to process any project through the Housing and Home Agency or the CAA.

We here in Knoxville have a number of projects backlogged. We need a new fire hall; four recreational centers; auditorium (that has been voted by the people); expansion of the main building at the airport; and street expansion to intersect or tie into the new highways being built. There are many other needed things too numerous to mention, and I have just listed some of the must items that we have been trying to find a way to build for some time. Due to high interest rates and not enough income these things just have to wait.

We also have a heavy bonded indebtedness to pay off for the next 10 years, which is an accumulation of refunding and school expansion which, also, handicaps us from building new projects, which are badly needed.

Very truly yours,
J. W. DANCE, *Mayor.*

CITY OF JACKSON, TENN.,
March 26, 1958.

Senator ESTES KEFAUVER,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: I believe that the legislation which you are cosponsoring with Senator J. W. FULBRIGHT to make available low interest loans for local public works projects is needed legislation. I believe that it would accelerate the city of Jackson in starting three to four million dollars in public works projects which otherwise might be delayed several years: precisely—sewage disposal plant, public parking, public parks and several other needed public facilities.

I hope that you are successful in bringing this legislation about.

Yours very truly,
GEORGE SMITH, *Mayor.*

CITY OF SWEETWATER,
Sweetwater, Tenn., March 25, 1958.

Senator ESTES KEFAUVER,
Senate Building,
Washington, D. C.

DEAR SENATOR: We are very grateful for the obtaining of a Federal grant which will assist in the construction of a sewage disposal plant but you no doubt are aware of the financial strain the construction of a sewage-disposal and filtration plant will place on the citizens of Sweetwater. This is especially true since we can only hope to issue 20-year serial revenue bonds at a 4½-percent or 4¾-percent interest rate.

Now if the city could issue said bonds which will amount to over $600,000 at a rate of 3¾ percent to 4 percent, payable over a period of 30 to 35 years, and contain the same guaranty as Federal housing bonds, this would make them an attractive investment.

The city is face to face with the following problems. The State health department is insisting on the construction of the above. The bond market is very unfavorable. Finances may require the rejection of all bids received either for the bonds or construction. If the bonds are issued, etc., the resulting effect could be disastrous.

The Federal Government guaranteeing the payment of similar bonds will enable the cities to obtain needed improvements and pay their own way without additional assistance, tax cuts, or deficit spending by the Federal Government.

A tax cut will be of no material benefit to anyone and deficit spending is exactly what some foreign countries wish us to do. This will not help the present depression.

It seems to me that our Congressmen are overlooking a large segment of our population, the retired, by not providing for them in times like the present an increase in their compensation. Why not provide an escalator clause in the retirement act similar to that enjoyed by the UAW? I think it would be worth consideration and the money these people receive goes into circulation immediately.

With kindest regards, I am
Very respectfully yours,
J. G. ENGLEMAN.

CITY OF BROWNSVILLE,
Brownsville, Tenn., March 26, 1958.

Senator ESTES KEFAUVER,
Washington, D. C.

MY DEAR SENATOR: I have your letter of the 22d inst., relative to your and Senator FULBRIGHT'S bill to make low-interest loans available for public works. I like this idea much better than grants. My personal feeling is that when grants are available, we should use them when other communities are—but I prefer that they be made as you suggest as loans and not as grants.

As to the interest rate you suggest, it would not be attractive to Brownsville unless it was lower than 3 percent, as we can get what money we need at that figure.

I also feel that as soon as income taxes can be reduced enough to stimulate private business to take the risks inherent in business ventures, that the Government would not lose revenue but would be compensated by the increased employment.

Sincerely,
CROWDER CHAPMAN,
Mayor, Brownsville, Tenn.

PRESIDENT EISENHOWER AND THE RECESSION

Mr. KERR. Mr. President, I should like to call to the attention of my colleagues the front page of the Washington Daily News of today. I believe it is one of the most illuminating that I have ever seen. The headline, which is in bold type, reads:

Ike Moves Against Hasty Hill Splurge To Fight Recession.

Then, below the headline, there appear three pictures of Ike, showing the manner in which he moves. I cannot say with certainty that it was the intention of the Daily News to illustrate with these pictures our President's movements against the efforts of Congress to fight the recession. I cannot be entirely sure that the pictures shown of our President illustrate his moves against the recession.

However, it occurs to me that the pictures are appropriate and symbolic of the movements the President takes to meet just about any crisis which confronts him or our country. Although they are shown on the front page of the newspaper, immediately below the headline which I have read they may not be designed by the newspaper to illustrate the headline or to enlighten the public as to the movements taken by the President. I must say, however, that they are accurate in depicting the President's action in connection either with what Congress is trying to do about the recession or what the President is trying to keep us from doing about the recession.

The PRESIDING OFFICER. The time of the Senator from Oklahoma has expired.

Mr. KERR. Mr. President, I ask unanimous consent to proceed for an additional 5 minutes.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request? The Chair hears none, and the Senator from Oklahoma may proceed.

Mr. KERR. The pictures show what our President was doing in connection with his physical movements, either in practice of or participation in the game of golf. I read what appears under the three pictures:

Sign of spring. Like a crocus—

I do not know what it is about the President that the editors discerned or learned which signified to them a similarity to the crocus, but I am sure that such an honorable and honest newspaper as is the Daily News would have had ample justification in fact available to its editors for them to have taken the responsibility of saying that our President—

Like a crocus, President Eisenhower bloomed with the sunshine yesterday, the first here in ages, it seems. Ike took his golf gear out on the White House lawn, tossed a handful of balls on the grass and whacked at them for nearly an hour, winding up at the putting green near the west wing with chip shots.

These pictures emphasize the fact that the President devoted a full hour yesterday in movement against the Hill's efforts to fight the recession, or dedicated that time to his fight against the recession. We could not hope that he would have devoted more than a half that time either to fighting our efforts to fight the recession or to his efforts to fight the recession.

It is a wonderful portrayal of the interest our President takes in the affairs of our Nation. I congratulate the Washington Daily News for giving this pictorial representation of the situation. I am wondering how many Americans will have to move into the ranks of the unemployed before our President moves out of them.

POSTPONEMENT OF CONSIDERATION OF COMMUNITY FACILITIES BILL

Mr. FULBRIGHT. Mr. President, for the sake of the RECORD, I should like to make my position on the events that happened yesterday absolutely clear.

The bill that was before the Senate had come to us under bipartisan auspices. It had been approved by the Senate Banking and Currency Committee on a vote of 13 to 2.

The Senate majority leader had announced on more than one occasion that this measure would be considered before the Easter recess. It had been brought before the Senate by unanimous consent. One single objection would have left it on the calendar.

There was nothing unusual about the procedure which had been followed. It is similar to the procedure that has been followed in this Senate on innumerable occasions that goes back beyond the memory of any of our present Members.

But yesterday a series of events took place and the chronology is interesting. The implications are even more interesting.

First, the distinguished Senate minority leader asked that consideration of the measure in the morning be postponed because of a meeting at the White House.

Then he asked that consideration be postponed because of a meeting of his policy committee. Then, late in the afternoon, he asked that consideration be postponed until April 14 because at that late hour he had suddenly come to the conclusion that there was not sufficient time to study the report, the bill and the hearings.

Mr. President, I do not question the technical position which the distinguished minority leader has taken. I assume that his last minute plea for delay was based upon the points that he advanced.

However, the rather peculiar juxtaposition of the White House meeting, the policy committee meeting and the sudden move is worthy of comment.

The distinguished minority leader cannot be unaware of the fact that the majority leader has always been willing to accommodate the minority upon any reasonable request for time to consider a measure. That request could easily have been made last week; over the weekend; on Monday; or even on Tuesday morning.

The majority leader has always been willing to accommodate the minority and to accord the interests of the minority ample protection when the minority leader is out of town for official business or for any other business. This is a policy which is completely concurred in and followed by the acting majority leader.

The Senate has conducted its business for a number of years without any necessity for last minute maneuvers or staging any surprises in the form of parliamentary devices on either side of the aisle.

Yesterday morning there was a White House meeting and I hope that that meeting has not changed the method by which we have been doing business.

It may well be that the White House has become somewhat impatient over the necessity of dealing with measures that have originated in this body. It may well be that the White House has become impatient with the necessity of coming to decisions on measures to combat the recession.

It may well be that the White House has decided to call a halt on antirecession measures in the hope that that famous corner around which prosperity is ever lurking will stop receding.

We have adopted two resolutions urging the administration to accelerate its public-works program.

We have passed a measure to stimulate housing.

We have passed a measure to prevent the Federal Government from forcing farm prices down below 1957 levels.

That antirecession measure had a veto thrust into its heart. I hope that the antirecession measures remaining before us—the highway bill; the rivers and harbors bill, the community public works bill and others—will not be disposed of by delaying tactics in order to save the White House the unpleasant chore of exercising the power of veto.

I do not believe our people will take kindly to the use of a parliamentary device to stall antirecession legislation. I do not believe Americans will feel that we should dillydally in the hope that if we shut our eyes, 5,200,000 unemployed men and women will go away.

I think we are all aware of the fact that if there had been any advance notice of this maneuver it could not have taken place. It was a device that depended entirely for its success upon secrecy up to the last moment.

I would not like to think that my colleagues on the other side of the aisle wish to operate on such a basis. I would prefer to think that they had no choice other than carrying out the instructions which were handed to them from another source.

It is an unfortunate situation, Mr. President, that on the basis of the vote last night there is little else we can do. We must find out whether it is possible to continue Congressional action or whether both ends of Pennsylvania Avenue are going to become helpless to combat the recession—one end through sheer inaction and the other end through squabbling over parliamentary maneuvers.

I wish to close by paying my personal respects and compliments to the acting majority leader [Mr. MANSFIELD]. He was placed in a most unfortunate posi-

tion. He found himself confronted with a situation for which he had no advance warning. He bore himself with dignity and I think gained the respect of all who are aware of the circumstances.

PROPOSED EXTENSION OF EAST FRONT OF THE CAPITOL

Mr. FREAR. Mr. President, in connection with the proposed extension of the east front of the Capitol, I ask unanimous consent to have printed in the RECORD a letter addressed to me by Mr. G. Morris Whiteside 2d, a well-known and highly respected architect of Wilmington, Del.

Mr. President, Mr. Whiteside came to Washington to see for himself the condition of the Capitol. After spending the better part of a day here, he returned home, and subsequently transmitted this letter to my office.

I trust that it will be of value to the Members of the Senate in their deliberations on this highly important matter.

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

WHITESIDE, MOECKEL & CARBONELL,
Wilmington, Del., March 27, 1958

Hon. J. ALLEN FREAR,
Senate Office Building,
Washington, D. C.

DEAR SENATOR FREAR: I am addressing you on the controversial subject of the extension of the east front of the Capitol. As a member of the Delaware Historical Society, the Delaware Swedish Society, the Sons of the American Revolution, and the American Institute of Architects, you can readily imagine my interest and devotion to our American heritage, and my continued interest in the preservation of our early structures. In fact, it has been my privilege to make drawings for the restoration of historic buildings, among which are Old Swedes Church, Wilmington, and the George Read House in New Castle. With this as a background may I submit the following:

Some years ago I was a member of the American Institute of Architects Committee for the District of Columbia. I enjoyed the appointment and during those years of tenure my interest in the master plan for the District and in the situation relating to the historic and also the new buildings was greatly stimulated. Since then I have followed the development of Washington and have frequently visited the city solely to observe how it is all working out. With this background I was concerned when I learned of the project for the extension of the east front currently before Congress.

My first reaction was to doubt the wisdom of a change of any sort. I followed, keenly, the articles in the press and in the publication of the American Institute of Architects, but, as I observed the high caliber and professional standing of the experts selected to perform the work, I felt that I should endeavor to obtain all the facts concerning the matter. Therefore, on March 14 I went to Washington and spent the better part of the day in the office of Mr. Stewart, the Architect of the Capitol. My time was about equally divided between the original drawings and the data for the proposed work. As I left Mr. Stewart late in the afternoon, I was quite convinced that the plans prepared for moving of the east front give not only an excellent solution planwise, but are necessary from a structural consideration, if the edifice is to continue as our Capitol Building.

The professional men have worked intelligently and reverently on these plans, and from a purely sentimental approach, I know that their designs will place the building more nearly in conformity with the ideas of the early planners than it is today.

In view of these factors, I respectfully solicit your support of plans which have been submitted to the Architect of the Capitol by the associate architects and engineers and the consulting group for the extension of the east front of the Capitol.

Respectfully,

G. MORRIS WHITESIDE, 2D,
Fellow, American Institute of Architects.

STRENGTHS OF OUR ECONOMY AND UNWARRANTED DOUBTS

Mr. MARTIN of Iowa. Mr. President, in recent weeks we have seen many of our citizens show unwarranted fears for the future. To be sure, we are going through a recessionary period; but the fundamental economic forces in our economy are sound. There are specific things that we in the Congress can do to restore confidence and to stimulate the growth of business activity. They lie primarily in the areas of taxes, fiscal policy, and labor policy.

On February 7, 1958, Mr. Robert C. Tyson, chairman of the finance committee of the United States Steel Corp., discussed some of our problems, in an important address before the Executives' Club of Chicago. He reviewed the strengths in our economy, and discussed the problems which require our attention. I believe his address so clearly points out the course we should follow in the present situation that I ask unanimous consent to have it printed at this point in the CONGRESSIONAL RECORD.

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

UNWARRANTED DOUBTS

(By Robert C. Tyson)

There is a mounting conviction abroad in the land that we in this country may be standing at one of the historic turning points in the broad sweep of American business affairs—such a turning point as has occurred on the termination of booms from time to time in the history of our Republic. It is about this possibility I would like to talk briefly with you today, because I suspect there are unwarranted doubts about the situation; and such doubts as are unwarranted should certainly be dispelled lest their presence itself aggravate the situation.

WHAT WAR DOES TO OUR ECONOMY

I refer to the broad sequence of business events that has repeatedly and regularly followed each of the great wars in which the United States has engaged. The story of that sequence seems to be something like this:

War, as we all very well know, fearfully wrenches the economy. In wartime a single objective supersedes all other goals. It is to win the war. This is the simple survival requirement. We divert manpower from peacetime pursuits in order to prosecute the war at the front. On the homefront we give up the production of those things that can be spared, the better to produce the materiel needed at the front. We convert our factories—to the extent they can be converted—to the building of guns and equipment. We patch and repatch the old facilities to keep them running. Other factories whose output is not essential are just closed down, the manpower and materials being needed elsewhere. There are long lists of goods whose continued output can be postponed. These are the durable goods, because those we already have can be made to last a little longer. Among them are such things as new houses, automobiles, housefurnishings, clothes, roads, public and private construction of many kinds, and the thousands of new models, products, gadgets, conveniences, recreational facilities and comforts that our inventive people are constantly devising in the promotion of an ever-rising scale of living.

Thus, while the war is on the business measurements will disclose a very high level of activity, but this war-energized activity cloaks a deeply subnormal production of peacetime durable goods. War is simultaneously a period of great production and of great postponement. It is a period in which the Nation is singlemindedly engaged in satisfying its survival requirements.

MULTIPLYING THE SUPPLY OF MONEY

In the meantime the Government, in order to meet its huge war bills, increases taxation. But even that does not provide enough money, so it borrows heavily. Part of the debt is lodged with banks and becomes the basis for a great expansion in the bank deposits which we use for money in this country. During World War II our money supply was roughly tripled. In order to counteract the increase the Government imposed extensive price controls and rationing. The techniques of this modern substitute for the old-fashioned money printing press are beyond the scope of this discussion. But the point is that when the war is over the Nation finds itself simultaneously possessed of big shortages of peacetime durable goods and abundant supplies of money. One era comes to a close; a new one begins. With the heavy demand for survival having been met, the Nation turns to satisfying its huge backlog demand for peacetime durable goods.

THE POSTWAR BOOMS

This demand is the most powerful and insistent known to peacetime markets. It is a demand for goods that people have had in the past, that they know about, that they know how to produce, to which they feel they are entitled, and for which they have the money to pay. It is a demand compounded by the need of industry to replace, at least, its equipment and machinery worn out during the war, to catch up on deferred maintenance, to reinstitute expansion plans laid aside while the war was on. The postwar reconstruction era also feels the resurgence of the characteristic American impulse to devise, produce and market new things. Such innovation is furthered by the wartime stimulus to find better and quicker ways of doing things, by the stimulus to men's minds as they are moved from one environment to others in meeting the war requirements.

And so, following each of our great wars there has been about a decade of postwar reconstruction prosperity or boom. Most of you can remember the 1920's—it was called the new era. Those who delve into history will find that in the early 1820's, following the War of 1812, there was a period of similar reconstruction prosperity and expansion. This period was called the era of good feeling. There was a similar period following the Civil War. It has been labeled industrial overexpansion prosperity. And since the close of World War II we have once again been in such a period, one that has probably been lengthened by the conflict of Korea and the adoption of a guns-plus-butter national policy.

There is one thing about these postwar, decade-long booms we should note. It is that in the past they seem always to have been overdone. Because they last so long, people are insidiously led to believe that the prevailing boom conditions are normal, whereas what really happens is the development of a much greater than so-called normal

demand for peacetime durable goods to make up for their deeply subnormal production during the war. There is also a very natural reason why postwar booms might be overdone and overprolonged. Thus with backlog demands on top of normal demands for the end products of business, the existing capacity of industry is overstrained. So those capacities are sought to be expanded. And this places still more demand on industry to produce also big quantities of producer goods. Industry must simultaneously produce to meet current demands, backlog demands and demand to enlarge its own capacity. It takes a long time to catch up.

But eventually the long catching up process is accomplished. Industry is eventually supplied with adequate or even excess capacity; people are well stocked with new homes, homefurnishings, automobiles, and so on. Another era comes to a close and transition to something different must be faced. And here I come to what I think is troubling the minds of many people.

AFTER THE BOOM

Many of us remember what happened after the new era of the 1920's came to a close. And many who have looked back over the long record find somewhat similar sequels to all our previous postwar reconstruction booms: The sequel, in the literature on the subject, has come to be called a secondary postwar depression. According to the long chart of business activity prepared and issued by the Cleveland Trust Co., the Nation entered such a depression in 1826—about eleven years after the close of the War of 1812. That depression lasted for about four and a half years. In 1874 we entered another such depression in which we remained for over 6 years. And in 1930 we entered a similar depression in which we remained for about 10 years. A big part of the reason that these so-called secondary postwar depressions have been so long is that the Nation appears to enter them relatively well stocked with new durable goods and with excess capacities to produce them. It takes time to wear them out and it also takes time to reorient the Nation's manpower and resources to the abundant production of still newer and better goods and services to promote its rising living standards.

In the light of all this the troublesome question now is: Are we again on the eve of repeating that which has been so regularly repeated in our past?

To those who mechanically give blind obeisance to historical parallelism—we might think of them as afflicted with "parallelitis"—the answer must perforce be, "Yes." But the more thoughtful, I am sure, will find many good reasons for believing that this need not be the case. To those considerations I now turn.

BUT KNOWLEDGE IS POWER

There is a saying that knowledge is power, and if that be the case then we are armed with power to meet any possible serious business decline as never before. Forewarned is forearmed. Most people forget that our knowledge about these matters is of comparatively recent origin. It was not until the middle 1920's, for example, that there was such a thing as the Federal Reserve Board index of industrial production; and it spanned only the years subsequent to 1918. It was not until the middle 1930's that the records were retroactively compiled to tell us of the fluctuations in business back to 1790. It was only then that the regularly repeated long swings of business activity wrought by war emerged from the record; it was only then that students began to understand the how and the why of these matters and coined the term "secondary postwar depression." This, indeed, is the first time that the Nation has ever come up to the possibilty of such a period with knowledge that the possibility even existed. That knowledge has already born fine fruit.

HOPEFUL FACTORS

For example, we should first note that we have not had this time, as we did in 1929, a great speculative stock market, financed on thin margins with borrowed money. It was the great collapse of bank credit—three times as great as ever before recorded—engendered by the stock market collapse in 1929 which led ultimately to the great difficulties of the banks in the subsequent years, and which, in turn, tremendously aggravated the difficulties of doing business of all kinds. The monetary authorities have been vigilant in seeing to it that no great collapsible structure of speculative bank credit has been reared this time. For that we had better be thankful, rather than critical of the safeguarding restraint recently imposed by the monetary authorities.

Let me next note that it is true that we have had this time, as we did in the 1920's, a great postwar housing boom financed largely with mortgage money. The spiralling collapse of real estate values with successive waves of foreclosures in the early 1930's served greatly to aggravate the general credit collapse. But things are vastly different this time. Home mortgaging practice has significantly shifted from lump sum, short maturity loans, to monthly amortized, 20- to 30-year obligations, more like rent. Much of the debt is also guaranteed or insured by the Government. The owners' equities in their homes are thus steadily growing and big lump sum due dates have been eliminated. So the question of ability to meet a large payment on an asset which is or has depreciated marketwise, can scarcely arise in wholesale fashion as it did in the 1930's.

These two factors alone well could be sufficient to guarantee that we are not headed into another nationwide financial paralysis such as we experienced in the 1930's. Our new knowledge has born fine fruit indeed in these two vital areas.

I think next that businessmen as a whole have conducted their affairs with far greater prudence and deliberation than ever before. The records show inventories as being large, it is true; but the data do not disclose a situation that would require a prolonged period of readjustment. There is, moreover, all the difference in the world between an orderly liquidation of inventories in the course of business, and a fast liquidation forced by a credit crisis, from which crisis we have been saved by the Federal Reserve authorities. Because business planning has proceeded with prudence in the past, it can proceed with the more assuredness and steadiness in the future. This augurs well for the period ahead.

Encouraging, too, is the fact that large volumes of construction in public roads, schools, and utilities remain to be performed. Monetary restraint in the recent period has helped to defer projects from a period when their performance would have aggravated existing boom to a period when their performance should prove salutary. Everyone also knows that our population has resumed its growth, at rates comparable to those experienced in the early part of this century. This is a mixed blessing. Although it adds to the markets of the future, it also adds to the costs. There will be more people to buy things; but there will be more people to be supported out of existing resources. In terms of business prospects, however, it is a powerful long-term factor sustaining capital expenditures of industry.

Mention should also be made of the social security programs of Government and industry, and of the fact that a very large segment of income in the form of Government payrolls is presumably stabilized. Although these cannot breed business revival they can cushion business recession.

THE BROADER VIEW

I have already noted why fear of repeating the drastic features of the 1930's is unwarranted. But if we wish to insure a still more rapid and less onerous reorientation of the Nation's affairs to its historically characteristic pursuit of an ever more abundant life, then we must look at certain national policies to which we have become habituated in as broad and fair a perspective as we can.

What I deeply fear is that in the course of nearly two decades of war and of postwar boom certain attitudes have become so widely accepted and ingrained in national policy that it will prove very hard to review them objectively. Nevertheless in three great areas, namely, in taxation, in monetary and fiscal policy, and in labor policy, we have done things which the Nation could stand while war and assured boom were the order of the day. But these attitudes could prove a handicap in a period when our every effort should be to reinvigorate the processes of private productive investment, from which alone comes the creation of new self-sustaining jobs on the one hand and, on the other, the ever newer and better products and services which are the very substance of an advancing scale of living.

TAXATION

Let us look first at taxation and, since it is closer to home, look first at the taxation of individual income. Does anyone really believe that the best way to encourage 170 million people to invest their savings in new job-creating ventures is to provide that any additional money they might make in so doing will be taken away from them by taxation at ever increasing rates up to 91 percent? Let me remind you that the most ardent advocate of heavy progressive taxation that history has known was Karl Marx. He wanted it because he believed it would help destroy private enterprise by penalizing the more industrious and undermining productive incentives. It is time we gave thoughtful attention to our present confiscatory rates if we are not to stifle the Nation's full productive genius and initiative.

Well, let's next take a look at corporate taxation and double taxation. Corporations are not the creations of government. They are the resourceful invention of people to enable large numbers of them cooperatively to pool their resources and their labor and so accomplish mighty production tasks beyond the power of any one individual or small number of them. The dividends paid by these corporations are less than 4 percent of the Nation's income, yet corporations provide nearly three-quarters of all the nongovernment wages and salaries paid. The corporate economy is also the biggest remaining segment of business life that is still disciplined by vigorous competition. In the light of all this there must surely be something wrong with a generalized attitude of hostility toward corporations and their profits as such. Their profits are less than they were 6 years ago—while the Nation's annual wage bill has increased by $80 billion. Yet the taxation of corporations seems unhappily designed not only to double tax the income that they generate but also to erode away their capital. The income is double taxed because it is first taxed—to the extent of over half of it—as it is earned; and then it is taxed again when paid out as a dividend. The capital is eroded away because the tax code refuses to recognize that it takes a lot more of today's cheapened dollars to equal enough depreciation to replace equipment purchased many years ago when a dollar would buy much more than it does now. The deficiency is arbitrarily considered income and taxed

as such. In the case of United States Steel alone such tax erosion of capital as it turned over through depreciation amounted to over $650 million in the years 1940 to 1957 inclusive.

If we are to look at taxation of corporate income from the broadest possible viewpoint of the Nation's enduring welfare, we should also note that it tends to impair productive efficiency and impede growth. The company that operates more efficiently than another pays a relatively higher tax, and so in effect pays a penalty for being more efficient. Taxes levied at high rates against efficiency cannot help but impair that efficiency. This, in turn, affects a corporation's ability to finance its own growth, and this is certainly not in the national interest. Should we additionally provide, as is being promoted in some areas, that as corporations increasingly serve the Nation's markets the tax rate on them would be additionally increased—this is the so-called progressive taxation of corporations—then I suppose that persons behind the Iron Curtain could congratulate themselves that we in America had reached some sort of a new high in self-stultification.

The biggest part of the business done in this country is carried on through corporations, and so we must ask ourselves whether we really want to handicap ourselves unfairly, corporate taxwise. Surely in view of what we may be facing we need and want not only the maximum fair stimulus to individuals but also a similar stimulus to the same individuals when acting as a corporate group. So a long hard look at corporate taxation is also needed if we are to skip or minimize the prospect of subnormal business activity.

Let me add one caution. I do not seek tax reduction resulting in Government deficits and inflation. We should instead seek to redevise our tax systems so as to leave the maximum productive incentive for each producing unit that is possible without undermining a similar incentive for all other units. Let me quote a sentiment expressed by Sumner Slichter in a Winthrop Ames lecture way back in 1942. He said: "The tax history of the United States in recent years has been fairly sensational. A visitor from Mars would suspect that a Communist fifth columnist was writing the laws for the purpose of making private enterprise unworkable. I am not complaining about the general level of taxes. Rather I am complaining of the extraordinary way in which taxes have been modified to bear heavily on any enterprise or individual who displays daring, backs an innovation or experiment, especially an experiment which is pretty certain to experience losses for a few years." Fifteen years have gone by since those words were said. Maybe the time has come to heed them.

MONETARY AND FISCAL POLICY

I would next invite you to look at the broad sweep of fiscal policy and public attitudes toward it. One big part of that policy I have already dealt with in discussing incentive-destroying taxation. But on an even broader sweep I fear that the once self-reliant and independent American people have come to rely blindly upon Government to take care of everybody. Is this really what we want in our country? Is this really the way to promote the transition we seek? Has not the process of deficit spending been tried out and played out? Consider the astronomical debt we have already achieved. Consider the threat of endless inflation with which its renewed fast expansion would be regarded by an awakening public. Consider the fact that in the course of the biggest and longest boom our country has ever experienced and with the highest, even confiscatory, tax rates ever imposed in peacetime, there has been no significant reduction in this debt. For those who would repose fond—and, I think, blind—confidence in Government spending as the sovereign cure for economic ailments, let me cite the record: From 1930 to 1940 the Federal debt was nearly tripled to augment Government spending. But unemployment rose—not declined—from 4 million to 8 million people. He who is willing to face the factual record is forced to the conclusion that the spending of tax money and printing-press money to support people in a nonproductive status serves more to perpetuate them in that status than to secure their reemployment.

So we had better earnestly review this part of fiscal policy. If we do we may uncover the realization that the only durable hope of ever lightening the total burden of government must come from a constant and insistent public demand that any government waste and inefficiency be drive out, and that the true job of government is to defend and to govern the Nation—and very little else, let alone to engage in an incentive-destroying redistribution of the people's income. There should, instead, be a release of productive incentives so that real income may grow rapidly and thus relatively lighten the tax burden.

LABOR POLICY

I come next to one of the most extraordinary phenomena of American history—the startlingly rapid growth of giant labor unions, headed by leaders who, possessed of great power, seek always to outdo each other in elevating employment costs in their respective industries. The legislative and social framework within which they function compels them to compete in elevating this cost that is basic to all industry. On a consolidated industry basis employment cost represents more than three-quarters of all costs and as it rises it forces prices upward. This has come to be called cost-push inflation as distinguished from the better known demand-pull type of the past caused by rising prices created by excess of demand over supply.

These are matters of profound importance to every citizen and especially to every one who lives through the wages he earns. There is, however, one aspect of the matter which is of particular concern to me in view of the business transition we seek and desire in this land. It is the seemingly endless and irresistible wage-cost-price spiral of inflation wrought primarily through labor power. I see this spiral manifest in the affairs of United States Steel. Year after year, in peace and in war, in periods of good business and in periods of bad, the employment cost per hour marches steadily upward and carries all other costs up with it. Since 1940 our employment costs per hour have advanced on the average at a rate of over 8 percent per annum compounded. Surely a resourceful American people can find some way to check this institutionalized inflation and do it with justice to everyone concerned. And surely this is something very important to consider on the eve of what might otherwise be our entrance into another serious economic decline. For, in terms of ordinary commonsense, is there really any better way to handicap a business readjustment than to provide that everything, willy-nilly, has got to cost more to produce and hence be sold at cost-covering price increases in markets increasingly saturated?

As I come to the close of these remarks I note that I have so far made no mention of either cold or hot war. It is the unhappy fate of our generation to live in a half century of mighty conflicts, in the course of which the world has witnessed the declining leadership of the British Empire—the end of the long Pax Britannica. Ruthless despotisms have concurrently arisen to dominate many peoples. At the end of World War II there was reasonable prospect that a nonaggressive Pax Americana might be accepted and so usher in a new bright period of human history. Unhappily that prospect seems still some time away. Powerfully armed good and powerfully armed evil now stand fatefully poised in apprehensive attention. We call it cold war. It is not within my power to prophecy what alterations in that posture may occur; and so I have spoken on the presumption of its continuance. But as I review what I have said I find little that I would alter in the light of other presumptions. Whether it is cold war, hot war, or no war at all, we should still seek fiscal and monetary sanity, avoid incentive-destroying taxation, and find fair ways to curb destructive wage-price inflation.

Reviewing the array of possibilities, I find no good reasons for supposing that we in this land need reexperience another 1930's. On the contrary, armed with knowledge that has already been utilized in a safeguarding way, we can be masters of our destiny. We can make it a better destiny as we thoughtfully adjust our overriding national attitudes and policies to suit the characteristic broad swings of postwar business developments.

ALASKA STATEHOOD

Mr. MURRAY. Mr. President, I am certain every Member of Congress, and, indeed, the great majority of our fellow Americans, are aware that bills to admit the richly endowed and strategically located Territory of Alaska to statehood are pending on the calendars of both the Senate and House. In the Senate, the calendar number is 1197, and it has been there, ready for action, since the closing days of the first session of this Congress after exhaustive hearings and thorough consideration by the Committee on Interior and Insular Affairs.

In the other body, likewise the Alaska statehood bill was reported favorably by the House Interior Committee in the first session. The House committee also held extensive hearings on its Alaska statehood bill. These hearings in the 85th Congress by both the House and Senate are but the latest in a long, long series of hearings and exhaustive inquiries into the issue held over the years.

The issue of statehood for Alaska is, indeed, an old one. The first statehood bill was introduced in 1916 by the Honorable James Wickersham, then Delegate from Alaska, who was a Republican.

In 1948, statehood hearings were held in Alaska and in Washington by the House and again in 1949.

In 1950, the Senate Interior Committee held very exhaustive hearings on the House-passed Alaska statehood bill, with a large number and wide variety of witnesses appearing from the Territory and elsewhere.

Our committee reported the bill favorably, with amendments, and the motion to consider it was debated for 8 days on the Senate floor in November and December 1950.

During this Senate debate, the issues involved in Alaska statehood were aired.

Again in the 82d Congress, Alaska statehood was considered by the Interior Committee, and the bill was reported favorably. This bill, too, was the subject of prolonged discussion in the Senate

during which the issues concerning statehood were again thoroughly examined.

In the 83d Congress, hearings were held in Alaska by the Senate committee and again in Washington, and the statehood bill was reported favorably. It was vigorously debated on its merits in 1954, and was passed by the Senate.

True to what had become tradition, in the 84th Congress, we again held statehood hearings, and again in the 85th.

I cite this long chronology in detail only to show that the Congress has before it a vast amount of evidence concerning statehood for Alaska, pro and con, both in the hearings themselves and in the extensive floor debates in both the House and Senate.

It seems to me as chairman of the committee that just about everything that can be said on the subject has been said, in one way or another.

In fact, the record will show that there have been some 17 or 18 separate hearings held in Alaska and in Washington. They cover something like 5,000 printed pages of published hearings.

The House bill for Alaska statehood is pending before the Rules Committee of the House and that body has embarked on still another hearing. In connection with this hearing, I ask unanimous consent to have printed at this point in the RECORD, an editorial published on page 1 of the Washington Daily News for April 1, 1958. As Senators know, the Daily News is an outstanding member of the great Scripps-Howard chain.

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

AN AWAKENING GIANT

Congress frantically hunts a plan to spend billions and coax back the boom. But it can't find the time for a readymade plan which historically always has been a stimulant to prosperity, and which wouldn't cost the taxpayers anything.

This is the bill to grant statehood to Alaska.

Here is a vast, rich land, ripe for development. For 91 years it has been a Territory, kept in pocket by the Federal Government, its resources virtually untapped, migration from the States effectually discouraged.

Lumber, power, oil, gas, mining, and other industries can exist in Alaska now only by sufferance of the Federal bureaucracy, which controls 99 percent of the land. Federal domination, as Congressional committees repeatedly have pointed out, has shackled the growth of the Territory.

"In all ways," said the Senate Interior Committee last year, "Alaska is a dynamic and spectacular land. No area of the world offers a more promising challenge to the man of vision. This waking giant is the essence of America in its sturdiest tradition and constitutes one of the Nation's best investments in the future."

Since the Thirteen Colonies became the United States of America, there have been 35 additions to the Union. And each time a new State has been admitted, the national economy has surged ahead.

"Statehood has never been a failure," the House Interior Committee said.

In Alaska, the United States has, potentially, a lasting spur to the economy comparable to the opening of the West. And the Nation is well supplied with men of vision eager to meet this promising challenge, once the wraps of Government ownership have been removed.

Statehood bills are ready in both Houses. All that's required is a rollcall.

Mr. MURRAY. Mr. President, I am not for one minute questioning the right of the Rules Committee or any unit of the other body to hold all the hearings and investigations it deems necessary. However, in the case of Alaska statehood, the issue has been so thoroughly considered and debated that I feel it desirable to take this opportunity respectfully to point out to the Members the long record amassed in successive Congresses on the subject.

Mr. President——

THE PRESIDING OFFICER. The Senator from Montana.

FAMILY FARMERS AND THE RURAL DEVELOPMENT PROGRAM

Mr. MURRAY. Mr. President, for some time I have been interested in the formula by which Secretary of Agriculture Ezra Taft Benson and his staff are aiding family farmers through their much publicized rural-development program.

The other day Under Secretary True D. Morse sent us all, bearing his personal signature, copies of the monthly magazine Extension Service Review, which is issued by the Department of Agriculture. It is the March 1958 issue, and is devoted entirely to glowing articles about the rural development program.

Mr. President, I combed this magazine almost line by line to find an example of a farm family that had been saved by the program to get some clue about how it really works. My efforts were finally rewarded. On page 58, in an article entitled "Keeping Them on the Farm," which is about Choctaw County, Okla., I finally found this clear example of the operations of the program. The article reports:

Farm people in the county were quick to take advantage of the opportunities provided through the rural-development program. Floyd Berry and wife are good examples. Berry operates a 280-acre farm and has a small grade A dairy and a commercial beef herd. To supplement farm income Mrs. Berry drew on her experience as a housewife to get a job cooking in a local cafe. She works from 6 a. m. to 2 p. m., daily. Her husband is working at a filling station from 3 p. m. until midnight.

Berry handles the farm chores in the morning and his wife takes over afternoons.

This, then, is the formula for successful farming under Benson. Get your wife a full-time job in town. Get yourself a full-time job in town.

If you are lucky, the husband's in-town wages will pay the losses resulting from farming under Benson and you will still have your wife's pay as a fry cook to buy some groceries and clothing.

Mr. President, I think other Members of Congress and the farmers of America are entitled to have this shining example widely publicized and know that this is the pattern of family farm life being promoted by the Benson regime.

I want it to be entirely clear, however, that this shining example of the results of one of Mr. Benson's programs simply reinforces my own conviction that he should be fired before sundown—a conviction I have had for the past 1,896 days, which goes back to the day after his appointment.

FLOOD CONTROL ACT OF 1958—CONFERENCE REPORT

Mr. CHAVEZ. Mr. President, in order to assist in carrying out the laudable ideas expressed a few moments ago by the Senator from Arkansas, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 497) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

The bill will carry out, in its own way, what was sought to be done by the bill which the Senate voted last night not to consider until April 14. The flood control and rivers and harbors bill authorizes construction work which can be done now.

The conferees of both Houses have agreed to the conference report. The report has been signed by the conferees on the part of the House and the conferees on the part of the Senate, including the minority members, consisting of the Senator from Pennsylvania [Mr. MARTIN] and the Senator from South Dakota [Mr. CASE].

I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. KEFAUVER in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of April 1, 1958, pp. 5940 to 5950, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

Mr. PAYNE. Mr. President, reserving the right to object, may I ask if the report is the unfinished business?

The PRESIDING OFFICER. The report is not the unfinished business. Upon objection, it can only be taken up at this time on motion.

Mr. CHAVEZ. I am simply filing the report and wish to make a short statement. I do not care if action on the report is postponed until 2 o'clock. But we are all talking about putting people to work and are doing very little about it. The bill would do something about it.

Mr. PAYNE. I have no objection to the filing of the report, but I would offer objection to its consideration at this time.

The PRESIDING OFFICER. The filing of the report is a privileged matter, to which the Senator cannot object.

Mr. CHAVEZ. Will the Senator from Maine permit me to make a short statement concerning the report, with the understanding that no action will be taken on the report until 2 o'clock or thereafter?

Mr. PAYNE. I have no objection.

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

Mr. CHAVEZ. I yield.

Mr. FULBRIGHT. Is this the conference report on the omnibus rivers and harbors and flood-control bill?

Mr. CHAVEZ. It is the report of the conferees on omnibus rivers and harbors bill.

Mr. FULBRIGHT. Is it the same as or similar to the bill which was vetoed by the President last year?

Mr. CHAVEZ. We hope he will not veto this bill.

Mr. FULBRIGHT. But is it the same bill?

Mr. CHAVEZ. It is not necessarily the same bill, because in the bill which the President vetoed last year the House included several projects which had not met the qualifications or the ideas of the Corps of Army Engineers, and there were no reports on them. In this instance, practically every item has been approved by the Army engineers.

Mr. FULBRIGHT. Does the Senator from New Mexico have any reason to believe that the President will not veto this bill, or does the Senator suggest that all of us should use our persuasion and try to impress upon him the importance of signing the bill?

Mr. CHAVEZ. I feel differently about the President's responsibility. In my opinion, Congress cannot legislate based upon what the President might do; we in Congress must legislate according to our consciences and our duties and responsibilities, as we see them. If the President vetoes the bill, that is his responsibility.

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

Mr. CHAVEZ. I yield.

Mr. PAYNE. Is it not true that the veto which the Senator from Arkansas referred to was a veto in 1956, not last year?

Mr. CHAVEZ. It was the previous omnibus rivers and harbors and flood-control bill. I do not recall whether it was in 1956 or 1957.

Mr. PAYNE. I think the distinguished chairman of the Committee on Public Works has said that the previous bill embraced a number of projects which had not been cleared by the Army engineers and on which reports had not been submitted.

Mr. CHAVEZ. That is correct. In this instance, we were very careful to make certain that every one of the projects which were approved by either the House or the Senate had the approval of the Army engineers.

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

Mr. CHAVEZ. I yield.

Mr. FULBRIGHT. This is a comprehensive bill. How many projects are authorized, and what will their cost be? Does the Senator believe that if the previous bill had not been vetoed and the projects for which the bill provided were now underway, they might have made a substantial contribution to avoiding the recession which is now in progress?

Mr. CHAVEZ. That may be; but I do not worry about what happened 1 year or 2 years ago; I want to get the projects started now.

If it is agreeable to the Senator from Maine, I have submitted the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 497) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

I have asked unanimous consent for the consideration of the report, with the understanding, if it is agreeable to the Senator from Maine, that the report will be considered at 2 o'clock or thereafter.

Mr. President, the conferees met last Friday and disposed of the matter very satisfactorily. The bill passed the Senate on March 28, 1957. It was reported to the House by the Committee on Public Works on August 13, 1957. It passed the House on March 11, 1958.

The bill as it passed the Senate contained 40 navigation projects having an estimated cost of $120,244,000; 8 beach-erosion projects with an estimated cost of $5,290,000; 62 flood-control projects with an estimated cost of $613,618,000; and increased the basin authorizations in 13 river basins by $803,300,000—a grand total in the Senate bill of 123 projects having an estimated cost of $1,542,452,000.

During the interim between the time when the bill passed the Senate and when it was considered in the House, several reports were transmitted to the Congress by the Chief of Engineers. These reports had cleared the States and Federal agencies, and had the approval of the Bureau of the Budget. The Committee on Public Works of the House held hearings on these projects and included them in the bill, but only after they had the approval of the Army engineers.

The bill as it passed the House included a total of 147 projects having an estimated cost of $1,543,194,800.

The bill as agreed to by the conferees includes 56 navigation projects having an estimated cost of $190,802,600; 14 beach-erosion projects with an estimated cost of $11,627,700; 67 flood-control projects, with an estimated cost of $566,649,500; authorizations for 13 river basins increased by $808,300,000; or a grand total of 150 projects, with an estimated cost $1,577,379,800, or $34,185,000 more than was provided by the bill as it was passed by the Senate.

The Senate conferees accepted provisions for 35 projects added by the House, restored provisions for 4 projects deleted by the House, agreed to deletion of provisions for 5 projects from the Senate version of the bill, and amended the provisions for 8 projects, as contained in the bill as it was passed by both Houses.

The PRESIDING OFFICER (Mr. KEFAUVER in the chair). The time available to the Senator from New Mexico, under the 3-minute limitation applicable to the morning hour, has expired.

Mr. CHAVEZ. Mr. President, I ask unanimous consent that the report on the various projects be printed at this point in the RECORD.

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

Conference report—S. 497

PROJECTS ADDED BY HOUSE

	Estimated cost	Benefit-cost ratio
NAVIGATION		
East boat basin, Cape Cod Canal (Massachusetts)	$360,000	1.4
Delaware River anchorages	24,447,000	1.03
Hull Creek, Va	269,800	1.26
Intracoastal Waterway, Jacksonville to Miami, Fla	(1)	6.47
Port Everglades Harbor, Fla	6,683,000	2.19
Chefuncte River and Bogue Falia, La	48,000	2.1
Galveston Harbor and Houston ship channel	17,196,000	1.74
Port Aransas-Corpus Christi Waterway, Tex	6,272,000	2.8
Vermilion Harbor, Ohio	474,000	3.1
Saxon Harbor, Wis	393,500	1.3
Old channel of Rouge River, Mich	101,500	1.33
Santa Cruz Harbor, Calif	1,612,000	1.64
Siuslaw River, Oreg	1,693,100	1.44
Bellingham Harbor, Wash	83,700	1.79
Cook Inlet, Alaska	5,199,200	1.59
San Juan Harbor, P. R	6,476,800	2.3
Total navigation (15 projects)	71,309,600	
BEACH EROSION		
Connecticut shoreline, areas 8 and 11	229,000	4.9
Atlantic Coast of New Jersey [2]	6,755,000	2.0
Delaware coast from Kitts Hummock to Fenwick Island	28,000	1.45
Palm Beach County from Lake Worth Inlet, Fla	222,500	2.1
Berrien County, Mich	226,000	2.3
Humboldt Bay, Calif	38,200	1.48
Santa Cruz County, Calif	516,000	3.0
Total beach erosion (7 projects)	8,014,700	
FLOOD CONTROL		
New Bedford, Fairhaven, and Acushnet, Mass	15,490,000	1.4
Narragansett Bay area, Rhode Island	16,180,000	2.37
Greenville Harbor, Miss	2,530,000	4.51
Mohawk River, N. Y	2,069,000	1.14
Galveston Bay, Tex	6,166,000	4.4
Rock and Green Rivers, Ill	6,996,000	3.0
St. Paul and South St. Paul, Minn	5,705,500	1.15
Sun River at Great Falls, Mont	1,405,000	1.54
Cannonball River at Mott, N. Dak	434,000	1.22
Shell Creek, Nebr	2,025,000	1.37
San Dieguito River, Calif	1,961,000	1.14
Cook Inlet, Alaska	60,000	1.38
Total, flood control (12 projects)	61,021,500	

[1] Maintenance.

[2] Includes project, Asbury Park to Manasquan, N. J., In Senate bill, $1,677,000.

PROJECTS IN BOTH BILLS, HOUSE LANGUAGE ACCEPTED BY CONFEREES

	Senate	Conferees
Mad River Dam, Conn	$5,820,000	$5,430,000
Hall Meadow Brook Dam, Conn	2,420,000	1,960,000
East Branch Naugatuck River, Conn	2,670,000	1,780,000
Santa Ana River Basin, Calif	3,000,000	8,000,000
Total	13,910,000	17,170,000
Difference	3,260,000	

PROJECTS IN BOTH BILLS, SENATE LANGUAGE ACCEPTED BY CONFEREES

	House	Conferees
Mississippi River at Alton, Ill. (small-boat harbor)	$62,000	$101,000
Port Washington Harbor, Wis	1,760,000	2,181,000
Irondequoit Bay, N. Y	1,865,000	1,938,000
Tombigbee River, Ala. and Miss	19,199,000	19,711,000
Total	23,486,000	23,931,000
Difference	445,000	

PROJECTS INCLUDED IN SENATE BILL, DELETED BY HOUSE AND RESTORED BY CONFEREES

	Senate	Conferees
Susquehanna River Basin, Pa. and N. Y	$30,000,000	$30,000,000
Missouri River Basin, payment for damages	370,000	370,000
Gila River Basin, Ariz	5,000,000	1,570,000
Bruces Eddy Dam and Reservoir, Idaho	25,000,000	1,200,000
Total	60,370,000	33,140,000
Difference	−27,230,000	

PROJECTS IN SENATE BILL DELETED BY CONFEREES

Mississippi River bank protection	$75,000,000
McKinney Bayou, Miss	800,000
Williston, N. Dak	1,200,000
Elm River Reservoir, S. Dak	1,750,000
Williamson, W. Va	660,000
Total	−79,410,000

RECAPITULATION

	Number of projects	Estimated cost
Navigation	56	$190,802,600
Beach erosion	14	11,627,700
Basin authorization	12	608,300,000
Flood control	67	566,649,500
Department of Interior	1	200,000,000
Total	150	1,577,379,800

CANCER CONTROL MONTH

Mr. THYE. Mr. President, last week, President Eisenhower issued a proclamation designating April as Cancer Control Month. In his proclamation, the President noted the progress which has made it possible for the recovery of one out of every three cancer sufferers, and he urged that all concerned groups unite in the furtherance of programs for the control of cancer.

In view of the importance of cancer research and cancer treatment to the health and welfare of our Nation, and in recognition of this month of April as Cancer Control Month, I ask unanimous consent that a series of articles concerning the fight against cancer be printed at this point in the RECORD, as part of my remarks. The articles were written by Victor Cohn, for the Minneapolis Tribune.

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

[From the Minneapolis Tribune of March 29, 1958]

BREAKTHROUGH NEARS IN CANCER RESEARCH

(By Victor Cohn)

(EDITOR'S NOTE.—Victor Cohn, Minneapolis Tribune science reporter, Monday begins a tour of leading American cancer research centers. His series of articles on the fight against cancer begins Tuesday, with the first report coming from Washington, his first stop. An international group of science writers is making the trip, arranged by the American Cancer Society.)

American cancer researchers may be near what they call some real breakthroughs in cancer treatment in the next few years.

This assessment was made to this reporter this month by an American Cancer Society observer who had just toured almost every major research center in the country.

"I have been watching this field for many years now," he said, "and I have never felt so hopeful."

This view—shared by many scientists—comes at a time when spectacular progress against cancer is already being made.

We tend to think cancer is incurable.

But Dr. Harold S. Diehl, of the American Cancer Society and University of Minnesota, told the Minneapolis Tribune last week:

"Five years ago medicine saved one out of four persons with a diagnosis of cancer"—"saved" meaning those people who could be pronounced cured after 5 years of treatment.

"Now we are saving one in three—or 75,000 to 80,000 additional lives every year.

"We could save one in two if only adequate use were made of all knowledge now available.

"As to the future, I feel there is definitely more optimism about finding an effective preventive or cure for cancer than there was just a few years ago."

Diehl, University of Minnesota medical dean, has just moved to New York as the American Cancer Society's research commander in chief. His actual, double-barreled title is senior vice president for research and medical affairs, and deputy executive vice president.

He remains dean at Minnesota this year, while a search for a new dean is made, although he is in Minneapolis only a few days a month.

His cancer society job involves research and medical planning and policymaking, with emphasis on all fields and training enough new workers. He will not be responsible for detailed administration of any of the society's programs, but, he explained, "My concern will be with overall appraisal of progress."

He said the most active research fields today include:

Chemotherapy: Chemical treatment of cancer with drugs and the search for new drugs, including synthesis of artificial drugs. Every year some 45,000 chemicals are being tested. "Chemotherapy is the area being stressed and expanded most rapidly now," Diehl said.

Viruses' role in cancer: Viruses are known to be among the causes of some animal cancers. Now several important scientists believe they, including the blood disease leukemia, may be implicated in human cancer.

Immunology: "Possibly," said Diehl, "we may be able to develop immune defenses in the body at least against certain types of cancer cells." This hinges closely on whether or not viruses, which are infectious agents, are really implicated in cancer.

Action against lung cancer, "where the death rate has been increasing very rapidly."

Cancer detection "particularly in cytology, the examination of body secretions for evidence of abnormal cells."

Basic research on abnormal growth, and the science of growth itself, "When you cut yourself, new cells grow and reproduce, but stop growing when the cut is healed. In cancer, new cells grow but nothing restrains them. We don't know why in either case."

Diehl was conservative about the prospect of sudden breakthroughs, but said: "There is a widespread feeling that this may be a fruitful year. And the immediate future holds unprecedented potentialities."

To a group of science writers about to tour leading cancer centers—including the University of Minnesota—he promised "an accounting of progress being made in some rather dramatic developments."

"I believe our progress will interest not only Americans but people all over the world," he said. "This is the kind of scientific progress which warms, not chills, the human heart."

[From the Minneapolis Tribune of March 25, 1958]

MANY EXPERTS FEEL VIRUSES MAY BE A CAUSE OF CANCER

(By Victor Cohn)

(First in a series)

WASHINGTON.—I began a tour of cancer research centers Monday, 6 years after making a similar tour.

The striking new thing that I almost immediately noticed was this:

A large number of reputable scientists now believe viruses very possibly are causing cancer—just as they cause influenza, pneumonia, polio, and common colds.

Once this is said, a great number of qualifications immediately need to be made. The viruses may or may not be the direct cause of cancers, as they are the more or less direct cause of the above infectious diseases. They may just trigger something else that is the cause.

Or the viruses may be only one among many causes. Or they may not be involved at all. No one is sure yet.

But the exciting thing is that today several hundred scientists all over the country are working in this field, compared with a handful 6 years ago.

"Six years ago. There was very little virus work 2 years ago," said Dr. Bernice E. Eddy, a homey-looking, middle-aged biologist at the Federal Government National Cancer Institute yesterday:

"It's just now getting semirespectable."

"Viruses are involved"—that is, very definitely involved—"in cancers in many kinds of animals and plants," said Dr. Wendell M. Stanley, California virus chemist. "It makes no sense to assume blithely that the human species is set apart."

The exciting thing also is that if viruses are involved in cancer, then the road is open to an anticancer vaccine—a shot we can get just as we get shots to prevent influenza and polio.

Dr. John R. Heller, director of the National Cancer institute (just outside Washington), believes: "If and when we can establish the virus as a causative agent, then we are around the corner from a vaccine. When we get a vaccine, we can prevent cancer."

The full story of the cancer-and-virus mystery—and why it still must be labeled mystery—is too full to tell in this story alone.

Yesterday, however, several National Cancer institute scientists threw additional pieces of information on what might be called the pro-virus stockpile. Among them:

Drs. Sarah E. Stewart and Eddy produced cancers in mice by injecting them with preparations filtered from other mouse cancers—this presumably showing the presence of a causative virus.

Doctors Stewart and Eddy also maintained their mouse-cancer virus preparation in what is called tissue culture—that is, in test tubes—and have kept the culture alive and potent so far through 37 consecutive generations. This kind of culture is a technique that belongs specifically to the science of virology—growth and study of viruses.

Dr. W. Ray Bryan has discovered some important new properties of a virus that causes sarcomas—one kind of cancer—in chickens. These properties help explain why cancer viruses act in ways unlike the viruses of infectious diseases.

[From the Minneapolis Tribune of March 26, 1958]

THEY GIVE RIBS TO FIGHT LEUKEMIA

(By Victor Cohn)

(Second in a series)

PHILADELPHIA, PA.—One of the most drastic experiments ever conducted by man is now going on in Philadelphia and some other places to try to save victims of leukemia.

They are subjected to total body X-raying, creeping toward deadly dosage, to try to kill the sick bone marrow cells that are producing their illness.

Then good marrow is injected into them. It is taken from the bones of volunteers who willingly submit to operations to give up two ribs apiece.

Seventeen victims, half of them children, have lived from 3 weeks to 7 months after such injections by Dr. L. M. Tocantins of Jefferson Medical college here.

"This is terrible. We can do better with some drugs now. Please tell people this so they won't think we can save them," Tocantins said.

"Under present conditions—the radiation level and the marrow doses now given—there is no evidence this is doing any good."

But:

Total body radiation of actually deadly dosage followed by massive marrow transfusions has reversed leukemia's course in mice, and given some of them normal life spans.

Tocantins has not been able to give human marrow on this scale because he has not had enough of it. This shortage has forced him to keep down the radiation, too.

He intends to step up both parts of the treatment as soon as he has enough marrow, and he is now acting to get it—he hopes from the bones of auto accident victims.

Tocantins first used the treatment on a leukemia patient only last May. So far he has given whole-body X-ray doses of from 200 to 350 roentgens, but none as yet near the human fatal dose that he estimated at 600 roentgens.

It is this dose that he feels should kill the disordered bone marrow cells. Leukemia is a cancerous blood disease—always incurable, though life may be stretched out—in which the bone marrow, the body's blood factory, floods the body with underdone white cells.

After the old bone-marrow cells are destroyed, of course, they must be replaced with new ones. And here the amount available has been the bottleneck so far.

Tocantins was helped greatly when a New York benefactor formed a walking "bone bank" of men willing to give their ribs. Ribs grow back, when the old bones are properly removed, but the operation is not trivial, and the donor must spend 3 or 4 days in the hospital.

Still a human rib contains only about 3 billion marrow cells. Tocantins calculates that between 50 billion and 100 billion should be given. The most he has given thus far is 18 billion, and that was a month ago, in a patient still alive.

How soon can he give between 50 and 100 billion? "I don't know," he said. "A year ago I didn't think I'd ever have 18 billion."

One important consideration is that the human body generally rejects foreign grafts, including marrow cells. But mice do not always do so. Why? The answer is being sought at the University of Minnesota and elsewhere.

[From the Minneapolis Tribune of March 27, 1958]

NEW CHEMICALS HALT CANCER TEMPORARILY

(By Victor Cohn)

(Third in a series)

NEW YORK.—When you can halt a disease temporarily—maybe for years—you can hope to learn to halt it for good.

This is the biggest hope in cancer today.

Doctors today are stopping cancer for a longer and longer time. They are doing it by chemotherapy—which means the same kind of chemical or drug treatment they use for many other illnesses.

They have been doing this in cancer only in the past 10 years or so, to amount to anything, and results are getting better all the time.

These are not cures—cures do occur in cancer—but what the doctors call regressions. A regression means the cancer, to all observation, actually disappears.

It cannot be seen with X-ray or microscope. But then it returns.

Some of these regressions, however, have lasted for years.

A slim woman doctor and first-class investigator—pretty 39-year-old Jane Wright, a mother of two children—heads this clinical investigation at New York University-Bellevue Medical Center.

"We saw a 9-year-old girl with Hodgkin's disease"—a cancerous disease of certain soft tissues.

"She was treated with a chemical called Tem," Dr. Wright said Wednesday, "and the disease and the metastases just disappeared. She is 16 now—and a mother, very early, I'm afraid, of two children—and she's just fine."

At this center, with Tem, four of seven patients with lymphosarcoma—another soft-tumor cancer—showed complete regression.

One has gone more than 4 years. In one case of chronic leukemia, a complete remission has so far lasted 8 years.

The search for new chemicals is centered on several groups today. One includes the war gas, nitrogen mustard and Tem. Another is the antimetabolites, agents interfering with cell physiology. One is Aminopterin, which was tried unsuccessfully on Babe Ruth.

Two other groups are the hormones and, more recently, some antibiotics.

Also among diseases in which striking results are obtained sometimes are cancer of the breast, ovary, and bladder, acute leukemia, and malignant melanoma.

The "sometimes" should be stressed.

"Most patients don't improve at all," said Dr. Wright. "They go downhill and die. And in our best results, the patient's disease eventually returns.

"But we're still in the very early stages of chemotherapy—very early."

Outside Washington, Cancer Chemotherapy National Service Center is now the country's largest drug-screening center. In mice and the test tube, it expects to screen about 40,000 compounds this year, then recommend the most promising for human trial around the country.

Dr. John R. Heller of the National Cancer Institute said: "This center is running the greatest cooperative effort the country has ever seen against a single disease. We are putting a lot of blue chips on the table."

[From the Minneapolis Tribune of March 28, 1958]

DOCTORS URGED TO FACE FACTS ABOUT DEATH

(By Victor Cohn)

(Fourth of series)

NEW YORK.—A psychologist with the American Cancer Society Thursday faced the problem of the patient facing death.

"He is faced with a conspiracy of silence—no one will let him talk about death," said Dr. Daniel Horn.

Yet this patient may very badly want and need to talk about it.

For facing death can reawaken all the remorse, guilt anxiety and regrets which a person had been able to deal with before—and reawaken them with an intensity that is overwhelming.

One problem, it seems, is that even doctors are reluctant to discuss the facts about death.

"Last fall," said Horn, "I met two psychologists who in two parts of the country have begun to study the psychological problems of facing death. They both related almost identical experiences.

"First, they met strong resistance on the part of physicians who said in effect 'these patients have enough trouble without your talking to them about death.'

"Yet these psychologists found that patients talked not only freely but eagerly about death and their anxieties.

"After a lengthy session, the patient would express his relief that at last he could talk to someone about death, and not infrequently he would end by pointing out another patient near him and say, 'You'd better talk to him, too; he really needs it.' "

Horn, who is not a doctor of medicine, did not think a doctor should necessarily tell every cancer patient he has cancer, however.

"It all depends," he said. "Any doctor who makes a hard and fast rule of telling all patients or of not telling any is taking the easy way out.

"What the patient is told should be tailored to each case according to one's best judgment of what will help the most, encourage cooperation in treatment, and make the illness easier to accept."

Horn is director of program evaluation for the Cancer Society and concerned with both the way we accept cancer and fight it.

He is coauthor with Dr. Cuyler Hammond of the society's studies associating cigarette smoking with lung cancer.

"Studies by doctors, psychiatrists, and psychologists," he said, "seem to be starting to show that the better we accept disease, the better our attitude, the better our chances to survive."

[From the Minneapolis Tribune of March 29, 1958]

HORMONE TO MAKE DWARFS GROW—MAY GIVE INSIGHT ON CANCER

(By Victor Cohn)

(Fifth in a series)

BOSTON, MASS.—A Harvard scientist has succeeded in making dwarfed children grow.

He is doing it by giving them pure growth hormone—an extract of the gland at the base of the human brain.

The medical scientist—Dr. Philip H. Henneman of Massachusetts General Hospital and Harvard Medical School—said here Friday that he believes science can thus give normal growth to a whole class of victims of stunting.

These dwarfed people are the pituitary dwarfs, so called because the pituitary glands at the base of their own brains is failing to produce this growth hormone.

There are an estimated 5,000 to 10,000 in the United States, and this is the first time they have been offered hope of reaching normal size.

Other kinds of dwarfs cannot be helped. These others are mainly the primordial dwarfs (the Tom Thumb-type circus midgets) and achondroplastic dwarfs (whose typical short stature, big heads and short legs result from a childhood bone disease).

Nor can normal people be made to grow—"I can't make all your children as tall as you'd like to have them, or produce basketball players," Henneman said.

But beyond this hope now offered to pituitary dwarfs, the new extent of knowledge about the growth hormone—and its availability—are of high importance to science.

There are several possible applications in cancer research and treatment. Cancer is growth gone wrong, and this work has American Cancer Society support.

The hormone, Henneman believes, may prove an important factor in obesity or excess weight. It speeds up the burning of fat by the body.

It may be a factor in arteriosclerosis, the dangerous artery-clogging that helps cause heart disease.

The amount of purified growth hormone that has been available so far is painfully small, though the Boston group has received pituitary glands removed during autopsies in eight cities.

Dr. Maurice Raben of Tuft Medical College, Boston, does the fine chemical extraction and purifying, winding up with a gray, dusty powder.

"It is wholly unremarkable in appearance," said Henneman. But he has so far given it to:

Three 13-year-olds who are pituitary dwarfs and who therefore had looked only 5 or 6 years old. These dwarfs, normally intelligent, do grow ordinarily, but only very slowly, and may reach a more normal adult

size by age 45. With tiny doses of hormone, one 13-year-old grew nearly an inch in 42 days, compared with a previous growth rate of from two-fifths to four-fifths of an inch a year.

Two adult patients whose own pituitary glands have been destroyed by tumors.

Two adults, with normal pituitaries, for study purposes.

Two of the young people are still receiving the extract.

"I think I'll make the boy taller than the girl," the doctor said.

"I don't have enough to treat seven people at one time," he added. "The future supply will be a big problem, we will need so many pituitary glands.

"Actually, we are reaching the point today where all hospitals should be collecting many things at autopsies—pituitaries, the corneas of the eyes so some people may see, bone for bone banks, bone marrow, skin, and so on. We need to accept the idea of making use of these things after death."

[From the Minneapolis Tribune of March 30, 1958]

BRAIN CANCER SURGEONS WILL USE ATOMIC REACTOR

(By Victor Cohn)

(Sixth in a series)

CAMBRIDGE, MASS.—An operation will be performed here about September 1—in a little operating room beneath an atomic reactor—on a man who does not yet know he has cancer.

He will be operated on for a brain cancer, in a way never before tried.

He will be a patient the doctors do not yet know—because this kind of disease usually advances so fast.

"I am afraid the patients I have now will be dead by the time we will be ready to do this operation," the surgeon who will do the operation said Saturday.

The surgeon is Dr. William H. Sweet of Harvard Medical School. The operation will be performed directly beneath a new $2,600,000 atomic reactor being built by the Massachusetts Institute of Technology in Cambridge.

The operation will be done for the following reasons, and in the following manner:

Regular brain cancer operations commonly remove most but not all of the cancer, because not all of it can be seen. Some remnants remain, and they will spread. And the doctors would like some way to get at them—as by radiation—or X-raying.

Normal X-ray radiation, however, does not do a good job of destroying this cancerous brain tissue without destroying too much of the surrounding brain.

The atomic age creates a new possibility.

The September 1 patient will first be operated on at Massachusetts General Hospital in Boston, Mass., to remove the visible bulk of his brain cancer. A few days later he will be taken by ambulance to 138 Albany Street, the site of the new reactor, in Cambridge.

Through an air lock the size of a truck, the ambulance will drive into the round, airtight building.

Down an elevator the patient will go, to a snug, gray-tiled operating chamber only a few dozen feet away from the chain-reacting, ray-producing, uranium heart of the big concrete-clad reactor.

There the surgeon, Sweet, will open this patient's scalp again, lay back a flap of skin and drain off the spinal fluid that surrounds the brain—and expose the cancer or tumor area.

Next he will inject a chemical called boron to spread through the brain.

For some reason that no one knows, boron goes to brain tumor cells like bees to honey, and concentrates in no other part of the body.

Now the conscious patient, on the operating table, is raised several feet, and the surgeon and assistants leave to watch through a 4½-foot-thick window.

Now the reactor operator presses his controls and a port opens in the belly of the reactor, and there come shooting out a concentrated stream of invisible neutrons—basic atomic particles produced in the reactor.

The neutrons are vital to this procedure, but they themselves are not to be the direct means of harming the cancer. What will happen is that the individual atoms of boron will absorb many neutrons.

When a neutron enters a boron atom it will knock off an electron, and there will be a little spurt of radiation traveling only about the diameter of a blood cell but killing any tumor cells in the way.

This will go on for 20 to 30 minutes, with the patient and the watching surgeon communicating by intercom—"just in case the patient feels nervous," said Sweet.

Will any brain cancers be cured?

Sweet and collaborators have exposed 20 brain-cancer patients to boron injection, then neutral radiation at the atomic reactor of Brookhaven national laboratory on Long Island, N. Y. There, none was cured, though there was a significant increase in length of life.

But there was no operating room built into the Brookhaven reactor, and the patient's brain could not be directly exposed.

The neutrons—which slow down fast in human tissue, anyway—had to travel through bone and spinal fluid before reaching the cancer, losing much of their punch.

"So we are eager to try this new method," said Sweet. "Consider all these things—and the nature of this type of cancer—and you can see why."

[From the Minneapolis Tribune of March 31, 1958]

STATE SCIENTIST PLAYS ROLE IN CANCER FIGHT

(By Victor Cohn)

BUFFALO, N. Y.—A young man from Minnesota is heading one of the world's most intensive fights against cancer—and the place he heads Sunday reported a real research breakthrough in the fight.

The breakthrough is this. Dr. James Grace has discovered a difference in chemistry between normal tissue and cancerous tissue from the same organ of the same patient.

The significance: Such a difference, when confirmed and further explored, could suggest some really effective way of hitting at a cancer.

The dynamo from Minnesota is Dr. George E. Moore, 38, who left Minneapolis 5½ years ago to head Buffalo's remarkable Roswell Park Memorial Institute.

A year ago Moore and Dr. A. A. Sandberg came up with a breakthrough of their own—the discovery that many patients with advanced cancer have cancer cells floating around in their blood streams.

The significance: You see why surgery alone cannot be enough in such cases, and you must attempt a chemical attack on these floaters.

Going to the work of Grace again, quantitative differences in chemistry have been reported before—differences in the amount of some chemical or other present in both cancer and normal tissue.

Grace has found something more fundamental—a qualitative difference, that is, the presence of some chemical in the cancer that is not present in the neighboring normal cells.

He does not yet know what the difference is, but he and others here are now making analyses to try to pinpoint it.

What he did in his experiment was to make a research animal—a guinea pig—allergic to the proteins or basic body cell material of a person with cancer.

Then he cut strips of the allergic guinea pig's uterus or womb muscle and exposed them to various substances from the cancer patient's normal and cancer cells.

Finally he found one substance from the cancer cells that got a response from the strip of womb—a violent allergic quivering—that the normal cells did not get.

This is an oversimplified version. But the important thing is that he believes that in roughly 50 percent of the human cancers he has studied so far, he has been able to demonstrate this first qualitative difference between cancer and normal cells.

His ultimate goal, Grace said, is the "accurate definition of this cancer-specific material" so it may be "exploited immunologically"—that could mean an anti-cancer vaccine—or lead to some new kind of drug treatment.

The institute here is now playing an important part in a national study of drug treatment plus surgery for cancer.

Chemicals are given before and after surgery to hit at three things—the remnants the surgeon does not see, the cancerous clumps elsewhere he does not know about and the floating cells in the blood that Moore and Sandberg demonstrated.

Moore, a short stick of energy, is an administrator, an aggressive working surgeon and a working scientist—in a pattern set by his former chief, Dr. Owen H. Wangensteen, the short stick of energy who heads the University of Minnesota surgery department.

Born in Morningside, Moore went to West High School, entered the University of Minnesota and by 1950 had won six degrees, plus important national prizes for research in finding brain tumors with radioactive chemicals and dyes that shine in the dark.

The Roswell Park institute and cancer hospital was founded in 1898 by Dr. Roswell Park, of the University of Buffalo, who told the New York State Legislature that if it gave him $10,000 he could determine the cause of cancer in 2 years.

The State of New York is still supporting it. It had been in the doldrums, but Moore started a vigorous new program and has surrounded himself with first-class surgeons and scientists. One, Grace, joined up 3½ years ago, giving up a prosperous private surgical practice, after his son died of leukemia.

The staff now numbers 1,300, compared with 256 when Moore came. At an international cancer research meeting in London this spring, 10 percent of the papers will come from there.

In the green working clothes of the surgeon, Moore stood before visiting science writers here and showed one patient who has apparently been rescued from cancer—his last operation was 3 years ago—only after seven superradical operations.

Then he told the patient, a young man, he could leave, and thanked him for coming.

"Thank you, doctor," said the young man. "Thank you for everything."

SHOULD A CATHOLIC BE PRESIDENT?—CARDINAL STRITCH'S WISE ADVICE

Mr. PROXMIRE. Mr. President, I am not a Catholic. As a matter of fact, I am an Episcopalian. I am one of those who feel very strongly that religion should have nothing whatsoever to do with a man's qualifications for high office, including the Presidency of the United States.

Unfortunately, some American citizens have privately expressed the opinion that a man's religion should be an important factor in determining his qualification for high office. Recently, an observation of great importance on this whole matter has been made by one of

the outstanding clerical statesmen of the world, the distinguished archbishop of the Chicago archdiocese of the Roman Catholic Church, Samuel Cardinal Stritch. Cardinal Stritch has just been elevated to a position of even greater distinction.

This great churchman has just spoken words of deep wisdom on the attitude of American voters toward candidates who happen to be of a different religious denomination than that of the voter. Cardinal Stritch pointed out that the Constitution itself forbids any religious test as a qualification for any office of public trust. He also made this exceedingly pertinent statement:

In the election of candidates for office in our country, the only consideration should be the fitness of the candidate, without any thought of his religion. If there were two candidates for an office, one a Catholic and one a non-Catholic, and I was convinced that the non-Catholic was better qualified, I would not hesitate to cast my vote for him. On the other hand, I would not fail in discovering the comparative fitness of both candidates. My principle always is: the best man for the office.

Mr. President, in an editorial of characteristic wisdom, the Milwaukee Journal has recently commented on the wise advice of Cardinal Stritch. I ask unanimous consent that the editorial be printed in the RECORD at this point, following my remarks.

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

CARDINAL STRITCH'S FINE ADVICE

The question of whether a Catholic can be elected President of the United States is again under discussion, as a result of the aspirations of JOHN KENNEDY, youthful Senator from Massachusetts, for the 1960 Democratic nomination.

Some sound comments on this subject were made recently by Samuel Cardinal Stritch, archbishop of the Chicago diocese of the Roman Catholic Church, in the archdiocesan weekly New World. They were generally overlooked in the excitement about Cardinal Stritch's advancement to the curia of his church, the cabinet of Pope Pius XII in Rome.

Cardinal Stritch first declared that under the Constitution, which forbids any religious test as a qualification to any office or public trust, "there is no reason why a citizen who is a Catholic and is qualified cannot become the President of the United States."

Then he made this point, which citizens would be wise to note, and observe, whatever their religious beliefs:

"In the election of candidates for office in our country, the only consideration should be the fitness of the candidate, without any thought of his religion. If there were two candidates for an office, one a Catholic and one a non-Catholic, and I was convinced that the non-Catholic was better qualified, I would not hesitate to cast my vote for him. On the other hand, I would not fail in discovering the comparative fitness of both candidates. My principle always is: the best man for the office."

INFLEXIBILITY OF PRICES AS A KEY FACTOR IN THE RECESSION

Mr. PROXMIRE. Mr. President, Dr. Ludwig Erhard, of Germany, the great economic minister of the West German Government, has been called the miracle man of Germany's magnificent economic comeback. Few men in our time have demonstrated with better practical success than has Dr. Erhard their understanding and appreciation of what makes free enterprise operate better. In an article which recently was published in U. S. News & World Report, Dr. Erhard addressed himself to the cause and possible cure for the present recession. Mr. President, I call particular attention to these words of Dr. Erhard:

One thing that worries me about this particular recession is that it should be accompanied by rising prices. From the figures that I have seen, I understand that declining production is often accompanied by rising prices and by at least the maintenance of profits. Some of this doesn't seem to fit into the picture at all.

I am wondering if there is proper competition in those fields or, perhaps, if business isn't rather too rigid in its business policy. There seems to be some lack of flexibility in adjusting the price policy to the general economic situation. I don't say that as reproach at all, only I'm wondering. I don't think it could happen in Germany.

Mr. President, many wise and able men, mostly conservative men, have said that the major, long-term difficulty in our economy is the rise of prices. I earnestly hope that Congress will give its most thoughtful attention to the action of the Antimonopoly Subcommittee of the Judiciary Committee. Under the chairmanship of the Senator from Tennessee [Mr. KEFAUVER], the subcommittee has been working hard and well to discover the reason for this paradox of rising prices in spite of economic recession, and is attempting to do what it can to arrive at methods to help solve this problem.

Mr. President, I ask unanimous consent that the article by Dr. Erhard be printed at this point in the RECORD, following my remarks.

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

HOW UNITED STATES SLUMP LOOKS TO GERMANY'S ERHARD

(NOTE.—The man who led Germany's remarkable postwar recovery suggests some steps now to hasten United States recovery from the recession. Ludwig Erhard, Economics Minister and often called the miracle man of Germany's comeback, sizes up the United States problem this way: The slump will be moderate and brief. Big need is a shot of confidence. Public works will help. Tax cuts may or may not. Inflation, not deflation, is the long-term danger. Dr. Erhard was interviewed by U. S. News & World Report while he was visiting Washington. President Eisenhower and others sought his views about the recession.)

Question. Dr. Erhard, do you have the feeling that this recession in the United States will be serious or prolonged?

Answer. What I find particularly dangerous in this recession seems to be that there is too much talk about it. As far as real facts are concerned—I mean in real magnitudes, production, and employment—I don't think this recession has reached a scope which should cause grave concern. After a period of such sustained and vigorous growth, an adjustment, a consolidation of the economy is only natural and only to be expected. Therefore, I don't think that should be overdramatized.

But then the state of the economy is only a mirror of our own actions, and that is why I am a little concerned that exaggerated pessimism might not be too good for the state of the economy—if people stop trusting themselves. I think perhaps there may be too much of a general feeling of uncertainty.

Question. How do you account for this feeling of uncertainty?

Answer. I think it started with the sputnik and now it is again fed by the recession. I think, however, that should be overcome because surely the American people are basically optimistic and so, therefore, I think that should help them to get over this initial reaction to the setback.

Also your Government has the definite intention of taking the action which is required in the situation, and to take action in the field of economic policy to accomplish what should be done.

I am under the impression that perhaps this is the time for public expenditure, public projects of all kinds—but I must point out I am not competent to hand out good advice to anybody. This is only what my personal impression would be.

Question. Do you think the attitude of pessimism will end soon?

Answer. I do have confidence in the American economy and in the American people. After all, they will regain consciousness of their own basic strength and they will regain their optimism. And I believe when that has happened the recession will be practically in hand.

Something I mentioned to President Eisenhower, so I can say it here, too, is that this reaction of the American people seems to me to be another example which confirms that there is really quite a lot which the American people and the German people have in common. We both, I believe, tend to fluctuate wildly between extremes of undue optimism and undue pessimism, which Goethe expressed as a condition of being "delighted to high heaven" and then again being "sad unto death."

I think that this tendency to fluctuate between the extremes of optimism and pessimism is also found in Germany.

Of course, in a situation like this, such a tendency, such a disposition in the character and the nature of a nation can be somewhat dangerous and, therefore, I think perhaps this is the time when something should be done to influence expectations and the general mood.

Question. What should be done?

Answer. I think it is a matter of strengthening self-confidence, confidence of people in themselves. I think perhaps if businessmen and entrepreneurs under the influence of easier money would be prepared again to take risks and, say, to invest again, and if at the same time public expenditure projects were begun, this would generate additional purchasing power among the masses and additional employment.

I believe that could be a starting point. I think it would take only a relatively small event and a small push to get things going again. I think the first 500,000 people who find employment again will bring about the turn.

Question. Then you don't think we have to do anything drastic?

Answer. No, no. I don't think so. I don't think one should go from one evil into another. Also, one should not take action which would push prices up. That would rather seem like casting out devils by the prince of devils.

Question. If you were shaping policy in this country, would you favor tax reduction as a stimulus to business?

Answer. If I were responsible for economic policy in this country I would have complete knowledge of the facts and would be a much better judge of the situation.

Of course, tax reductions are part and parcel of the instruments to be applied in such a situation. But here one must ask one psychological question. Up to a certain point,

increased tax reductions which give people a higher disposable income will tend to stimulate spending, and, when that point has been passed—if things have gone rather too far—that additional disposable income will not be used for additional spending but rather for additional saving, and there will be no corresponding investment to pick up those savings.

It is impossible for me to say if that point has been reached or has been passed already—that is very difficult to judge.

GET PEOPLE TO WORK

Question. Would other types of measures be better than a tax cut?

Answer. I think the most suitable point would be public projects and public expenditure on orders which would create jobs, get people to work again and raise income by creating employment. This would be particularly true in this country where unemployment is feared most and is rather the trouble spot.

Our bogey is inflation, but I think the important thing is to create income by getting people back to work. That, of course, will in turn create demand. This demand is probably even increased in the United States by the growth of the population, and then if there is consumer demand from incomes through more employment, then there will also be a greater inclination to invest. The state can, of course, make investments in roadbuilding, and so on, but private-business investment will increase only in response to rising demand.

Question. Does this mean that increased spending for public works would be a more effective stimulus than tax cuts?

Answer. Well, with tax reductions, as I said, I am not sure what the response would be. That's a psychological matter. Would it be used for more spending? Would it be used for more savings? If you spend public money to create jobs and get people back into employment, they will spend.

Question. Over the long term, would you say that the greater problem in the United States is inflation rather than deflation?

Answer. Yes. I'm not really scared of the deflation in America, but I am scared of inflation. I don't want to dramatize it. I won't use the word "inflation"—I mean rise in prices.

Question. What do you think caused this recession?

Answer. Well, that is hard to say. One thing that worries me about this particular recession is that it should be accompanied by rising prices. From the figures that I have seen, I understand that declining production is often accompanied by rising prices and by at least the maintenance of profits. Some of this doesn't seem to fit into the picture at all.

I am wondering if there is proper competition in those fields or, perhaps, if business isn't rather too rigid in its business policy. There seems to be some lack of flexibility in adjusting the price policy to the general economic situation. I don't say that as reproach at all, only I'm wondering. I don't think it could happen in Germany.

Question. Does this mean we don't have enough real competition?

Answer. Of course, I would never say that applies to the whole United States economy. I am quite certain you have wide fields in the United States economy where competition is functioning properly and probably functioning more efficiently than it does in Germany. But then this doesn't seem to be true for all the industries.

If you lower your tariffs, we shall be only too pleased to increase competition.

Question. Should this country be concerned by the continuing rise in wage costs?

Answer. That is hard to say. I would have to have very precise figures and very complete facts before I could say something on that. I would need detailed knowledge of increases in the rate of productivity in the various fields because that, of course, is a very important factor.

Of course, wage increases wouldn't be a very appropriate starting point to overcome the present situation. I'm not saying that wages are excessive in any way, and here and there in various fields there may be further scope for wage increases. But it seems to me that it is not where you would start in order to overcome the recession. It's not the key to it.

Question. Has the setback in the United States had any serious repercussions in Europe?

Answer. Well, as far as the general mood is concerned, yes, it has had some effect, but then mostly on people who are not really experts on economic affairs. It was rather similar to 1953–54, when the mood was affected, too. But then at that time I remained optimistic. Right from the outset of that recession—in 1953–54—I never believed it would spread because that would have been against all the facts and all the trends in our own economy.

WEAKENING IN EUROPE

In this recession now there is a certain weakening in European business activity. It comes to some extent from the commodity markets, where prices have fallen and the situation has weakened to a large extent. It also comes from a decreased inclination to invest, or an inclination to do less financing. But that is for export orders and that affects the export of capital goods.

But in our own country we have balanced this drop in export business by increased domestic investment, and our gross national product in the first few months of this year, in real terms, has been some 5 or 6 percent above last year's GNP.

I don't mean to say that the American recession is none of our business, because it does concern us—it is quite important. If you keep reading in the European press every day news about the American recession, something might stick and there may be some effect. After all, there are such close interrelations between the United States economy and the economy of other countries in international trade and international relations, so it does matter and we are very much interested in the early overcoming of this weakening here.

There is a slogan in Europe that is somewhat hackneyed but it comes up again and again, and you still hear it now, that "if America sneezes, we'll get pneumonia."

Question. Are you optimistic on the longer-range outlook for business in both the United States and in Europe?

Answer. Yes, certainly, and I don't mean the very, very long term either.

NOW IS THE TIME FOR ALL GOOD POLITICIANS

Mr. PROXMIRE. Mr. President, a brilliant student of the American political scene, one who probably is the outstanding authority on the United States Senate—William S. White, of the New York Times—has just written a remarkably wise and enlightening article entitled "Now Is the Time for All Good Politicians—." The article appeared in the magazine section of last Sunday's New York Times.

In the article Mr. White pointed to the unusually valuable political qualities of the distinguished senior Senator from New Hampshire [Mr. BRIDGES]. Mr. White pointed out how extremely important is Senator BRIDGES' knowledge of people and prejudices and convictions and basic strengths and weaknesses that make up the complex of ultimate power and ultimate will in this country.

Mr. White also singled out the distinguished minority leader, the senior Senator from California [Mr. KNOWLAND] as one who epitomizes a sense of responsibility, and said that he repeatedly has demonstrated that sense of responsibility under the most trying and difficult circumstances.

Mr. White also referred to the exceptional sense of responsibility of the majority leader, the senior Senator from Texas [Mr. JOHNSON] on life-or-death issues, such as foreign and military policy. Perhaps most interesting of all, Mr. White referred to two of the hardest, strongest, and most effective fighters in the United States Senate, often unashamed partisan fighters—who are not ashamed to be known oftentimes as partisan fighters—the Senator from Minnesota [Mr. HUMPHREY], and the Senator from Montana [Mr. MANSFIELD], as Senators who have demonstrated brilliantly the quality of restraint in the area of impermissible partisanship.

Mr. President, as the newest Democratic Member of this body, I found the short article by Mr. White to present an immensely valuable lesson. I ask unanimous consent that the article be printed in the RECORD at this point, following my remarks, so that all Senators may have an opportunity to enjoy, appreciate, and learn from the article.

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

NOW IS THE TIME FOR ALL GOOD POLITICIANS

(By William S. White)

WASHINGTON.—Congress is in an election-year session, wih all the trials and opportunities of such a time, and thus some 500 politicians of various kinds—the long, the short, and the tall—are more than usually upon public view.

As politicians—the good as well as the bad—they are, on the whole, poorly rewarded in the public regard. The cliché image that most, if not all, of them are stuffed shirts is not flattering. If they are not stuffed shirts they are pretty likely to be people intolerably long on talking and reproachfully short on action. Then, too, they tend to be tricky about principle. And, finally, if they manage to win acquittal upon all these counts they fall under the newest and perhaps the heaviest charge of all. This is that they are not "scientists," and thus not the clear, totally detached thinkers that the public image of science seems to require.

A few years ago, in the tragic trial of the Korean war, a very large part of the public was for a short time impatient of the politician—any politician—as its leader. It had its eyes fixed upon the image of the military man—specifically the image of General of the Army Douglas MacArthur—as the man who would get us out of our troubles in Korea.

Now, what with Russian sputniks and satellites and much clamor about the excellence of Soviet scientific education, and widespread awareness that the scientists know some things that nobody else knows or can know, many turn toward the scientist as the proper leader of the present and future.

On common observation, many intellectuals seem attracted to this view; this correspondent, for example, has heard it seriously put forward in academic gatherings having in general an unimpeachably learned atmosphere. The good politician, who is rarely an intellectual but who is nearly

always fairly wise, would not waste 5 minutes in examining such a hypothesis; he knows better, and he needs no book on political science to give him the reasons why he knows better.

For a sense of proportion stands near the top of his indispensable traits, precisely because it permits him to discriminate between alternatives without oversimplification—a sense of proportion, or, if one prefers, a sense of humor mixed with a slight sense of audacity.

It is this quality that serves the politician more durably, more importantly, and more consistently than it serves any other profession. It is this quality, perhaps above any other, that enables him to resist the recurring challenges to his traditional primacy as a maker of public policy that accompany the recurring crises in American life. And it is this quality that first comes to mind in a defense of the politician against the various sins of which he is generally being accused.

His experience has told him that there is far more than mordant humor in the epigram that war is too important to be left to the generals. It has told him, indeed, that the development of policy, with all its infinite complexities and crosscurrents and cross-purposes, is too important to be left to any kind or group of specialists. It has told him that the most brilliant technical competence is irrevelant to, if not actually incompatible with, the making of the necessarily general and essentially humanistic and endlessly compromised decisions for the governance of men that are in his field.

See a high officer under cross-examination by a good politician in the Senate or the House—for example, Senator STYLES BRIDGES, of New Hampshire, or Representative CARL VINSON, of Georgia—and one will begin to grasp the point.

VINSON, let us say, may cheerfully mix up the ranks or even the services, absently calling a braided admiral by the title "general."

BRIDGES may seem not quite to grasp the vast and important military distinction between one weapon and another. But where the admiral may emerge as proficient in his specialized profession, VINSON will emerge as very proficient in a far wider viewed and a far more demanding profession. For an admiral knows weapons and missions and firepower, and perhaps even grand naval strategy. But a VINSON—or a BRIDGES—knows, or senses, the immensely complicated matters and factors upon which all this, and much more, will have to rest. That is to say, he knows people and prejudices and convictions and basic strengths and weaknesses and all the crazy-quilt things that make up the complex of ultimate power and ultimate will in this country.

It is these kinds of instinct and knowledge—a rather loose generalized knowledge and a rather indefinable instinct, it is true—that express another of the qualities of the politician. Harry S. Truman entered the Presidency without much formal education and with absolute lack of pretensions as to the intricacies of high foreign policy. It is probable that there never was a day while he was in office when his knowledge of the precise difference, say, between Eritrea and Somaliland was as high as that of even minor functionaries in the State Department. But the point is that his knowledge—and his instinct—was of this very different kind: it permitted him to take the mere expert knowledge of the others on many matters and the plans of the experts as his beginning materials, and from all this valuable but inert matter to raise such a structure in the world as the North Atlantic Treaty Organization.

All this may be said to indicate that Mr. Truman was a great politician in all aspects of the profession, but this in truth he was not. While he had the wide human knowledge, or human intuition, of the able politician, and the peculiar and artistic power of the politician to synthesize this knowledge usefully, and was a first-rank President in the truly big things, he was a second-rank politician in the bread and butter things. He could, and did, protect and lead the affairs of the Western World far better than he could lead and protect the affairs of his own White House office, or his own party. This seeming anomaly arose, perhaps, from the fact that, while he had some of the requisite qualities of the good politician, he certainly did not have them all.

Among those he did not have was the quality of extraordinary (and some might think even extreme) private detachment of the good politician. Mr. Truman had a very strong sense of what was right and wrong, particularly in the issues facing his party, and not so much practical tolerance of dissent as is really wise in his profession. In consequence he made a good deal of unnecessary trouble for himself and for his administration—particularly in regard to its higher designs—where a bit of restraint on the relatively unessential issues would have done no harm.

Thus it was his curious fate to be one of the outstanding world statesmen of his time—and a President who never at any time controlled his own Congress. The man who brought the juggernaut of armed international communism to a halt had a very hard time bringing his domestic bills through the Senate or the House. Most of them never made it.

What was there in the late Senator Robert A. Taft of Ohio—a snappish, often pigheaded, publicly cold and haughty and privately warm and compassionate man—that could evoke and sustain the allegiance of hundreds of thousands of men and women who deplored so much of that for which he spoke and stood?

Part of the answer, is of course, courage—for courage, it goes almost without saying, is another of the marks of a good politician. But courage was not the whole answer in Taft's case. A part of the answer was simply this: That politics, at its best and most effective, is a talent and not a technique, and that is, as far as this point is concerned, about all there is to be said about it.

By every observable criterion, in view of his pre-Presidential record, Mr. Herbert Hoover should have been an effective President. He had been an administrator of the highest achievements; he came to office with great national good will and inhibited by no destructive, private political debts. Still, the view that he was never a very good politician is so widely held that objectively it cannot be dismissed even by those who hold him in enormous regard. The reason? Mr. Hoover was not talented—not talented in people, in persuading them, in influencing them, in making them do what he wanted them to do. This is the sense in which talent is used here.

After one has spoken of a sense of proportion, of a quality of general knowledge and instinct, of courage and talent and tolerance as among the hallmarks of the good politician, what next is to be put on the list, bearing in mind that there is no suggestion here that every good politician has each and all of these qualities?

Well, one of the indispensables is a sense of responsibility. Yet another is a sense of restraint.

The Republican Senate leader, WILLIAM F. KNOWLAND, of California, is a good politician in the face of certain heavy handicaps—an undue and unwilled solemnity, which he simply cannot help, and a stolid tactlessness almost as spectacular as that of the late Taft—primarily because he is pre-eminently a politician of responsibility.

Few who do not know him well can imagine the stoic courage that KNOWLAND repeatedly demonstrates, caught as he is between the demands of the modern or Eisenhower Republicans on the one side and the orthodox Republicans who are, in fact, his own kind, on the other.

Many times putting aside what he himself would very much like, he has doggedly supported the administration to the last strained inch that his convictions would permit. For a long time he did this, with never a murmur of complaint and never a call for intervention by the referee, while Eisenhower supporters ridiculed him in Washington drawing rooms as the Senator from Formosa and in other ways sought, as they seek no longer, to undercut him.

When he has had to break with the administration he has done so cleanly, without apology or extended explanation, out in the open and with never a leaked attack on the other faction or an inspired column defending himself. He has done all this simply because his sense of responsibility required it of him.

The Senate Democratic leader, LYNDON B. JOHNSON of Texas, has an equivalent sense of responsibility to his party and like KNOWLAND, an unexcelled sense of responsibility when it comes to life-and-death issues like foreign and military policy.

Others who often epitomize the quality of restraint, in the areas of impermissible partisanship, are two liberal Democrats—Senators HUBERT H. HUMPHREY, of Minnesota, and MIKE MANSFIELD, of Montana.

Indeed, in some matters—that is, those matters touching on national success in the world or national survival—really good politicians are generally far less partisan than secondary politicians or even the common run of more or less partisan voters who make up the political parties.

This may seem odd, but it is observably true—of liberal or conservative Democrat or Republican—that there are no poorer ways to judge the ability of a politician than by simply taking note of how bitterly and how recklessly he is prepared to put partisan hooks into such waters. This kind of fishing is usually the infallible mark of the amateur.

Perhaps, on reflection, it all returns to the quality first stated, the quality of a sense of proportion. This quality, one might recall, twice nominated—though it did not elect, as perhaps in all the circumstances no quality could have elected any Democrat—such a politician as Adlai E. Stevenson. It may be, in short, that this quality is, in fact, the first quality, lying at the very heart of the matter.

What it seems to come to is this: The United States Government is a political instrumentality, not an intellectual or moral organization but a business concern. In a political instrumentality politicians are quite as necessary as people who can sing are necessary to an opera. To attack politicians for being politicians is to suggest that political work should not be done by politicians but by someone else. To seek nonpolitical efficiency in politicians is a radical and profound oversimplification. For efficiency would reject the raison d'être of democratic politics itself, as well of politicians—the direction of the public's affairs by very human beings indeed, who will lead by persuasion, by compromise, by luck, and by guess.

BENSON DAIRY PROGRAM WILL HURT FARMERS

Mr. PROXMIRE. Mr. President, unless the Congress votes to override the veto by President Eisenhower of the joint resolution to set aside the lower price supports ordered for this year by the national administration, American farmers will face the hopeless prospect

of further disparity between the returns from their labor and investments and the returns of other segments of the economy.

The Secretary of Agriculture has maintained that eventually farmers will be able to realize better incomes by selling a greater volume of commodities at the lower price levels. Mr. President, there is not a single shred of sound economic evidence to back up that allegation. Mr. Benson has refused to offer any facts and figures or estimates by Department of Agriculture experts in support of his fanciful assurance. In my judgment, his unsupported assertion is completely baseless.

Today, I received a statement by one of the most distinguished agricultural economists in the United States, Dr. Willard W. Cochrane, professor of Agricultural Economics at the University of Minnesota. Dr. Cochrane's statement deals in part with the demonstrated facts about the relationship between prices and supply.

Dr. Cochrane's studies have shown, Mr. President, that each 1 percent by which the dairy farmers increase their sales of milk for fluid consumption will drive down by 5 percent the price received by farmers.

It is perfectly clear that this kind of arithmetic adds up to sheer disaster if farmers attempt to follow the dangerous course pointed out to them by Mr. Benson. What he advocates is nothing more or less than that they pull themselves down into their economic graves by their own bootstraps.

Mr. President, Dr. Cochrane's statement deals with the tremendously vital problem of devising a workable, long-range dairy program. He presents the outlines of the three major proposals in this field that have been offered—the plan of the National Federation of Milk Producers and the National Grange; the plan of the National Dairymen's Association; and the plan which is proposed in my comprehensive farm bill, S. 2952, and in the dairy products marketing bill, S. 3456, which I introduced on March 10 for myself, the Senator from Montana [Mr. MANSFIELD], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Oregon [Mr. NEUBERGER], and the Senator from North Dakota [Mr. LANGER].

Dr. Cochrane analyzes with great competence each of these proposals, and offers criticisms and suggestions which I think are extremely valuable. Regardless of whether the President's veto of Senate Joint Resolution 162 is upheld—and I hope with all my heart that it will not be upheld—Congress needs to give its most conscientious consideration to these and all other serious proposals for a long-range program.

I ask unanimous consent, Mr. President, that the very able statement by Dr. Cochrane be printed at this point in the RECORD.

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

MAKING A DAIRY PROGRAM WORK

(By Willard W. Cochrane)

I. Three characteristics of agriculture—widespread technological advance, the competitive market organization, and the inelastic demand for food—related as they are, make agriculture the sick industry that it is. This causal sequence and the chronically low prices and incomes that it gives rise to, I call the agricultural treadmill.

A. Let us examine this treadmill in a little more detail.

1. Widespread technological advance: This is a part of the American creed: Americans value it highly in all sectors of the economy and it is generously financed in agriculture. Hence, we can expect a continuous outpouring of new technologies in agriculture. In this dynamic situation farmers move year after year to lower cost positions on new cost curves through farm technological advance. The only real question is: at what rate is the technological advance going to occur, hence, at what rate is aggregate supply going to expand? Technological advance is the key variable in agricultural production.

2. The competitive market organization: This is the engine of the farm economic system; the competitive market organization provides the incentive for widespread technological advance. Each farmer reasons that he cannot influence prices, but he can get his costs down by adopting new techniques—by adopting new and improved production practices. But when all farmers do this aggregate output expands, and since 1951 it has expanded persistently in the face of falling prices. The competitive market organization in agriculture provides the motive power for a continuously expanding aggregate output.

3. The inelastic demand for food: Expanding supplies would create no problem if the demand elasticity for food were greater than 1.0. But it is not; it is exceedingly low—approaching −0.2 at retail and −0.1 at the farm level. This means that retail prices must fall some 10 percent to move 2 percent more food into consumption, and farm prices must fall by 20 percent. Thus, a little too much in the way of total food supplies causes the farm price level to fall disastrously. Continuously expanding supplies, growing out of widespread technological advance, press against the inelastic demand for food and drive farm prices to low levels and hold them there.

B. This is not a temporary, or transitory, condition. And it does not result from some bad guys in the marketing system wearing black hats. It grows out of the very structure of the food and agricultural sector of the economy. And this treadmill condition will not be corrected until the structure of this sector of the economy is changed, or modified, in some way.

C. The dairy farmer is running on the treadmill too:

1. Production per cow has increased steadily since 1944 as the result of improved production practices—has increased by more than 30 percent in the United States over that period.

2. And we have many small, unorganized producers in dairying, who in the face of falling prices, have increased total milk production by 10 percent since 1951.

3. Finally, the demand elasticity for milk is low:

(a) For fluid uses it is −0.3 at retail, and −0.2 at the farm; and

(b) For manufacturing uses it is −0.7 at retail, and −0.5 at the farm.

(This means that an increase of 1 percent in the supply of milk for fluid use will force down the retail price by 3½ percent and the price received by farmers 5 percent. In the case of manufacturing milk, a 1 percent increase in the supply will force down the retail price of manufactured dairy products by 1.4 percent, and the price received by farmers by 2 percent.

(Reduction in the supply of milk will result in the opposite changes—higher prices received by farmers—in the same ratios as described above.)

4. These demand elasticities are such that a little too much in the way of milk raises havoc with milk prices—pushes milk prices down and holds them there.

D. Furthermore, Midwest dairy farmers are running on a treadmill not entirely of their own doing. Between 1946 and 1956 dairy farmers in Wisconsin and Minnesota increased their total production of milk by about 8 percent, while farmers in the North Atlantic States increased their production about 22 percent. And many of us suspect that some relatively high class I prices and no controls induced that large increase in eastern markets.

II. Let us look now at three dairy price stabilization plans that are receiving a lot of attention, and see what conclusions we can draw with respect to them.

A. And let us look first at the principal features of the National Milk Producers Federation-Grange plan.

1. A 15-man board is created to administer the stabilization program.

2. The board has the authority to determine fair prices for dairy products and support dairy prices at those levels (price supports at 90 percent of parity are recommended as a start).

3. Prices would be supported in the market place by the purchase of surplus manufactured products to be distributed outside the normal channels of trade—at least up to a point.

4. These purchase and disposal operations would be financed by deductions up to 25 cents per hundred on all milk sold in the United States.

5. But when deductions of 25 cents per hundred proved inadequate to purchase manufactured products at the supported price—quotas on the production and sale of all milk would be instituted (a) these quotas would initially be assigned to individual producers, but they become transferable, and (b) milk marketed in excess of quotas would carry a payment penalty over and above the 25-cent standard payment by all producers.

6. The program discussed above would go into operation after a majority of dairy producers voted favorably in a referendum.

B. The National Dairymen's Association plan—its principal features.

1. Basically this plan is similar to the Federation-Grange plan.

2. The important differences are:

(a) The support price is constructed on an average cost-of-production basis, and it turns out to be much higher than the Federation-Grange plan support price—approximating $5.30 per hundredweight in Wisconsin for manufactured milk.

(b) The whole price stabilization operation would be administered by one farm organization—the National Dairy Association.

C. The Proxmire dairy program—its principal features.

1. It differs considerably from the Federation-Grange plan.

2. It moves to a parity income equivalent price with a support price of 4.13 to 5.16 for milk for manufacturing purposes: A price somewhere between the Federation-Grange price and the NDA price.

3. The program concentrates on manufactured milk:

(a) Supporting the price of manufactured milk; and

(b) Imposing quotas on manufactured milk.

Mr. PROXMIRE. Mr. President, I should like to note at this point that Dr. Cochrane apparently is not familiar with the provision for marketing quotas that is incorporated in the bills I have introduced. These provisions call for quotas on all milk sold. In some of the preliminary work during the preparation of this program, consideration was given to applying quotas only to milk for

manufacturing use, but this was rejected as being unsatisfactory for dealing successfully with this problem.

Dr. Cochrane's statement continues as follows:

4. Income deficiency payments would be made to producers when prices in the market place failed to reach the defined parity prices.

5. Quotas are assigned to farms, not to individual producers.

6. The program has a limited self-financing feature; an assessment up to 10 cents per hundred may be imposed on whole milk to help finance the program.

7. The program would be administered by the Secretary of Agriculture.

D. All three of these programs are to be commended in that they attempt to find a way out of the price-income problem of the dairy industry within the industry, by adjusting supplies to demand at prices that will yield dairymen good and stable incomes.

E. Hence, I certainly don't want to say anything that will hurt, or discredit, any of them. On the contrary, I would like to work with each of them to try to make them more acceptable and more effective.

F. To this end it seems to me that certain limitations, or problems, must be noted with respect to each, or all, of them.

1. All three plans fail to make controls over supply central to their operation. Each is vague with respect to the estimation of the total national quota, the issuance of new quotas, the transference of quotas and the imposition of penalties. They skirt around these difficult but crucial problems. They all suggest that good prices can be achieved and maintained through surplus disposal operations, and the temporary use of controls. And this could well be the rock upon which they founder. In other words, there remains considerable wishful thinking as regards milk supply responses in all of these plans; given good, stable, and guaranteed prices and incomes dairy farmers will jam into practice all of those production techniques that they dream about and push total production beyond the imagination.

2. Further, only the Proxmire plan gets down to the difficult problem of relating quota amounts to prices, and none deals with the need to transfer quotas under continuous supply control to effect production adjustments within areas and between areas.

3. None of the plans attempts to deal with the difficult price and production maladjustments that exist between the milk surplus area of the Midwest and the fluid order market of the East and South. A way must be found sometime to permit the efficient producers of the Midwest to enter the higher cost eastern and southern markets.

4. No Congress is ever going to give an independent board of milk producers the monopolistic powers indicated in the Federation-Grange plan and the NDA plan. Government enfranchised monopolies are always controlled by their creator; namely, government with respect to such key considerations as prices, rates, and returns. And this is what we are talking about here—the granting of the necessary monopoly power to the dairy industry to permit it to stabilize its market.

III. Now I want to make some specific suggestions for making a dairy stabilization program work.

A. But first let me get out in the open two basic assumptions that underly my suggestions. First, I assume that Federal and State market orders for fluid milk are not going to be abolished in the near future, although their operations may be modified somewhat. Second, I assume that dairy farmers in the Midwest who produce largely, or primarily, for manufacturing purposes want some kind of a control program designed to enhance and stabilize their prices and incomes. In other words, I am going to discuss a dairy control program that ties in with, or meshes in with, existing order market procedures, since in our programing I don't believe that we can wipe the slate clean and start anew. Rather we must begin from where we are—market orders and all.

B. In my thinking, I begin with the determination of a fair, or parity, price for milk, and the reestablishment of some sane price relationships between fluid and manufacturing uses, and between important production areas.

1. I would first determine a fair, or parity, price for whole milk for manufacturing purposes in the surplus area of Wisconsin and Minnesota and build out from there.

(a) I do not know what this price should be—this is an equity question—a question that must be settled by the Congress, or some agency delegated that responsibility by the Congress. It is not the kind of a question that the economist alone can answer, although he along with accountants, lawyers, sanitation experts, nutritionists and so on may provide evidence that is helpful in making judgments as to what is a fair price.

(b) I would guess, however, that the Congress in 1958 might say that 90 percent of the present formula is fair—or about $3.75 per hundred in Wisconsin. This we might call the base parity price in the United States.

(c) And the parity price for milk for manufacturing outside this surplus area would be $3.75 plus transportation costs of the manufactured products.

2. The parity price for fluid milk in the Wisconsin-Minnesota area would then be this $3.75 plus the additional costs of producing for fluid uses—perhaps an additional 25 cents per hundred.

3. Parity prices for fluid milk in order markets outside the Wisconsin-Minnesota surplus area would be equal to the parity price for fluid milk in that area plus transportation costs of that milk from the Wisconsin-Minnesota area to the order markets in question. To illustrate the parity price for fluid milk in New York might be:

The base parity price	$3.75
Additional production costs associated with fluid milk	.25
Transportation costs: Milwaukee to New York City	1.60
Total	5.60

C. These parity prices would be realized in actual markets as follows:

1. The parity price for milk for manufacturing purposes would be achieved through supply control—that is, by adjusting supplies to demand through the imposition of a national sales quota.

2. In order markets dealers would be required by law to pay producers the parity price for fluid milk for all milk going into fluid uses, but no more than the parity price.

3. Thus, parity prices for fluid milk in order markets would be related to the price of manufacturing milk, rising and falling with it. The basic determination in all this would be the establishment of a fair price for whole milk in the efficient, surplus producing area of the Midwest, for the whole structure of milk parity prices would be related to it through the transportation costs of the relevant products.

D. Supply control in the manufacturing sector might work as follows:

1. Following a referendum involving a favorable vote by two-thirds of all dairy producers selling milk for manufacturing purposes (in order markets and out), a national sales quota would be established governing the total amount of milk that could be sold for manufacturing uses.

2. This national sales quota would be reestablished each year after taking into consideration such factors as:

(a) changes in demand, and

(b) changes in the base parity price itself.

3. The national sales quota would be calculated in the following way:

(a) The total quantity of each manufactured product that consumers would take, where producers were paid parity prices, would be estimated.

(b) Then those product quantities would be converted back to whole milk equivalents to yield the national sales quota.

4. The national sales quota would be distributed initially to each producer on the basis of his historical record of sales of milk for manufacturing purposes. Producers in order markets would each receive a quota, too, governing the amount of milk that each could sell for manufacturing purposes.

5. Stiff penalties would be levied on any producer (or dealer) who exceeded his individual quota.

(a) Here we close the shop with respect to total supply—the manufacturing market ceases to be a dumping ground for excess production.

(b) This is essential if supplies are to be adjusted to demand to yield and good and stable prices in the market.

6. To facilitate exit and entry into dairying at the local level, and production shifts among areas, individual marketing quotas would need to be transferable—I would say, should be made negotiable. Farmers should be free to trade, sell, rent, or give away quotas, or parts of quotas.

(a) By this device we achieve the impossible—flexibility at the local production level within a controlled industry—within a stabilized national market.

(b) I know that many farmers do not see the need for this transferability provision, perhaps even fear it; but if we do not incorporate this provision into the plan production will be forced into a straitjacket within a few short years.

(c) And if the structure of parity prices is realistic, as I have suggested, Midwest farmers do not need to fear that eastern producers would buy them out overnight. But individual quotas would slowly move toward the most progressive areas and efficient producers.

E. I must, however, be frank and say that controlling the supply of milk for manufacturing uses alone has certain limitations, in that the elasticity of demand for milk going into manufacturing uses is higher than milk going into fluid uses. But what are the alternatives? As I see them, they narrow down to one—no program at all. And I do believe that a program of supply control for manufacturing milk alone can be made effective if farmers generally want such a program.

1. First, because the elasticity of demand at the farm level for whole milk going into manufacturing uses is estimated to be −0.5. This means that gross returns to producers would increase by reducing production since prices would rise by twice the amount of the production cut, percentagewise.

2. Second, because quotas governing the sale of manufacturing milk generally, would put an end to the increased production of milk for manufacturing uses in order markets.

F. Some implications of this supply control program for the operation of fluid milk markets can be considered at this point.

1. Order markets could no longer dump excess supplies onto the manufacturing market, since fluid producers in such markets would have quotas governing the sale of their milk for manufacturing purposes.

2. The blend price received by producers in order markets would be a combination of the parity price for fluid milk in the market in question and the parity price of whole milk for manufacturing purposes in the market in question.

3. To render the total stabilization plan more equitable, hence, generally more acceptable, it should include the provision

that, if and when milk supplies for fluid purposes became short in any order market, at the parity price for fluid milk, dealers be permitted to acquire supplies from any surplus producing area without penalty. By this provision milk could begin the flow between markets and areas—the structure of parity prices would make this possible.

4. Further, it would seem wise to have a modest surplus built into the national sales quota for milk manufacturing purposes, perhaps 1 to 2 percent, which would be purchased and disposed of outside the normal channels of trade, when necessary, by the levying of a small fee of perhaps 10 cents per hundred on all milk produced and sold in the United States.

(a) This would moderate the initial cut in production somewhat, and

(b) Would provide a milk supply operating cushion for the total stabilization program.

IV. Some general conclusions:

A. I have made no recommendation with regard to a board because I am not sure that a board is to be preferred to a program administered by the USDA:

(a) Certainly a bad board could cause as much trouble as a bad Secretary; and

(b) I am certain that the Congress will not grant a board the broad powers indicated in the Federation-Grange bill. You just don't grant a producer group monopoly powers and retain no control over that group.

B. I have argued for tight and effective controls over supply, since I am convinced that you can't contain supplies in American agriculture at reasonably good prices without effective controls. Failure to recognize this will wreck any program designed to raise and stabilize dairy prices.

C. I have tried to leave a way open to the eventual consolidation of the many order markets into one national fluid market—and then perhaps the consolidation of the fluid and manufacturing markets into one national market. This, I believe, must come in a rational world, and I have tried to program for such an eventuality.

ECONOMIC CONDITIONS

Mr. HUMPHREY. Mr. President, yesterday I addressed myself to some of the problems of the economy, introducing into the RECORD the latest economic evidence and statistical tables relating to the downturn in the American economy.

On Tuesday of this week, April 1, the Commerce Department reported that manufacturers' sales in February declined 3 percent from January, to a rate 12 percent below that of February of last year.

The Department also reported that new orders were off by a full 25 percent from a year ago.

February sales of merchant wholesalers declined 9 percent from January and 10 percent from February of 1957.

I ask unanimous consent, Mr. President, that a résumé of this Commerce Department report, from the Washington Post of April 2, be printed at this point in the RECORD.

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

FACTORY SALES RUNNING 12 PERCENT BELOW 1957

Manufacturers' sales in February declined 3 percent from January to a rate 12 percent below that of February a year ago, and factory inventories were cut a half billion dollars during the month, the Commerce Department reported yesterday.

New orders received also were off, and continued to run below the volume of shipments, so that the backlog of unfilled orders dropped to $47.8 billion, 25 percent below the level of February 1957.

Sales by manufacturing companies totaled $24.6 billion in February, as compared with $27.9 billion in the same month last year. Deliveries of autos, home appliances, machinery and other durable goods were off 5 percent. Soft goods dipped 1 percent.

New orders placed with manufacturers amounted to $23.2 billion, or $4.3 billion below February last year. The rate of decline was smaller than in recent previous months; it amounted to about 1 percent below the January rate.

Liquidation of factory inventories continued. Stocks were down by $500 million from January, after allowing for seasonal differences. The book values of manufacturers' inventories totaled $52.8 billion, or $500 million below the total a year earlier.

The Department also announced that February sales of merchant wholesalers totaled $8.2 billion, down 9 percent from January and 10 percent from February a year ago.

Wholesalers' inventories on March 1 were down 1 percent from a month earlier and the same amount from the year-ago level.

Mr. HUMPHREY. On the unemployment front, the reports are also discouraging. The Associated Press yesterday reported that the Western Electric Co. will close its St. Paul plant by June, laying off 375 workers.

The American Steel & Wire division of United States Steel Corp. will discontinue much of its operations in Worcester, Mass., July 1, affecting 350 workers.

In Dayton, Ohio, the Frigidaire division of General Motors plans to drop 1,100 employees in this current month of April.

Such hard cold facts as these should shake the administration, and the Congress, out of their wait-and-see attitude. The time is fast approaching when we cannot further delay if we intend to stop the deepening recession.

I also call the attention of the Senate to a report from the New York Times of March 30 surveying the economy. The report is entitled "Economy Portents." It is a review of what has been done to date by the Congress, and also contains statements by prominent officials of our Government, as well as an analysis of so-called unemployment antirecession measures which have been placed before the Congress. I ask unanimous consent that the article be printed at this point in the RECORD.

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

ECONOMY PORTENTS

President Eisenhower's recent comments on the recession have included these:

In his economic report to Congress January 20: "There are grounds for expecting that the decline in business activity need not be prolonged."

In a statement February 12: "Every indication is that March * * * should mark the beginning of the end of the downturn * * *."

At his news conference last Wednesday: "I think there are many factors that would imply that the bottom is certainly close, or possibly even now reached. * * * My own feeling is we are going through the worst of it right now."

Aside from "the strength of consumer buying," the President did not say what the factors might be. But observers felt at least one reason for his confident tone lay in the inventory situation. Inventories are the stock of goods from which sale orders are filled. Manufacturers have drawn heavily on inventories instead of producing new goods, and this is regarded as a major factor in the slump to date. But consumer demand has been holding up rather well, and economists say business cannot "live off the shelf" indefinitely; the time may be approaching, they reason, when production will have to be stepped up—and workers rehired—in order to replenish stocks. The administration is also calculating that increased Government spending for defense will soon make itself felt.

MACHINE TOOLS UP

Among hopeful signs actually visible last week was a report on machine tool orders. Machine tools are factory equipment, and orders for them often foretell the trend in manufacturing. In February they were 18 percent above those in January and 23 percent above those in December, when they set an 8-year low. However, orders were still 61 percent below those of a year ago.

Other signs were less encouraging. The Labor Department reported on Thursday that in mid-March unemployment increased in four-fifths of the Nation's 149 major employment areas. Nearly half of the areas now were in the substantial labor surplus category.

On two important production fronts—steel and autos—the situation remained glum. Last week's scheduled steel output was the lowest in nearly 6 years—barely 50 percent of capacity. And Automotive News reported that car production so far this year is more than half a million units below that of the comparable 1957 period.

The interpretations of these signs—good and bad—are reflected in attitudes on what action should be taken. Thus the President, in a request to Congress last Tuesday for approval of Federal funds to extend State unemployment benefits beyond the normal payment period, said "the need for [this] additional assistance * * * will be of relatively brief duration."

TAX CUT FADES

Moreover, the administration was reported taking an increasingly cold attitude toward tax-cut proposals. Secretary of the Treasury Robert B. Anderson was said to have told influential Congressmen that he doubted any reductions would be a help. And at his press conference Mr. Eisenhower said leaders of both parties were "not going to be stampeded into cutting taxes." "This," he said, "is not something to do lightly."

The Democrats also have been cautious about tax cuts. In the first place they have committed themselves to support administration spending programs—such as foreign aid—along with their own. In the second, they have reached a gentleman's agreement with the administration by which neither side will call for concrete action on taxes without consulting the other.

On spending, however, the Democrats have been aggressive. They already have sent to the White House a $1,850,000,000 housing bill designed to spur the lagging construction industry. Last Thursday the Senate approved, 84 to 4, a measure to spend $5,500,000,000 in highway construction over the next 2 years, creating thousands of new jobs. The bill was sent to the House for conference.

It appears neither party will press for more drastic antirecession action until it becomes clear whether the slump is at its worst, as the President thinks it may be, or is continuing downward. Statistics to be released in April will indicate the direction—and are likely to decide the political courses as well.

Mr. HUMPHREY. I also ask unanimous consent to have printed in the

RECORD a New York Times analysis entitled "The Week in Finance," with the subheadline, "Recession Rolls on, but a Few Signs Encourage Hopes for an Early Upturn," which was published in the New York Times of March 30, 1958.

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

THE WEEK IN FINANCE—RECESSION ROLLS ON, BUT A FEW SIGNS ENCOURAGE HOPES FOR AN EARLY UPTURN

A few rays of sunshine pierced the economic gloom last week, giving rise to hopes that the worst of the recession might soon be past. Though heartening, these shafts of light were too few and too slender to provide any definite assurance.

On the bright side were indications that machine-tool orders had had a modest 2-month rise; that some other lines were experiencing a slight pickup in production and new orders, as noted in the latest report of the country's purchasing agents, and that consumer spending for food, furniture and Easter finery was holding up well.

Offsetting these encouraging signs, however, were the continued depressed levels of steel and automotive production and railroad freight traffic. These three bellwether industries, which play such a vital role in the economy as providers of jobs and as the customers of a host of suppliers, are still running far behind their 1957 levels.

STEEL AT 50.5 PERCENT

Last week steel production was scheduled to drop 2 points to 50.5 percent of the industry's capacity. Output was expected to be 1,363,000 tons, down some 50,000 in the week and the lowest in nearly 6 years, except for holiday or strike periods. A year earlier the mills produced 1 million tons more.

While auto assemblies were slated to rise about 13,000 units last week from the 80,560 of the preceding week, output this year still is about 30 percent behind the 1957 volume.

And railroad carloadings, reflecting largely the depressed state of steel and automobile business, showed a drop of 22.3 percent in the latest week from the year-ago level.

TAXES IN BALANCE

Meanwhile the administration and political leaders of both parties are marking time, withholding action on what many consider their trump card in countering the current recession—tax cuts.

Secretary of the Treasury Robert Anderson has succeeded in forestalling quick action on tax relief, but Congress, labor, many businessmen and economists are becoming restive, demanding tax action before the economy deteriorates further. The statistics coming out in the next few weeks, those on March production and unemployment, particularly, will very likely decide the tax issue.

Like the economy, the stock market last week was sluggish and mixed. Prices continued to trace the irregular pattern of recent weeks in cautious trading.

In the absence of any spectacular economic or political developments, activity was highly selective, with investor attention directed to individual stocks and groups affected by corporate or industrial news.

As measured by the New York Times combined average of 50 stocks—25 industrial and 25 rail issues—the market had a net loss of 3.64 points for the last 5 sessions. But in March, which has 1 trading day left, the index has gained 4.09 points, at 274.95.

PICKUP PRICE CUT

The two major industrial news developments last week were the upturn in machine-tool business and a reduction in aluminum prices.

Rising 18 percent over January's level, new orders for metal-cutting tools in February totaled $22,800,000. This was also 23 percent above December's level, when bookings hit an 8-year low. In February 1957, orders amounted to $58,200,000.

Perhaps more significant was the announcemnt last Thursday by Aluminium, Ltd., that it would cut prices of primary aluminum by 2 cents a pound this Tuesday. This will be the first price cut for the metal in 17 years. The major United States producers said on Friday that they would follow the Canadian company's move, and lower the price to 24 cents a pound.

COMPETITION RISES

Aluminium's action, which jolted the industry, was taken against a backdrop of idle capacity and increased competition from other metals that have had sharp drops in price, particularly copper. Another reason, it was said, was the heavy competition the company had been battling recently in its important British market from lower priced Russian aluminum.

While the aluminum price reduction will lower costs for many fabricators, the move is not expected to touch off a companion action in competing metals or commodities generally. There have been isolated price reductions in various lines, and more may be expected to coax sales. But businessmen maintain that their own higher costs have so squeezed profits that general price cuts are not foreseeable.

Farm prices, for instance, are still rising. The Department of Agriculture reported that prices received by farmers increased 4 percent in the month ended in mid-March, the sharpest rise since February 1951. The index rose to 263 percent of the 1910–14 average. Prices paid by farmers rose, too, but not as sharply.

Mr. HUMPHREY. I also ask unanimous consent to have printed at this point in the RECORD an article from the same publication, entitled "The Merchant's View," which analyzes from the retail merchant's point of view what is developing in the economy and what is happening on the retail front. I read only one paragraph:

The contraction of $20 billion in the manufacturing and distributing segments of the economy will eliminate any chance of reducing the unemployment rolls, and failure of the Government to take some action to offset the loss could well mean an increase in unemployment by another 2 million before the year is over.

I ask unanimous consent that the entire article be printed in the RECORD, as well as one from the same publication entitled "Billion Rise Seen in Federal Rate of Spending in 1958."

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

THE MERCHANT'S VIEW—MAY APPEARS TO BE THE CRUCIAL MONTH IN TEST OF HOW RETAIL SALES WILL MOVE

(By Herbert Koshetz)

Going into the Easter season homestretch, retailers could be doing better. Apparel sales have held up well considering the adverse psychological effect of the general slackening in the economy, and growing unemployment. It was hoped that the extreme style change in women's apparel, which has now seeped down to teen-age and children's clothes, would lift volume well above what it was a year ago. This one spark, however, has not been hot enough.

The seasoned merchant will caution against quick conclusions about Easter. Since the end of World War II it has been noted that apparel selling in either the spring or fall seasons falls more in line with temperature changes than it did formerly. A run of warm sunny weather would go a long way in pushing sales figures above those of a year ago. If this weather comes after Easter, it will still give retailers a big lift.

MAY THE CRUCIAL MONTH

To evaluate the season's business accurately, it would be better to compare volume for March, April, and May this year against the same months a year ago. Department store sales for March, based on Federal Reserve Board figures for the first 3 weeks, will be about even with March 1957. April figures, however, are expected to be off because post-Easter sales this year will be stacked against pre-Easter volume of a year ago. And so the crucial test will be in May.

By that time it is hoped that the economic picture will be clearer also, and that the administration will have taken more definite action in the matter of increasing expenditures and instituting a tax cut. Some observers are of the opinion that up to now the doctor has been holding the patient's hand and therapy has been limited to reassurances that he isn't as sick as he thinks he is.

The fact remains, however, that even if the bottom of the recession has been reached, some stimulant must be given to lift the economy out of the trough.

FIVE BILLION DOLLARS LESS

The Department of Commerce reported last week that businessmen expect to spend $32 billion on new plant and equipment in 1958. This is $5 billion, or 13 percent less than they spent in 1957. The reduction will not be spread evenly over the whole year. First-half expenditures will amount to about $16.7 billion and second half investment will be $15.3 billion.

The Department reported also that manufacturers as a whole expect their sales to decline by about 2 percent for the year. This would take approximately another $7 billion out of the economy. If wholesale and retail trade declines for the balance of the year at the same rate that it has dropped during the first quarter, there will be from $7 to $8 billion less business in this segment compared to 1957.

The contraction of $20 billion in the manufacturing and distributing segments of the economy will eliminate any chance of reducing the unemployment rolls, and failure of the Government to take some action to offset the loss could well mean an increase in unemployment by another two million before the year is over.

The thought is expressed often these days that businessmen should not depend solely on the Government to solve the problem of recession. There are many areas in which each individual operator could bring about improvement. Businessmen are advised to get out and sell, do more advertising and promoting and generally keep a stiff upper lip.

This is good advice and it should be taken. But it must be remembered that the surging postwar economy was under the guidance of a strong Central Government policy dedicated to lifting the standard of living of a very large segment of the population. Individual effort, alone, therefore, cannot be effective. Of course, the Nation, if it is willing, can slip back into so-called rugged individualism and all that it entails.

Consumers have not lost their willingness to spend. They are likely to become more cautious if the recession becomes protracted. Certainly the effect of the two previous recessions was minimized to a large extent by their relatively short duration. A tax cut at this time for both individuals and industry would provide needed purchasing stimulation.

TREND TO SAVINGS

It has been argued that consumers on their part would have a tendency to save the money coming from reduced taxes. The public has been in a saving mood for some time, according to the Federal Home Loan

Bank Board in Washington. In each of the last 4 years, Americans increased their savings in banks, savings and loan associations, insurance companies, credit unions, and other forms of savings by $13 billion.

Under these circumstances, it is possible that those in the habit of saving will increase such savings if their taxes are lowered. And the economy will not be harmed if they do, since these funds will be invested in many projects that can be expanded. It must be remembered, however, that many other beneficiaries of a tax cut will find that this is the only money that they will have available for so-called deferable purchases, without going further into debt.

ALUMINUM BREAKS

On the price front, there are indications that the law of supply and demand is still working. Last week Aluminium, Ltd., in Canada, announced a price reduction of about 2 cents a pound. Almost immediately aluminum producers in this country followed suit. This brings a crack in the solid front of large major industries that hold that price reductions are not possible in the face of high production costs.

To some extent aluminum is a competitive metal and a lower price might well bring other metals down. In the next few months manufacturers will be watching to see what the steel producer will do about prices. In this area, much will depend on whether the automobile industry can settle its labor problems without a prolonged strike that would bring about a complete cessation of motorcar production.

BILLION RISE SEEN IN FEDERAL RATE OF SPENDING IN 1958—STUDY CITES DEFENSE STEP-UP AS MAIN FACTOR IN NEW ESTIMATE OF 53 BILLION—POOR AUTO YEAR LIKELY—SECOND ANALYSIS FORESEES SALES DIPPING TO 3.5 MILLION IN 1958 AND GAINING IN 1959

(By Edwin L. Dale, Jr.)

WASHINGTON, March 29—Federal Government purchases of goods and services will rise by the end of this year to an annual rate about $1 billion higher than had been expected, according to an analysis made within the Government.

The increase will be mainly in defense. The other antirecession actions of the Government will have little impact on Federal spending for goods and services this year, according to the analysis.

The new analysis projects the rate of Federal purchases at about $53 billion by the end of 1958. The rate is now about $50 billion. The earlier projections, based on the January budget, put the year-end rate at $52 billion.

MODERATELY OPTIMISTIC

While the projection can be taken as a note of moderate optimism for later in the year. It can also be taken as a measure of the difficulties of speeding Federal spending.

Another new analysis, distinctly gloomy, relates to automobiles. These are its highlights:

Auto sales, allowing for seasonal factors, are running at the rate of only about 3,500,000 a year. Last year's sales were nearly 6 million.

March is showing no improvement. Dealer inventories are continuing to rise.

In the past, the pace of sales for the entire model year has usually been accurately predicted by sales in November, December, January, and February. By this test, autos will be a depressing force all this year.

BASED ON A FORMULA

The one hopeful aspect of the Government's private automobile analysis is that it indicates auto sales next year, with any luck, should be good. This conclusion was derived from an unofficial formula that Government experts use to calculate automobile demand in advance.

The formula uses such factors as projected formation of new families, rate of scrappage and prices of cars relative to overall consumer prices. It indicated a demand of about 5 million cars in the next model year.

Assuming sales in the early months indicate sales in this model year of 4 million or less, these sales probably will be made up next year, the experts believe.

The projections for Federal purchases of goods and services are not the same as projections of total budget expenditures. Federal purchases, however, and not budget spending, enter into the gross national product, which is the value of all goods and services.

The rise of $1 billion in the projection results mainly from additions to the original defense budget. A supplemental appropriation of upward of $1,300 million will soon be submitted to Congress. Some of this money is expected to be spent during 1958.

Increases in other Federal activities will not add much to purchases this year, the experts believe. Even the antirecession highway program, which would show up in purchases of goods and services by State and local governments, is not expected to increase spending much this year over earlier estimates.

DEFENSE ORDERS LAG

Meanwhile, it was learned that the rate of placement of defense orders had not picked up by February. Orders in February, according to preliminary figures, were about the same as or a little below the $1,200 million of January. The rate of ordering in January was roughly the same as that in the last half of 1957.

Thus, as many experts expected, the Defense Department has so far been unable to increase orders as rapidly as planned. To meet the targets for the current fiscal year, ending June 30, orders would have to go out at a rate of nearly $3 billion a month for March through June, almost a physical impossibility.

Many Government experts expect that this rate will not be achieved but that, instead, some of the orders will spill over into the period after June 30. This would mean that the rate of ordering will not decline as much in the last half of the year as had been expected.

REPUBLICANS SEE GAINS

Meanwhile, the Republican leaders of the Senate and House asserted that the administration's antirecession steps to date involve accelerated Federal expenditures and other job-generating plans with a value of many billions of dollars. In a joint statement, Senator WILLIAM F. KNOWLAND, of California, and Representative JOSEPH W. MARTIN, Jr., of Massachusetts, said that the total dollars impact will be immeasurable.

The party's 2 Congressional leaders listed 29 administrative actions—including 5 by the Federal Reserve System, which is not an agency legislation by Congress. The administrative actions included increased highway spending, which was happening as a matter of course, but also new measures, such as spurs to housing and other construction.

"Money is being made available for things which the country has already determined it needs, rather than for leaf-raking or slow-moving massive public works," they said.

Mr. HUMPHREY. Mr. President, I mention these matters because yesterday I heard in the Senate an argument to the effect that before we enacted any more antirecession legislation we had better take a look and see where we are. I suggest that before we fail to enact any more such legislation we take a look to see what is happening in the economy. It is well, good, and proper that Congress should evaluate, carefully and meticulously, every piece of proposed legislation which comes before it, but I am afraid Members of Congress are not evaluating what is going on in the economic structure of the Nation outside of Washington.

I hope there will not be any more headlines such as the one that appeared in today's Washington News, which reads, "Ike Moves Against Hasty Hill Splurge To Fight Recession," with three appropriate photographs appearing below that headline, under which photographs appear the following words: "Sign of spring—like a crocus, President Eisenhower bloomed with the sunshine yesterday. Ike took his golf gear out on the White House lawn." On page 3 appears the headline: "Ike K. O.'s Democrats' Antislump Splurging."

If the Democrats do not get accused of doing anything worse than fighting the recession, then we are a fortunate party.

I do not happen to think that the community facilities bill, the consideration of which was postponed by a partisan vote yesterday, was the last word in fighting the recession, but it was at least a forward step. The arguments made to the effect that, since there was going to be an Easter recess and since the House was not going to act, there was no need to consider it, are fallacious and ridiculous. All pieces of proposed legislation have to be acted upon by two bodies. Had we in the Senate acted on that bill, we would have completed our work and given a reason for action by the House. What will happen is that there will be dillydallying, and a delay which will be expensive to the American economy.

I express one other hope, Mrs. President. I hope this Congress will make it as its No. 1 priority piece of business, from now on, the enacting of necessary measures providing for Federal aid for school construction. It is outrageous that the Congress of the United States can ignore the school needs of the Nation. Surely, a school-construction program can be an antirecession program, but, more than that, it is sorely needed on the basis of providing a sound educational structure.

Is it not interesting that last year the administration placed emphasis on school construction, when there was full employment? Last year the administration made quite a point of the fact that the school-construction bill had failed in the House. Many of us were confronted with evidence of that fact when we went home to our constituents. But this year, after sputnik, after there are an additional 3½ to 4 million children in our schools, after a breakdown in school construction at the local and State levels, this year with more than 5 million unemployed, this year with local governments sorely pressed for relief needs, the administration has nothing in its program for school construction, not a single recommendation.

I call upon the administration and the Congress to place the school construction program at the top of the list. Yes, we need highways, but I desire to tell Sena-

tors that if we do not have better schools we will not even know where we are going when we are on the highways.

Surely there is not a Member of Congress who can really go home to his constituents and say he thinks it is more important to have concrete highways than to have brick and mortar in schools. There is still a need for more than 160,000 schoolrooms. Classrooms are being built at the rate of from 55,000 to 60,000 every year, but that is not enough. We are barely keeping up with the growth in the school population. There will be 40 million young people in our schools by 1960, and from 40 to 45 million by 1965.

I suggest, Mr. President, that school construction is one of the antirecession programs we can undertake. Since the President has moved against the Community Facilities Act, at least we know that the administration can move; and so I hope the President will move in the direction of advocating the school construction bill and will lend to that effort the impetus and support and backing of the White House, as it was stated he gave such support and backing to it in the 1st session of the 85th Congress.

AUTHORIZATION TO SELECT COMMITTEE ON SMALL BUSINESS TO FILE REPORT DURING EASTER RECESS

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the Select Committee on Small Business be authorized to file a report, Mergers and Concentration in the Trucking Industry, during the Easter recess of the Senate.

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

Is there further morning business?

ADDRESS BY SENATOR GREEN BEFORE 11TH ANNUAL CONFERENCE OF ASSOCIATION OF INTERNATIONAL RELATIONS CLUBS

Mr. PROXMIRE. Mr. President, I ask unanimous consent to have printed in the RECORD an excellent address which has been delivered within the last hour or so by the distinguished chairman of the Senate Committee on Foreign Relations, the senior Senator from Rhode Island [Mr. GREEN].

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

ADDRESS BY SENATOR GREEN, CHAIRMAN, SENATE COMMITTEE ON FOREIGN RELATIONS, BEFORE THE 11TH ANNUAL CONFERENCE OF THE ASSOCIATION OF INTERNATIONAL RELATIONS CLUBS, APRIL 2, 1958, WASHINGTON, D. C.

I highly appreciate the opportunity to talk to you today.

You have been considering "Problems of the Middle East." This means you have been busy, because no other part of the world has so many problems per square mile. The time allotted me is scarcely sufficient for even a mere listing of those problems, much less a discussion of them. This would perhaps be a blessing if I chose to take advantage of it, because so long as one is cataloging problems, one does not have to reveal his ignorance of the answers.

You have asked me, however, to speak on the Senate's contribution to the making of foreign policy, and in particular the Senate's attitude toward the Middle East. Let me say at once that I am not in a position to talk about the Senate's attitude toward the Middle East except so far as that attitude has been reflected in formal actions of the Senate. Beyond that I shall be referring to my own attitude only.

The most important action which the Senate has taken in regard to the Middle East in recent years was its approval a little more than a year ago of the so-called "Eisenhower Doctrine." This Doctrine declared, in substance, that the United States would use its Armed Forces to assist any Middle Eastern nation requesting such assistance against armed aggression by international communism. The joint resolution of Congress embodying this Doctrine was approved in the Senate by the large vote of 72 to 19, but only after prolonged consideration and with substantial misgivings.

These misgivings were aroused not so much by what the Doctrine did as by what it left undone. This was clearly stated in a report to the Senate by the combined Foreign Relations Committee and Armed Services Committee which, for this purpose, acted jointly under myself as chairman. The joint committee report described the resolution as "an emergency stopgap," and added:

"It is idle to suppose that the actions taken under the authority of this resolution will in themselves bring about peace, security, and stability in the Middle East * * * but the authority granted by this resolution is essential to provide an atmosphere in which other measures can be brought to bear and to provide time for those other measures to be effective."

It continued:

"The joint committee is concerned that other measures be taken, that they be taken promptly, and that they be adequate to the task."

The report concluded:

"It should be clearly understood that this proposed resolution, taken by itself, does not provide a definitive United States policy for the Middle East, nor is it so intended. All it provides is time in which to devise such a policy."

We must regretfully face the fact that today, more than a year later, such a policy has not yet been devised. What is called American foreign policy toward the Middle East is not really a policy at all. It is only a random assortment of hopes, most of them pious, some of them contradictory.

The Eisenhower doctrine, so-called, was directed primarily against overt Communist aggression. Such aggression has not occurred, and it can therefore be said that, in this respect, the Doctrine has been successful.

The Doctrine was also, in part, directed against the nonmilitary aspects of the Middle East problem. It gave the President virtually unlimited authority to spend $200 million in the area. This authority has been useful in meeting specific crises, notably in preventing the collapse of Jordan last year.

But, on balance, it has not prevented, and, so far as one can judge, it has not even impeded, the Communist economic offensive in the Middle East.

One of the tests of a policy is where it will lead over a period of five, ten, or fifteen years. I do not see how any American can contemplate the Middle East with equanimity on the basis of where past policies—or lack of them—have led. If the trend of the last 10 years is continued for the next 10, it is perfectly clear that our interests will be very poorly served indeed.

One reason a definitive American policy is now more urgent than ever is that we are now confronted with important new elements in the situation in the Middle East. Some of the people of the area have to some extent taken things into their own hands (this is as it should be, of course), and we now have the United Arab Republic, comprising what used to be Egypt and Syria and associated with Yemen. We now have also the Arab Federation, comprising Jordan and Iraq. Through these mergers, two of the weakest states—Syria and Jordan—have in effect been absorbed by two of the strongest states—Egypt and Iraq. These mergers have provided a partial fulfillment of the dream of Arab unity, a dream which deeply moves every Arab. But they have done more than this. Let us examine them in greater detail!

The Egyptian-Syrian merger may do more than the Eisenhower Doctrine to stop Communist penetration into Syria, and it is ironic that it should have been Colonel Nasser, of all people, who played a leading role. These matters are, of course, a question of degree. Mr. Nasser's Egypt, as we all know, is not entirely free of Soviet penetration; yet it is in a position to exercise more genuine independence than Syria. The fact that Egyptian protection has been extended to Syria gives the United States a fresh opportunity to correct some of its past mistakes. One of the results of our lack of clear policies in the Middle East has been that we have been unable to make up our minds as to whether or not we wanted to get along with Colonel Nasser. Sometimes—as in making the Aswan Dam offer—we have acted as though we did want to get along with him, and sometimes—as in withdrawing that offer—we have acted as though we did not want to. Until we decide this basic question, it is idle to debate whether we can get along with him if we do want to.

It seems clear to me that it is desirable that we get along with him, whether or not we like that prospect. It follows, therefore, that we ought to make efforts to get along with him, and that we ought to be consistent about it. We have no way of knowing whether or not such efforts will succeed until we make them. It is conceivable that if we do make the efforts, we may find him more responsive. If we make honest efforts and they fail, then obviously we shall have to reexamine the situation. At any rate, it seems to me that we should now proceed on the premise that it is important for the United Arab Republic to become a viable state, both desirous and capable of withstanding Soviet penetration. If it is to become such a state, then it will need an alternative to Soviet aid. As a result of careful comparison and elimination it seems that the United States will have to supply that alternative.

In our process of trying to get along with Colonel Nasser, however, it should be made clear to him that we do not like his brand of imperialism any better than any other brand. If other states of the area want to join or not to join his new Republic, that is for them to decide, without pressure from either Washington or Cairo or Moscow.

Now a word about the Arab Federation of Iraq and Jordan, both of which states in the past have been more friendly to the United States than have either Egypt or Syria. They deserve our continued support in their new venture. Iraq is one of the wealthier Arab States and one which has put its oil revenues to wise and prudent use. It is beginning now to feel the beneficial effects of its development program and those effects can be expected to multiply in the next few years. On the other hand, Jordan is one of the poorer Arab States. In federating with Jordan, Iraq has assumed a considerable burden; yet it is by no means entirely one sided. The population of Jordan, particularly the Palestinian population, has skills which are needed in Iraq and which could be put to good use there in furthering its economic development.

Because of Iraq's association with the United States in the Baghdad pact and because of the well-known rivalries between Iraq and Egypt, there has already been a tendency to view the Arab Federation of Iraq and Jordan as Western-backed and the United Arab Republic of Syria and Egypt

as Soviet-backed, or, as Colonel Nasser would probably prefer it, as truly Arab and anti-imperialist. Nassar's extreme charges against the federation and against Saudi Arabia have contributed to this view. This sort of polarization of the area serves the interests of neither the Arabs nor the West, though it is perhaps one result of our own lack of a clear policy and our ambiguous attitude toward neutralism—an attitude which sometimes seems to demand that every nation take one side or the other.

Now, in conclusion, let me say that I have necessarily limited my remarks rather severely. I have not touched upon many aspects of the situation in the Middle East which are pertinent to any consideration of the area. I am afraid that I may even have been guilty of generalizing about an area where such a sin is frequently deadly. I would certainly not want to leave you with the impression that all is lost in the Middle East. Far from it. Despite our dillydallying and despite our waste of time—the only commodity which is really irreplaceable—we still have considerable assets there. But they will not survive the steady depletion to which they have been subjected in recent years.

The Middle East, like Asia and Africa, is undergoing a revolution. Disraeli, who was certainly no revolutionary himself, said, "I have ever been of the opinion that revolutions are not to be evaded." This one in the Middle East is not to be evaded, either, and it will not wait for us Americans to make up our minds about it.

CESSATION OF NUCLEAR WEAPONS TESTS

Mr. HUMPHREY. Mr. President, I indicated on Monday that each day it would be my intention to place in the CONGRESSIONAL RECORD materials which I thought were pertinent to the crucial foreign policy debate and the foreign policy problem now facing us.

I refer, of course, to the Soviet announcement of the unilateral stopping of nuclear weapons tests. This happens to be one of the most critical hours of our Nation's history. I am afraid we are not facing up to that crisis.

Mr. President, 2 days ago the Wall Street Journal in referring to the Soviet announcement of its unilateral stopping of nuclear weapons tests, said: "They are hitting us over the head with it in places like India and Japan, where fear is greatest." Mr. President, this was a safe prediction.

This morning's newspapers already contain evidence of the whirlwind which we are reaping because of our failure not only to prepare for and meet predictable Soviet propaganda announcements, but—far more important—our failure to make fundamental decisions about our foreign policy and to persevere in disarmament proposals effectively.

Articles from New Delhi and Tokyo stress the eagerness of the Indian and Japanese reaction to the Soviet move. A dispatch by A. M. Rosenthal from India to the New York Times begins:

> Moscow's decision to suspend nuclear tests is likely to win the Soviet Union more political credit in India than almost any step since World War II.

The Japanese Government has already officially welcomed the Soviet declaration in a speech by the Foreign Minister to the Diet in Tokyo. I ask unanimous consent that the text of the two dispatches from New Delhi and Tokyo, appearing in this morning's New York Times, be printed at this point in the RECORD.

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

A BIG SOVIET GAIN EXPECTED IN INDIA—TEST BAN REFLECTS PEOPLE'S HOPES AND FEARS—JAPAN WELCOMES THE MOVE

(By A. M. Rosenthal)

NEW DELHI, INDIA, April 1.—Moscow's decision to suspend nuclear tests is likely to win the Soviet Union more political credit in India than almost any step since World War II.

This reaction is already shaping up in editorial comment.

The Ministry of External Affairs, following a policy of the last few months of trying not to hurt Western sensitivities, decided to say nothing for the time being and leave any comment to Prime Minister Jawaharlal Nehru. He will hold a news conference Friday.

Indian and foreign observers in this capital were certain that the Soviet move would bring a warm response, based on Indian fears and sentiments.

FEARS ACUTE IN ASIA

The fear of death, disease or mutations from radioactive fallout is more acute in India and other Asian countries than may be realized in the West. It figures time and again in statements by Indian leaders on the problem of nuclear weapons. The importance of banning nuclear tests has been emphasized repeatedly by Mr. Nehru.

Added to a sense of relief is bound to be a sense of admiration. One of the basic teachings of the late Mohandas K. Gandhi was satyagraha, or truth force, a philosophy that rests on the belief that the setting of a good and peaceful example will inevitably influence an opponent.

The unilateral character of the Soviet decision is certain to appeal to Indians. In January, Chakravarti Rajagopalachari, former Governor General of India, urged the Soviet Union to seize the moral privilege of being the first to renounce the use of nuclear weapons.

Moscow politely turned down the appeal. But even the step of suspending tests is expected to be taken by many Indians as a moral victory for the Soviet Union.

Editorial comment also stressed the point that Moscow had won a round from the West.

JAPAN WELCOMES MOVE

Special to the New York Times

TOKYO, April 1.—The Japanese Government welcomes the Soviet declaration on test suspension, Foreign Minister Aiichiro Fujiyama told the Diet today.

Answering Socialist questioners, he said the cessation of nuclear testing had been Japan's long-expressed aim. He noted that the Government already had asked the United States to call off its scheduled tests in the Marshall Islands.

Privately, Japanese diplomats conceded that the Soviet declaration had placed Japan in a delicate situation. Since the demand for a suspension of nuclear tests had been met by the Russians, the antinuclear movement in Japan will undoubtedly henceforth be directed against the United States and Britain.

Mr. HUMPHREY. Mr. President, by the same token, the political debate in Great Britain on the test-ban issue has been accelerated by the Soviet announcement. An editorial in the London Times yesterday described our own official reaction to Mr. Gromyko's statement as "far too heavyhanded to appeal to anyone."

Mr. Drew Middleton is a very responsible and sound commentator on international politics.

Mr. President, I ask unanimous consent that his dispatch from London today be printed at this point in the RECORD.

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

MACMILLAN FIRM ON NUCLEAR TESTS—PARRIES PLEAS BY GAITSKELL AND BEVAN THAT BRITAIN FOLLOW SOVIET LEAD

(By Drew Middleton)

LONDON, April 1.—Prime Minister Harold Macmillan stood firm today in the face of a volley of demands that the Government follow the Soviet Union's lead and abandon nuclear weapons tests.

Although Mr. Macmillan emerged unruffled from his ordeal by parliamentary question, the issue remained very much alive. Yesterday's Soviet announcement has revitalized the flagging British campaign for nuclear disarmament in the House of Commons and in the country.

Aneurin Bevan, Labor's chief spokesman on foreign affairs, pleaded with Mr. Macmillan to show a little more moral courage and take advantage of a very important advance toward disarmament.

"Do you not understand that there is a very, very deep desire in this country that some real attempt should be made to lift this shadow off men's lives?" Mr. Bevan asked.

GAITSKELL URGES RESPONSE

Hugh Gaitskell, leader of the opposition, begged the Prime Minister for a positive rather than a negative response to the Soviet action.

The opposition leader stressed the widespread desire for an effective response to the Soviet lead and the very general feeling that Britain should express her willingness to suspend the tests.

The Government position, as outlined by Mr. Macmillan, is based on the fact that no formal communication has been received from the Soviet Government on the suspension of the tests. Consequently, Mr. Macmillan indicated, no British reply is required.

The Cabinet is studying the announcement by Andrei A. Gromyko, the Soviet Foreign Minister, and will consult the United States and Britain's other allies, Mr. Macmillan said.

The Prime Minister noted that the Soviet announcement had been timed for the completion of an "extensive and accelerated" series of Soviet tests and before the start of a series of United States tests. The current series of British tests has not been completed.

Mr. Gaitskell answered Mr. Macmillan's point about timing by asserting that if the West had accepted the Soviet Union's proposals for test suspension last year the recent series of Soviet tests would not have been carried out.

ALLIED STAND REITERATED

Britain and the United States, the Prime Minister emphasized, have always been eager to negotiate suspension of the tests and as long ago as last July suggested the establishment of an expert committee to work out a system of inspection.

"That offer has been frequently repeated and still stands," Mr. Macmillan said.

The Prime Minister placed his hopes for future negotiations in a note delivered to the Soviet Union yesterday. This, he said, may result in "early preparations for a summit conference at which this whole question can be brought to a conclusion."

The statement, delivered with Mr. Macmillan's usual urbanity and adorned with references to his heavy burden of responsibility, did not quiet the Labor opposition.

Since the prospect of summit talks with the Soviet Union first arose the Government has invariably stressed the need of consulta-

tion with its allies at every step and on every issue. The United States is Britain's only nuclear ally and in practice this has meant consultation with the United States.

There are signs that this appeal to the transatlantic alliance is wearing thin. Some of Mr. Macmillan's cabinet colleagues now realize, as he has been forced to do, that his friendship with President Eisenhower is not as important as a means of exerting British influence when decisions on the United States foreign policy appear to be left to Secretary of State Dulles.

This view may be distorted. But it is a view that is held by responsible persons in the British Government.

Moreover, doubts about the wisdom of the United States approach to a summit conference and related questions are heard from sources long loyal to the alliance.

The Times of London, for instance, found Washington's first reaction to Mr. Gromyko's announcement "far too heavy-handed to appeal to anyone."

"People cannot forget that only a few weeks ago Washington was itself wondering whether to propose a suspension of tests without insisting, as hitherto, on international controls over the manufacture of fissile material," the editorial added.

The Times suggested that Britain and the United States could at least say that "if their next tests are successful they could call a halt."

Mr. HUMPHREY. Mr. President, dispatches from Moscow and Hong Kong indicate how the two major powers in the Communist world are capitalizing on the Soviet announcement and on the paralysis of the American response.

I ask unanimous consent that two articles from this morning's New York Times, one entitled "Soviet Calls United States Reaction to Test Suspension 'Hasty'," and the other entitled "Peiping Acclaims Soviet Atom Move," be printed at this point in the RECORD.

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

SOVIET CALLS UNITED STATES REACTION TO TEST SUSPENSION "HASTY"—TASS STATEMENT CHARGES WASHINGTON OFFERS "ARTIFICIAL" REASONS TO AVOID FOLLOWING MOSCOW'S EXAMPLE

(By William J. Jorden)

MOSCOW, April 1.—The Soviet Union charged tonight that the United States was using artificial reasons for not following the Soviet lead in halting nuclear weapon tests.

A statement by Tass, Soviet News Agency, expressed disappointment at Washington's reaction to the Soviet proposal. It declared that the United States position, as reflected in a declaration by the State Department, had been reached hastily and indicated that the nuclear arms race was going to continue.

Tass said that leading circles in the Soviet Union had expressed regret that the Soviet decision to halt atomic and hydrogen bomb tests had met with such a reception on the part of the Government of the United States.

The Soviet declaration said leaders here were particularly sorry that the State Department statement had been released with President Eisenhower's approval. Tass said Moscow had read Washington's statement as an indication that the United States had no desire to halt nuclear testing.

The United States has announced that it would go ahead with its planned program for testing nuclear devices in the Pacific this month.

The Soviet statement indicated that Moscow intended to capitalize on the refusal of the United States and Britain to accept at face value the Soviet plan for halting nuclear bomb tests. The Tass statement said Moscow's action had received the approval of people throughout the world.

The news agency said the Soviet Government had detected a tone of "irritation" in the State Department's reaction to the Soviet decision reached at a session of the Supreme Soviet yesterday. Tass said the arguments given by Washington for refusing to follow the Soviet Union's lead were of an artificial, invented character.

Moscow noted that the State Department had stressed the absence of any control machinery to check on whether nations would live up to their pledge not to set off nuclear tests. The Soviet statement said that this concern was unfounded because scientists had proved that such tests could be detected.

The Moscow pronouncement continued that the Soviet Union had no objection to setting up such inspection machinery if other major powers considered it necessary.

The Soviet Union is not turning down talks with other nations on disarmament problems, the Tass statement said. In fact, it said, that is one of the principal reasons Moscow has called for a meeting of Government leaders of East and West. It said the Soviet Union would be willing to discuss disarmament in the United Nations as well, but only if at least half the countries taking part were Communist or neutralist nations.

PEIPING ACCLAIMS SOVIET ATOM MOVE

HONG KONG, April 1.—Communist China voiced prompt approval today of the Soviet Union's announcement of unilateral cessation of nuclear weapons testing. Simultaneously official spokesmen and newspapers echoed the Soviet proposal that the United States and Britain likewise stop nuclear trials.

Mme. Sun Yat-sen one of the vice chairmen of the standing committee of the National People's Congress, and Kuo Mo-jo chairman of the official China Peace Committee were the spokesmen in acclaiming the Soviet gesture.

Mme. Sun called the Soviet more an expression of the strong will for peace and the earnest desire for peaceful coexistence that motivate the Soviet Union and in fact the entire Socialist sector of the world. She scored the Western powers for not having approved a heads-of-government conference and the United States for keeping bases abroad.

Mr. Kuo called on world public opinion to make the United States and Britain follow the Soviet action.

Mr. HUMPHREY. It is interesting to note, Mr. President, that in the Tass statement from Moscow, the official Soviet organ discusses once more the question of inspection. According to the article in the Times the Moscow pronouncement stated that tests could be detected but that "the Soviet Union had no objection to setting up inspection machinery if other major powers considered it necessary."

There is something highly disturbing about this whole inspection issue, Mr. President. Those of us who have been studying disarmament fully realize the importance of inspection. In fact, I have said inspection is the heart of the entire disarmament issue. The administration's official reaction to the Soviet announcement stresses inspection, and derides the Soviet gesture as uninspectable. But those of us who have studied the administration's position over a period of months, know of our own previous unwillingness to negotiate a separate inspected test ban.

It may strike some observers as more than a little odd, Mr. President, that we are deriding the Soviet proposals on grounds of their uninspectability when this administration itself has never been willing seriously to call the Soviet bluff on the inspection issue.

This was a part, Mr. President, of what Mr. James Reston in this morning's New York Times calls "The Ordeal of Dulles." I ask unanimous consent that Mr. Reston's column be printed at this point in the RECORD.

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

THE ORDEAL OF DULLES—A SUMMATION OF SECRETARY'S PROBLEMS IN COUNTERING MOSCOW'S PROPAGANDA

(By James Reston)

WASHINGTON, April 1.—This was April Fool's day to a lot of people but it was no joke to John Foster Dulles.

It was the morning of the weekly news conference. The headlines were proclaiming the Soviet Union's announced ban on testing hydrogen and atomic weapons. He could have found reasons for avoiding the ordeal. Or he could have arrived with a written statement and thus commanded the questioning at the start, but he did neither.

"I am ready for questions," he said.

The State Department auditorium was jammed with reporters and Government officials. The television cameras were lined along the back of the hall. Cameramen faced him at the foot of the room and "shot" him from behind. His wife and sister were on hand to see the show.

The Secretary of State's manner was that of a man who had been through so much that he could not longer be hurt. He knew the intimate details of the long disarmament negotiations with the Soviet Union, down to dates long since past. He knew exactly what he wanted to say, and said it with a precision that is not normal in this city. But he talked much more slowly than usual and seemed immensely tired.

MOVE CALLED MEANINGLESS

His theme was simple. The Soviet announcement was a meaningless trick, timed to coincide with the end of Moscow's atomic tests and the beginning of a new series by the United States. It was effective propaganda he conceded, but nothing more.

Mr. Dulles sounded sad about it all. As he presented the problem, the United States was handicapped by having to tell the truth to a gullible world that was constantly fooled by the trickery and bogus promises of the unprincipled Communists.

He made a moving defense of the free system. A free press, a vigilant political opposition, an intelligent and well-informed electorate, and proud and independent allies—all these made it impossible for the United States to indulge in propaganda tricks. And even if this were not so, he emphasized, he and President Eisenhower would not play this tricky game.

His answer to the Soviet propaganda "success" or "victory," as he called it, was that we should rejoice that we lived in a country where such shabby devices were not used.

If there could not be a really effective and inspected test ban and an end of production of atomic weapons, he said, "then the question is, do you keep them only in such shape that they threaten the existence of humanity, or do you refine them, develop them into distinctive, discriminating weapons which can be used defensively for military purposes?"

LITTLE BOMBS SUGGESTED

Even a small atomic bomb would not "be a nice thing" to be hit by, but his main point seemed to be that the best hope now was to work on little atom bombs so that atomic war, if it started, might in some way be limited.

On the Secretary's assumptions, his conclusions, though gloomy, were sound enough. What observers here were still arguing about tonight was whether his assumptions were correct and inescapable.

Is the world fooled by the transparent hoax of the Soviet ban? Are the Soviet-type propaganda tricks the only way in which the United States can avoid being constantly on the defensive? Was it impossible to combine honest policy and good propaganda in the West?

Many observers here doubt it. Many months have passed since the United Nations disarmament talks ended in a stalemate last autumn. Yet, it was not until a few weeks ago that a new committee was established outside the Government to advise Mr. Dulles on an alternate policy.

Long before the latest series of Soviet atomic tests—indeed, during the 1956 presidential campaign—the administration had the opportunity of proposing a limited ban on testing. In fact, for the last 3 months the administration has been dickering about a new offer of an inspected ban on testing without insisting, as in the past, on a ban on the production of nuclear weapons.

The difficulty has been that this internal fight on a revision of United States policy has not been resolved after months of discussion. It was generally agreed here that the clear evidence of Soviet advances in the field of missiles and rocketry dramatized by the two Soviet earth satellites last September, called for a revision of disarmament proposals, but even the first public steps of this revision have not been taken.

In fairness to Mr. Dulles, this is not his fault. There are reasons for stating that he was prepared to separate the testing ban issue from the nuclear production issues, and that he saw merit in announcing a ban on testing the largest hydrogen weapons. Either of these moves would at least have removed the impression that the United States was standing rigidly on the policy that most officials here concede in private must be changed at some point.

Mr. HUMPHREY. Mr. President, as Mr. Reston points out:

For the last 3 months the administration has been dickering about a new offer of an inspected ban on testing without insisting, as in the past, on a ban on the production of nuclear weapons.

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that I may be permitted to proceed an additional 5 minutes to complete my statement.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Minnesota? The Chair hears none, and it is so ordered.

Mr. HUMPHREY. Yet, Mr. President, Secretary Dulles' press conference discussion yesterday made it clear that the White House decision against announcing a test suspension was based on the desire to perfect smaller, "cleaner" weapons, rather than on any fear that the Soviet would cheat. The implication is that we would not agree even to an inspectable test ban. I think this would cause any ordinary observer, Mr. President, also to wonder out loud whether the administration is really prepared to agree on an inspected suspension of tests without linking it to a cutoff of the production of nuclear weapons. This is one more example of the inconsistency in public posture which the President and his advisers have presented to the world.

I still say, Mr. President, that no living mortal knows whether the Government of the United States is now in favor of tying together the disarmament proposal and a suspension of tests, with inspection, plus the suspension of production of nuclear materials for weapons purposes, with inspection, or whether we are in favor of dividing or separating them. There has been an argument in the administration for months on this question, and there is as yet no decision.

There is another peculiarity which I might mention in passing. Secretary Dulles said yesterday that "we had given serious consideration to trying to steal a march on the Soviet by ourselves announcing the suspension of testing at least for a time." But unless we were considering only suspending tests for April, Mr. Dulles convicts himself once more of inconsistency when in the same press conference he said the administration had given "no thought" of calling off the projected tests in the Marshall Islands, from May through August.

Mr. President, I rose early this morning and read every word of Mr. Dulles' press conference as reported in the New York Times. Mr. Dulles on the one hand said we had given thought to a unilateral cessation of tests, and within a few paragraphs he said we had given "no thought" to calling off the projected tests in the Marshall Islands from May through August.

Who is to believe that we say what we mean or that we mean what we say when contradictory statements accumulate upon each other?

It is therefore understandable, Mr. President, why the repercussions of this latest Soviet propaganda coup continue to roll in upon us. One of the best summaries of the dismay and discouragement which objective observers must feel over our official policy appeared in this morning's Washington Post in an article by the distinguished columnist, Marquis Childs. I ask unanimous consent that the text of this article entitled "How United States Missed Chance on Tests," be printed at this point in the RECORD.

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

HOW UNITED STATES MISSED CHANCE ON TESTS

(By Marquis Childs)

What is dismaying to those who feel the United States is losing the propaganda war with Soviet Russia over nuclear testing is that this Government has a powerful weapon at hand which it has locked up with a top-secret label.

So effective is the system of detection worked out by the Western nations under American leadership that every detail of the recent series of nuclear tests conducted by the Russians is known. We know exactly where the tests were conducted. We know the yield of radioactive fallout they sent into the atmosphere. We know the chemical makeup of the weapons tested and the exact number.

But all this information is labeled top secret. Technical experts have come before Senator HUBERT H. HUMPHREY's Disarmament Subcommittee to put the facts in the secret record of the committee. HUMPHREY and other Senators have been put under the closest restrictions as to any uses they may make of the material.

Yet if it had been advertised to the world, the propaganda appeal of the Soviet gesture of suspending tests might largely have been nullified. Put out with the authority of the American policymakers, it would have been quite clear that, having conducted comprehensive tests at a greatly stepped-up tempo, Moscow could make a cheap gesture.

They could do this, knowing that the United States was planning a similar series of tests for this month and next, in the Pacific. The Soviet gesture had been widely heralded in advance. There were several days, perhaps a week, from the time this intention became known until Andrei Gromyko's propaganda speech with resulting headlines in every paper in the world. In that interval a full factual account of what the Soviet Union had just done to pollute the atmosphere and perfect advanced nuclear weapons could have been broadcast everywhere.

Those tests conducted in the Arctic and in Siberia were impressive. They covered a whole range of weapons, with special emphasis on nuclear warheads for intercontinental and intermediate missiles.

One theory as to why the Government insists on keeping this information classified is that the Soviet tests would reveal Russia ahead in nuclear weapons development. But those with access to the tests reports say this is not true. While Russia leads in the launching thrust for missiles and satellites, the United States leads in nuclear development, with specialization carried to remarkable lengths.

The only evident reason this propaganda weapon has been held back is simply inertia. Along with this is an apparent failure to understand how deep and far-reaching is the dread of the effects of radioactive fallout and the threat of nuclear war of annihilation. The denials of the Atomic Energy Commission, put out in so many varied forms, are simply not enough.

In Britain, where the campaign against nuclear testing has been pushed further than in any Western country, the United States has come to have a menacing look, insisting on more and more tests and only reluctantly accepting the inevitability of a summit meeting. As HUMPHREY and others on Capitol Hill have pointed out, because this Government fails to come forward with positive and constructive proposals the initiative is left to the Soviet Union.

It is not alone in Britain and the neutral countries that the fear of continued testing has grown. Religious groups in this country are profoundly concerned as the tests go on and the probability of a fourth nuclear power becomes ever greater. A group of Quakers are aboard a small ketch in the Pacific and they say they will sail it into the test area and remain there as a protest against the forthcoming tests. Prayer crusades have been proposed by various denominations.

In the propaganda struggle with the Communists, the hour is already very late. Opportunity after opportunity has been missed. This country, with a new test series coming up, is put in a vulnerable position. But it still may not be too late for some constructive proposals—for a specific inspection system, for carrying the issue immediately to the Security Council of the United Nations—that might reverse the order of the past and put the West on the offensive.

Mr. HUMPHREY. Mr. President, our Secretary of State tells us that the President recently considered a unilateral cessation of bomb tests on our part, which he rejected because inspection needed to be provided.

He emphasized that it was the inspection procedure we were interested in. I hope that is correct. I have consistently been interested in the matter of inspection. I pointed out on the floor of the

Senate yesterday that on June 13 Khrushchev stated publicly that the Soviet Union was prepared to permit international inspection within the borders of the Soviet Union. Mr. Zorin, the Soviet chief negotiator at London, told our negotiator, Mr. Stassen, the same thing.

We did not pursue that avenue of approach. We insisted upon a total disarmament package, which included nine points, rather than seeking an agreement on one.

I think we could make a case for the total disarmament package. I think we could make a case for whatever point we might wish to stress. But what we cannot do is to play both sides against the middle. We cannot do, as the Secretary did at his press conference, saying in one statement that we had considered doing ourselves what the Soviets did, and within a few minutes saying we had not given a thought to canceling the tests in the Marshall Islands in the coming month of May.

This Senator wrote the President a letter on November 4, 1957, which was made a part of the CONGRESSIONAL RECORD in my February 4 speech in the Senate. In the letter, I asked the President to give consideration to the possibility of dividing up our disarmament package so that we could take the initiative, so that we could press the Soviet Union on the question of inspection.

I repeat, that what we need to do is to make up our minds as to whether we are for such a policy; and, if we are, to pursue that policy relentlessly. I know that this is a difficult question. But the Soviet Union is boxing us in. It now has us at the point where it can say, when we start our new tests in May, that no longer is it morally obligated to cease testing, because it made the offer and we did not respond favorably.

I predict also that within the next few weeks the Soviet Union will make the statement that it will stop the production of fissionable material for weapons purposes. It will also say that it is unilaterally doing it. Later it will say, "The United States did not stop such production, and therefore we shall start to produce again."

How are we to end all this propaganda? The Secretary of State is correct in describing it as propaganda. But it is effective propaganda, and his propaganda is ineffective. The difference is that Khrushchev is effective, and is convincing people. We are not even convincing ourselves.

What is the response we should make? As I stated earlier, the proper response is for this Government to make a decision as to whether it is willing to negotiate a test ban on nuclear weapons, with inspection. Perhaps we wish to negotiate only with respect to large weapons. Perhaps we prefer to have testing done under the auspices of the United Nations for so-called clean bombs and small weapons. Frankly, I think we have been derelict in not testing small weapons. I think we have placed far too much reliance on the big weapons, which we probably shall never use.

First, let us take a position. The Secretary's press conference yesterday fully indicated that we are without a position. We are like a whirling dervish. Every day we are being buffeted from pillar to post by the Soviet propaganda.

The Russians did it in connection with sputnik. What was our reaction? We said, "We could have done it first," but we wanted to abide by the rules of the International Geophysical Year.

With respect to the cessation of atom tests, what was our response? We thought of doing it first, but after much thought, decided to do nothing.

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired.

Mr. HUMPHREY. Mr. President, I shall be back again and again, until the administration makes up its mind what our policy is to be in the matter of seeking peace and effective disarmament—until it declares itself, and starts to act.

VISIT TO THE SENATE BY THE HONORABLE ALFREDO ALEMAN, JR., A MEMBER OF THE SENATE OF THE REPUBLIC OF PANAMA

Mr. SMATHERS. Mr. President, one of the great Latin American countries which always stands with us, in which we have important investments, and which has always proven to be our good friend, not only politically, but economically and socially, is the great republic of Panama. We are honored to have one of the able senators from that nation present on the floor with us. I should like to introduce to the Senate Honorable Alfredo Aleman, Jr.

(The visitor rose and was greeted with applause.)

NEED FOR IMPROVEMENT IN UNEMPLOYMENT INSURANCE SYSTEM

Mr. MORSE. Mr. President, I believe that yesterday my colleague [Mr. NEUBERGER] had printed in the RECORD a telegram from the Governor of Oregon. However, I wish to have it incorporated in the RECORD as a part of my remarks. Therefore I ask unanimous consent to have printed in the RECORD at this point a telegram which I have received from Governor Holmes of Oregon on the subject of unemployment, which is such a serious problem in the State of Oregon. The Governor has telegraphed his point of view with regard to the need for greater assistance in connection with unemployment insurance. In order that it may have meaning to the reader, I ask that the Governor's telegram, together with my reply, be printed in the RECORD at this point as a part of my remarks.

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

SALEM, OREG., *March 31, 1958.*

Hon. WAYNE MORSE,
Senate Office Building, Washington, D. C.:

Since Oregon is suffering very heavy unemployment in the national economic recession I have studied with keen interest the principal proposals that are before the Congress to improve the unemployment insurance system. One of my chief interests as Governor of Oregon is to do my utmost to improve that program so that it will adequately meet the needs of our workers and of our business community. Oregon's unemployment insurance program is one of the best in the Nation. Even so it still falls far short of being what it should be and there can be no way of making it fully adequate until competition among the States for more favorable tax rates is substantially eliminated. Since major unemployment grows from national policies and nationwide economic conditions, adequate national measures are needed to deal with its devastating consequencies. It is my opinion that the Kennedy bill which is coauthored by both of the Senators from Oregon offers the best hope for rebuilding the system into a sound structure. That bill would require all States to provide an adequate benefit structure and Oregon would no longer find it so difficult to adopt measures we need. We already have detailed experience rating standards and there should exist some realistic Federal benefit standards which would reasonably assure that benefits are sufficiently high to balance the loss of employment that results from national and not individual State economic conditions. Thus I strongly favor the Kennedy bill which would make it possible to get the improvements in the program which it seriously needs.

The Mills-McCormack bill would be a short step in the right direction although it would not be the long stride that would be taken under the Kennedy bill. The Mills-McCormack bill gives full recognition to the fact that unemployment is a national problem and it would provide national funds to meet this emergency. From the long-range outlook it falls short; but it could be an excellent measure to meet the immediate crisis on a temporary basis. Even though it would not result in a permanent improvement in the program it at least recognizes that Federal policies and national economic conditions are responsible for unemployment and that Federal financing of emergency measures to mitigate the effects of unemployment is just and proper. I believe that permanent and fundamental improvements to the system will prove to be essential in the long run. However, if temporary measures are all that we can expect to get at the present time then I believe that the Mills-McCormack bill is the best that has been proposed. I turn finally to the Eisenhower proposal. I cannot believe that the administration bill offers any significant hopes of relieving economic distress in Oregon or elsewhere. Under that bill Oregon employers would be forced to finance the costs here in Oregon of a Federal program that was made necessary by the shortsighted economic policies of the National Government. The States that have been hit the hardest by unemployment are these like Oregon that are least able to meet the repayment conditions of the Eisenhower bill. Partly because of heavy unemployment our trust fund is low and contains no adequate reserve for repayment of the Federal benefits. Yet repayment is compulsory under that bill and it seems almost inevitable that our employers would have to pay extra Federal taxes to meet the repayment requirements. The bill allows us no option but to meet its terms.

I sincerely hope that the Congress will take the broad view and pass a genuine strengthening measure for the program. If we must rest content with a temporary measure the Mills-McCormack bill certainly affords a much more intelligent temporary solution than does the Eisenhower proposal.

ROBERT D. HOLMES,
Governor of Oregon.

APRIL 1, 1958.

Hon. ROBERT D. HOLMES,
Governor, Salem, Oreg.:

Greatly appreciate your telegram urging affirmative action to provide unemployment compensation benefits to the millions of

workers in great need, including the tens of thousands in Oregon.

I agree with your analysis. The President's proposals are inadequate and their requirement of State legislation would delay action when help is needed immediately. In contrast, the enactment of uniform national standards as proposed by S. 3244, which Senator NEUBERGER and I cosponsored, would be of immediate benefit to Oregon unemployed and their communities.

The administration proposal would require financing by taxing employers sometime in the future. Our bill would help States which, like Oregon, face maximum tax rates under existing law because the fund is so low, by providing grants to meet Federal standards where the maximum rate was in effect.

It is my hope that early action will be taken. If all segments of business and labor join us in seeking the best affirmative legislation to relieve unemployment distress and restore badly needed buying powers, congressional action will be that much more prompt.

I congratulate you for your excellent statement on unemployment compensation proposals.

You have made clear where the best interests of both State and Nation lie.

Regards,

WAYNE MORSE,
United States Senator.

Mr. MORSE. Mr. President, it is a matter of great disappointment to me that apparently Congress is about to take a recess with pay for the next 10 days, while millions of our fellow Americans find themselves unemployed, and no small number of our unemployed find that their unemployment insurance benefits have already been exhausted, and they have exceeded their time limits for unemployment insurance benefits.

I wish the RECORD to show that the senior Senator from Oregon is unalterably opposed to any recess of the Congress prior to the Congress doing something for the unemployed by extending unemployment insurance benefits. That is the least we can do by way of antirecession legislation before a recess.

This is one Senator who is opposed to an Easter recess until we first carry out our moral obligations to the unemployed by enacting some effective antirecession legislation.

I do not expect leadership from the White House, but I expect it from the Congress. Congress should exercise the leadership which the White House has not given to the American people. That is my reason for inserting these two telegrams in the RECORD.

I commend the Governor of my State, a great constitutional liberal, for the statesmanship displayed in his telegram.

I wish to say to the Governor of my State and to the people of Oregon that their senior Senator will continue to take the position he has always taken on the need of passing general welfare legislation when such legislation is needed.

Later this afternoon I shall have something to say about the tax problem and why I believe there ought to be a tax reduction very quickly, in spite of the very unsound and fallacious economic propaganda which appears in the press today in regard to the tax problem.

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

Mr. PAYNE obtained the floor.

Mr. McNAMARA. Mr. President, will the Senator yield so that I may suggest the absence of a quorum, without the Senator losing the floor?

Mr. PAYNE. With that understanding, I am glad to yield.

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

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

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

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

PROBLEMS OF THE TEXTILE INDUSTRY

Mr. PAYNE. Mr. President, during our lifetime we have witnessed incredible changes in the economy of this Nation. These changes have resulted from many causes. Our growth in population has created an enormous domestic market. Our improved working conditions and higher wages have resulted in great increases in purchasing power. New and improved mediums of communication have made possible the phenomenal success of advertising techniques. And the evolution of our technological progress has radically changed the form, efficiency, and durability of the goods we produce.

Those of us who can look back over a quarter century or more are well aware, however, that these changes, despite the many benefits they have contributed to the well-being of most Americans and to the strength of our Nation, nevertheless were not made without certain hardships and difficulties.

One of the more significant problems resulting from our economic evolution was the extinction of many industries either because the market no longer demanded their products or because they could not or would not convert to the mechanization or automation which was necessary in a competitive economy. Familiar examples often used are the horse harness and wagon industries, both of which were superseded as a result of the introduction of the internal combustion engine. Many other industries and products were likewise affected, and for many the transition was acute.

Today, should such drastic changes occur, the Federal Government would undoubtedly assist the industries involved either by softening the transition and making it more gradual or by giving direct unemployment aid and other benefits to the workers forced out of employment. We are all familiar with the progress which has been made through legislation in the past 25 years or so to permit Federal participation in our economy in order to maintain a balance between inflation and recession and in order to come to the aid of whatever segments of our economy are suffering from the effects of changing market demands, from the pressures of technological improvements, from the results of domestic and foreign competition, and even from hardships stemming from overproduction.

The Federal Government today is giving direct subsidies to agriculture and to such industries as commercial aviation and the merchant marine. Countless industries are receiving indirect assistance from the Federal Government through technical advice, contracts, business loans, tax writeoffs, tariffs, stockpiling of minerals, and development of power resources for the benefit of industrial development. The Federal Government, therefore, in an overwhelming number of cases, is assisting American industries and businesses and is proving beneficial to their interests. In general, this policy has been necessary and in many cases the assistance is needed and should be given since it is clearly in the national interest.

Today, however, I would like to invite the Senate's attention to an American industry which has suffered seriously as a result of Government policies, instead of sharing with other industries the usual rewards of Government policy. As a matter of fact, this industry is at the present time in such a tragic plight that it might well completely disappear from the American scene. Yet, its market has not been superseded by products which can replace it, its production techniques have not been stymied by mismanagement or the lack of research and technological progress; nor has it proved inefficient in the face of normal competition, whether domestic or foreign. I am, of course, referring to the textile industry.

DECLINE OF THE DOMESTIC TEXTILE INDUSTRY

Mr. President, in the course of my remarks I will describe the tragedy faced by the textile industry and I will go on to show how this plight is essentially a result of Government policy. Since it is, this Congress has within its power the ability to alleviate this problem before it leads to the complete ruination of our domestic textile industry. I will, therefore, also recommend action which can be taken at this time to help solve this most urgent problem.

Ideally, of course, the problems of private industry should be met by private initiative. But when a major industry is beset by as many problems as confront the textile industry, and when so many of these problems are of Government origin, then Government has the duty of exercising its responsibility to protect the general welfare.

The textile industry in this country represents one of our oldest and most basic enterprises. It is an industry with tradition, and it is an industry which has always demonstrated initiative, self-reliance, and a great amount of ingenuity. It took ingenuity to introduce this industry when trade was embargoed during the Napoleonic wars; it has taken the same ingenuity to keep the industry alive for five generations in the face of unusual problems.

Such problems as labor shortages, technical demands, capital investment, and competition can be met by initiative, self-reliance, and ingenuity. But problems forced upon the textile industry by government policy present an entirely different story, and no industry has the means to counteract them. This is ap-

parent when we look at the sad statistics which describe the textile industry today.

Since the end of World War II the textile industry has lost 345,000 jobs. This, Mr. President, represents an elimination of roughly one-fourth of the entire textile working force since 1946, and this loss, as we know, has taken place at a time when other industries in the Nation were expanding and when our population as a whole was expanding. Yet, 345,000 people who in 1946 were earning their livelihood in the textile industry have today been forced out of employment.

Those of us who have lived all our lives in great textile areas fully realize the hardships these figures represent. In Biddeford, Maine, for example, the closure of one plant recently was enough to push unemployment to 30 percent of the working force. Similar tragedies have been occurring throughout New England and parts of the South since the war. Entire textile companies have been forced to close up their plants permanently or to move to areas such as Puerto Rico where very cheap labor and low tax policies would permit them to survive. New England alone, Mr. President, has lost more than one-half her textile jobs since the end of the war.

Are we fully aware of how such attrition affects an area? Statistics on paper, Mr. President, do not begin to tell the story. One has to see for himself the many once-flourishing cities dotted with the empty hulks of former thriving textile plants; one has to see entire families forced to abandon their homes and interests to move where jobs are available; one has to see cities and States losing their share of income and population while the rest of the Nation prospered and grew. Only then do these statistics mean anything.

The textile industry today has fewer jobs available than it had in 1933 at the very height of the great depression. Yet, no one is coming to the assistance of this industry as we did at that time. On the contrary, I repeat, our very policies have been such as to bring much of this about, let alone help alleviate the problem.

There is no end to the statistics available, Mr. President, to describe the plight of our textile industry. I feel that they should be known by everyone in the hope that we will all realize fully the urgency of this problem. For example, since 1946, 717 textile mills have been liquidated in this country. This includes both cotton and woolen mills as well as dyeing and finishing mills. Of this total 333 have been cotton-rayon mills. In 1957 one company alone, the Berkshire Hathaway Co., closed 5 more mills, and the Bates Manufacturing Co. in Maine closed 2 others. Since 1949, 205 mills have closed their doors permanently in New England alone. This same drain has been felt in southern communities where it is reported that 79 textile mills have closed since January 1, 1955, often leaving some of these communities without any industry whatsoever.

Again in 1957, textile employment for the country declined by 6.2 percent, whereas all other manufacturing employment declined by only 3.6 percent. In New England during that year—1957—textile employment declined by 15 percent, whereas all other manufacturing employment declined by 5.2 percent. This is clear evidence of how textiles have suffered out of all proportion to other industries. Remember, 1957 represented the first employment losses for many industries, while for the textile industry it was simply another year in a long chain of annual decline since the war.

In the woolen and worsted branch of the industry alone employment declined by 61 percent between 1947 and 1956. The production capacity of the woolen industry declined accordingly—looms by more than 50 percent, woolen spindles by 47 percent, and worsted spindles by 56 percent between 1949 and 1956. Production capacity in the cotton textile branch of the industry has also fallen abruptly.

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

Mr. PAYNE. I yield.

Mr. BARRETT. At the outset, let me compliment the Senator from Maine for the splendid speech he is making. I am intensely interested in his report about the textile industry in his section of the country. The people of the West also are very much interested in the welfare of the textile industry, because, after all, the producers of wool in the western section of the Nation depend almost entirely on the textile mills for the sale of their product.

When such a deplorable condition confronts the textile industry, we know full well that there will be a very dangerous effect upon the woolgrowing industry in the West. I hope some action can be taken which will correct the condition. After all is said and done, every country on earth acts in its own self-interest. It seems to me it is high time that the Government of the United States stood up to protect its own citizens, instead of exporting jobs and dollars all over the world. We should take sufficient interest in our own people to make certain that employment is provided for Americans, particularly at a time when more than 5 million persons are unemployed.

I commend the Senator from Maine for the excellent statement he is making.

Mr. PAYNE. I thank my colleague from Wyoming. No one has fought harder for the textile industry, particularly as it pertains to the woolen side of the picture, than has the distinguished Senator from Wyoming. He has a deep interest in the subject. He and I have had the chance to collaborate many times concerning certain matters affecting wool production.

He is exactly correct when he says that if the woolen textile industry continues to go downhill, a potential source of markets for the woolgrowers of the Nation will be shut off to a greater and greater extent.

As I proceed, I shall place in the RECORD statistics, which will defy any contradiction, and which will show definitely what has happened because of some of the policies which have been pursued.

I thank my colleague for his comments.

Mr. BARRETT. I thank the Senator from Maine for his very kind remarks concerning myself. I stand ready to assist him in any way I possibly can. I am sure the Senate itself and the country as a whole will be very much interested to know of the deplorable situation confronting the textile industry in the eastern section of the Nation.

Mr. PAYNE. I thank my colleague.

Mr. President, I was speaking about the situation affecting the cotton textile branch of the industry, the business of which had fallen very abruptly.

Spindles in place in the United States have declined by 2.7 million since 1947; and of the 21 million spindles in place today, 1.3 million are idle.

Mr. President, I ask unanimous consent that a recent summary of textile unemployment material, including five tables, prepared by the research department, Textile Workers Union of America, AFL–CIO, may be printed in the RECORD at this point in my remarks.

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

UNEMPLOYMENT IN THE TEXTILE INDUSTRY

TEXTILE WORKERS UNION
OF AMERICA, AFL–CIO,
RESEARCH DEPARTMENT,
New York, N. Y.

The highest postwar employment in textiles was in 1948 when there were 1,280,000 production workers in all branches.

TABLE I.—*Number of production workers in United States textile manufacturing industries, selected dates*

Industry	December 1951	December 1953	December 1957	Change, December 1951–December 1957
Total [1]	1,277,000	1,165,000	1,037,000	−240,000
Yarn and broadwoven fabric [2]	671,300	606,100	505,000	−166,300
Cotton, silk, and synthetic	555,800	516,100	448,000	−107,800
Woolen and worsted	115,500	90,000	57,000	−58,500
Knitting and hosiery	215,800	198,600	183,900	−31,900
Dyeing and finishing	83,600	79,900	78,000	−5,600
Carpets and rugs (wool)	28,700	28,000	22,000	−6,700
Finished textiles [3]	112,400	100,000	94,000	−18,400
Synthetic fibers	51,900	52,000	68,000	16,100

[1] Includes miscellaneous textile mill products industries not shown separately (jute goods, narrow fabrics, cordage, twine, etc.) but excludes hats and hat bodies.
[2] Includes cotton, silk, synthetic, and wool.
[3] Includes textile bags, handkerchiefs, curtains, draperies, and other housefurnishings.

Source: U. S. Bureau of Labor Statistics.

In January 1958 the textile mill products industry (exclusive of finished textiles and synthetic fibers) only employed 856,300 workers.

There were 78,000 fewer production workers in the industry in January 1958 than in January 1957. When new reports come in it is a certainty that this picture will be appreciably worse. There has been continued decline in the industry during February and March of this year.

Average weekly hours in the industry in January 1958 had dropped to 38.1 as compared with 38.8 hours in the previous January.

The greatest reduction in textile employment has taken place in the New England States—52 percent. In the mid-Atlantic States, where contraction had occurred previously, the drop in employment was 38 percent. The reduction in the South was 12 percent. All States showed reductions of varying severity.

Another set of data revealed in the appended tables shows what increased mechanization and growing efficiency has achieved in the textile industry.

In 1947 production was 7.8 linear yards per man-hour.

In 1957 output per hour was 11.6 linear yards per man-hour.

The increase per man-hour between 1947 and 1957 was 50 percent. Over the 10-year span the annual rate of output increase per man-hour was 4¼ percent.

In this 10-year period average hourly earnings rose by 45 percent, but real earnings only went up by 16 percent.

The actual earnings of textile workers have fallen far behind the rate of their productivity.

TABLE II.—*Employment in the textile mill products industry, by State, February 1951, July 1954, and December 1957*

[Thousands]

Region and State	Employment (wage and salary workers)			Change, Feb. 1951–Dec. 1957
	Feb. 1951	July 1954	Dec. 1957	
United States [1]	1,365	1,038	976	−389
New England	286.1	176.0	136.8	−149.3
Maine	27.5	20.5	15.1	−12.4
New Hampshire	21.1	13.9	13.0	−8.1
Vermont	5.2	2.9	1.1	−4.1
Massachusetts	125.0	73.0	56.3	−68.7
Connecticut	41.6	28.5	20.1	−21.5
Rhode Island	65.7	37.2	31.2	−34.5
Middle Atlantic	307.2	219.0	191.5	−115.7
New York	96.1	69.6	56.1	−40.0
New Jersey	65.8	46.2	38.7	−27.1
Pennsylvania	141.7	100.5	93.9	−47.8
Delaware	3.6	2.7	2.8	−.8
South	669.9	590.0	591.4	−78.5
West Virginia	2.9	2.4	2.1	−.8
Maryland	11.6	7.1	6.7	−4.9
Virginia	42.7	37.4	36.3	−6.4
North Carolina	244.2	220.7	[2] 226.6	−17.6
South Carolina	139.8	130.2	129.5	−10.3
Georgia	114.8	96.5	100.1	−14.7
Alabama	55.5	47.3	43.7	−11.8
Mississippi	6.0	4.6	4.4	−1.6
Tennessee	39.9	33.8	31.8	−8.1
Arkansas	2.3	1.7	[2] 1.9	−.4
Texas	10.2	8.4	8.3	−1.9
Midwest	32.2	23.7	21.9	−10.3
Illinois	13.5	10.7	10.4	−3.1
Minnesota	4.9	3.1	2.3	−2.6
Wisconsin	[3] 10.1	[3] 6.7	[3] 5.8	−4.3
Missouri	3.7	3.2	3.4	−.3
Far West	8.2	6.6	6.4	−1.8
California	8.2	6.6	6.4	−1.8

[1] Data include States not shown separately.
[2] December 1957 figures not available; figures are for November 1957.
[3] Production worker employment.

TABLE III.—*Textile areas of substantial labor surplus,[1] January 1958*

NEW ENGLAND

Maine: Biddeford, Saco.

Massachusetts: Fall River,[2] Lawrence,[2] Lowell,[2] New Bedford,[2] North Adams.

Connecticut: Danielson.

Rhode Island: Providence.[2]

MIDDLE ATLANTIC

New York: Utica, Rome.[2]

New Jersey: Paterson.[2]

Pennsylvania: Scranton,[2] Wilkes-Barre, Hazleton,[2] Berwick, Bloomsburg, Lewistown, Sunbury, Shamokin, Mount Carmel.

[1] Six percent or more of labor force unemployed.
[2] Major area.

TABLE III.—*Textile areas of substantial labor surplus, January 1958*—Continued

SOUTH

Maryland: Cumberland.

Virginia: Radford, Pulaski.

Tennessee: Knoxville,[2] Bristol, Johnson City, Kingsport.

Alabama: Talladega.

North Carolina: Asheville,[2] Durham,[2] Fayetteville, Kinston, Rocky Mount, Rutherfordton, Forest City, Shelby, Kings Mountain.

Source: U. S. Bureau of Employment Security.

[2] Major area.

TABLE IV.—*Number of mills and employees involved in textile mill liquidations, by industry branch, 1946–57* [1]

Year	Cotton-rayon		Woolen and worsted		Dyeing and finishing [2]		Total	
	Mills	Employees	Mills	Employees	Mills	Employees	Mills	Employees
1946	[3] 4	[3] 300	2	450	1	200	7	950
1947	[3] 13	[3] 5,500	11	2,000	3	200	27	7,700
1948	[3] 26	[3] 9,300	22	3,000	12	1,600	60	13,900
1949	[3] 36	[3] 9,000	31	5,400	8	1,400	75	15,800
1950	24	2,600	17	3,900	4	950	45	7,450
1951	28	5,600	17	2,800	4	1,500	49	9,900
1952	29	8,800	33	17,500	8	1,900	70	28,200
1953	28	7,750	29	10,700	11	1,700	68	20,150
1954	38	12,600	41	20,900	15	1,200	94	34,700
1955	46	10,850	37	8,050	18	1,870	101	20,770
1956	35	9,100	24	8,250	4	750	63	18,100
1957	26	9,435	14	5,400	18	4,420	58	19,255

[1] Includes only cotton-rayon, woolen and worsted, and dyeing and finishing plants.
[2] Excludes small New York City area dyers.
[3] Excludes narrow fabric mills.

TABLE V.—*Employment, man-hours, production, and productivity of the basic textile industry, 1947–57*

	Production workers [1]		Production (millions of linear yards)				Yards per man-hour
	Employment	Man-hours	Total	Cotton	Silk and synthetic	Woolen and worsted	
	Thousands	*Millions*					
1947	768.7	1,589	12,371	9,817	2,039	516	7.8
1948	784.3	1,603	12,405	9,640	2,267	498	7.7
1949	680.9	1,322	10,923	8,406	2,086	414	8.3
1950	718.5	1,490	13,091	10,013	2,578	471	8.8
1951	707.9	1,438	12,887	10,136	2,350	375	9.0
1952	654.3	1,320	12,160	9,514	2,294	351	9.0
1953	642.6	1,307	12,946	10,203	2,410	338	9.9
1954	567.5	1,138	12,283	9,763	2,238	281	10.8
1955	566.5	1,186	12,969	10,090	2,568	311	10.9
1956	585.0	1,216	12,840	10,250	2,263	327	10.6
1957 [2]	520.0	1,050	12,160	9,600	2,250	310	11.6

[1] Covers scouring and combing plants, yarn and thread mills, and broadwoven fabric mills.
[2] Based on 1st 9 months.

Mr. PAYNE. Mr. President, this material graphically illustrates the fact that there has been a long term depression in the domestic textile industry. With all the current discussion about present national economic conditions, we must not lose sight of the fact that the textile industry was faced with serious economic problems long before the present situation developed. Distressed conditions in the textile industry may well have been an important factor in the development of present national economic problems.

The loss of employment is only one way to show the tragedy in our textile industry. Another way is to compare the prices of textile products with those of other products. Between 1947 and 1956 the prices of all nonfarm commodities increased by 15 percent, but cotton goods prices dropped 10 percent. Prices of all commodities went up by 10 percent, while those of all textile mill products and apparel went down by 5 percent. In the years 1952–55 returns on sales of textile mill products averaged less than one-half the return on all other manufacturing. Furthermore, exports are declining as is the total investment in plant and equipment. In 1947, for example, the United States exported 1,437 million square yards of cloth which represented 14 percent of the total United States textile production. In 1957 the United States exported 538,186,000 square yards which represented 4.9 percent of our total textile production. This, Mr. President, is a drop of approximately 66 percent. Yet, imports of textiles since 1947 have risen by more than 1,000 percent. These figures are practically incredible and beyond the imagination, and I shall have more to say about them shortly.

CERTAIN PUBLIC WORKS ON RIVERS AND HARBORS—CONFERENCE REPORT

The PRESIDING OFFICER (Mr. SCOTT in the chair). The hour of 2 o'clock having arrived the Chair lays before the Senate the unfinished business, which will be stated.

The LEGISLATIVE CLERK. The report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 497), authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

PROBLEMS OF THE TEXTILE INDUSTRY

Mr. PAYNE. Mr. President, a further decline of the American textile industry would not only be disastrous to the people and regions directly affected, but it would also seriously hurt the American taxpayers in general. It is difficult even to imagine the millions of dollars which the Federal Government would lose in corporate income tax receipts alone if the remaining textile plants in New England and elsewhere were to close down completely; or the millions of dollars that the Federal Government would lose from the elimination of the employee income-tax receipts now paid by textile workers; or the many millions of dollars which State and local governments would lose in the taxes now collected from textile companies.

Not only would Federal, State, and local governments lose enormous sources of income tax revenue if the remaining textile plants in this Nation were to close their doors, but the same governments would be faced with increased expenditures of many more millions of dollars in unemployment compensation alone, to help the thousands of textile workers who would be thrown out of employment.

Mr. President, those would just be part of the tax losses and increased expenditures which would result from further decline of the textile industry. Statistics developed by the New England Governors' Textile Committee indicate that for every textile worker in New England, another worker outside the industry is dependent on the textile industry for his or her livelihood. I would imagine that the same is true of the South as a whole.

If we were to add to this the cotton farmers and all others who either directly or indirectly are dependent on the textile industry for their livelihood, we would arrive at an estimated 15 million people who would be seriously injured by the collapse of our textile industry. This industry, Mr. President, is not an infant. It is, and has been for many generations, a major industry in the Nation. When we speak of the death of this industry, we speak, not in terms of a few thousand people, but in terms of millions of people. The decline of the textile industry, therefore, has extremely far reaching economic repercussions which affect millions of people directly, and affect many millions more indirectly, through tax losses. The entire Nation, Mr. President, has a stake in the textile industry of this country.

As I say, not only would the American taxpayer be injured by a further decline of the textile industry, but so would the cotton producer. In 1950, New England cotton-textile mills alone consumed 742,209 bales, or over 371 million pounds, of cotton. And, Mr. President, 1950 was not a record year, by any means, for the textile industry. In 1956, on the other hand, New England cotton-textile mills consumed 408,909 bales, or 204,454,500 pounds, of cotton. Thus, between 1950 and 1956 there was a drop in cotton consumption, in New England alone, of 166,650,000 pounds—or a drop of 45 percent in that region's raw-cotton consumption. The losses suffered by the Southern textile industry during the same years would add appreciably to these figures. Thus, the decline of textiles is of great concern, not only to the people directly affected, not only to the American taxpayers as a whole, but also to the growers of raw cotton. Mr. President, the losses suffered by the textile industry have been so acute that they could not but be felt by the entire Nation. We cannot allow this disaster to continue. We who can act to stop it, must so act; otherwise we must forever carry on our consciences the tragedy and hardships of thousands of people who are suffering from the gradual ruination of a once great and prosperous American industry.

Before we can apply remedies for the alleviation of this problem, however, we must first investigate its causes. As I mentioned earlier, it is my contention that the causes are essentially the result of Government policies. These policies involve three areas: the agricultural-price-support program, the foreign-trade program, and the foreign-aid program.

I fully realize, Mr. President, that, in addition to these, the development of synthetic fibers has played a role in the difficulties of the industry. Nevertheless, these difficulties could in time be ironed out, since the problem involved is essentially one of conversion, research, and readjustment. But the serious problems resulting from Government policies are entirely different. Not only do they unnecessarily add to the normal difficulties which the textile industry would face as a result of the development of new and different synthetics, but they cause problems which cannot be met by the industry through its own initiative and ingenuity. They are Government policies about which the industry is completely powerless to do anything. Only Congress can rescue the industry at this time.

Let us consider these Government policies—the agricultural price-support program, the foreign-trade program, and the foreign-aid program—and let us see precisely how they have effected the textile industry.

ADVERSE EFFECTS OF FARM PROGRAM ON THE TEXTILE INDUSTRY

Begun in the 1930's, to assist farmers out of the depression, price supports have been maintained through an era of general agricultural prosperity since the end of World War II. Price supports and other types of assistance to farmers were necessary in the 1930's as was Federal aid to other segments of the economy. However, as other emergency measures were ended, agricultural supports continued. The adverse effects of this continuation was not felt during the 1940's, when agricultural consumption remained extraordinarily high, due to domestic wartime needs. This was followed immediately after the war, by large civilian demands during the early postwar period. But by the early 1950's with production continuing high, in the face of decreasing demands, commodity surpluses, including the surplus of cotton, began accumulating in Government warehouses. These surpluses have grown to such an extent that today they constitute one of the major problems of our Government.

The agricultural experts have been searching feverishly for a means to reduce these surpluses. Vast sums of the taxpayers' money have been spent on the acreage-reserve and conservation-reserve Soil Bank plans. Both are designed to reduce substantially the agricultural surpluses, including the surplus of cotton. Other programs have been aimed less directly at reducing this backlog of commodities, but each one has increased the cost to the taxpayers. Despite these enormous expenditures, we have yet to see an appreciable drop in the cotton surpluses held by the Department of Agriculture. The latest estimates made available show that by July 31, 1958, we shall have a surplus inventory of about 4 million bales of cotton—which is about 40 percent of the total United States production this year. The taxpayers of the country have bought up this huge quantity of cotton simply because no one else would purchase it. The other side of the same coin, of course, is the fact that this program artificially maintains the high cost of cotton to consumers, even in the face of the huge oversupply. We have simply reversed the classical economic formula that supply and demand control price. This has been done, first, by setting the price, and then by letting supply and demand go their merry way.

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

Mr. PAYNE. I am very happy to yield to the Senator from Massachusetts.

Mr. SALTONSTALL. Before I leave to attend a meeting, I wish to say to the Senator from Maine that I appreciate very much his thoughtful and studious efforts to find a solution to a problem which concerns all of us in New England, and on which we want to work together to the very best of our ability, in order that our textile industry may be maintained in such a way as will be helpful, not only to those in our section, but to the country as a whole. We have a serious problem to solve. I will work with the Senator from Maine, and I know he will work with me, in an effort to solve it.

Mr. PAYNE. I wish to thank the Senator from Massachusetts for his comments. Certainly no one in New England, and nationally, has worked any

harder in an attempt to be of help to the textile industry than has my colleague from Massachusetts. He can be sure of my continued help and support in every way in an effort to help the industry, whether it be in the North or in the South.

Mr. SALTONSTALL. I thank the Senator for his assurance. I know he will continue his efforts.

Mr. PAYNE. Mr. President, this is not the end of the frantic rush to dispose of cotton. Our experts have found that foreign markets are open to American cotton—at a bargain price, of course. So now we have, under the guise of foreign aid, sales of our cotton to consumers overseas at a price well below the artificially supported domestic price. In 1956–57 approximately 7.5 million bales of cotton, mostly from Government held stocks, were shipped overseas and sold at approximately 18 percent under the United States market price. This represented over half the total United States production for the year, but the amount of cotton held in surplus by the Commodity Credit Corporation remained extraordinarily high. For the year 1957–58 it is estimated that 5.6 million bales will be exported by the Government. This again will represent over half the total United States production of cotton. Since 1948 the mutual security program alone has sent 13,421,000 bales overseas, valued at almost $2.5 billion.

Taken by itself, this export program may be of assistance in solving the agricultural surplus problem, but it creates more problems than it solves. The principal reason for this is that much of the low-priced cotton we export returns to this country in the form of low-cost cotton textiles competing directly with American-made goods. Not only are the textile manufacturers overseas aided by the lower standards of living in their respective countries, which permit them to pay extremely low wages, but we ourselves in this country are giving them additional aid by allowing them to purchase our cotton for less than we sell it to our own textile industry. How much less? For from 6 to 8 cents a pound less, Mr. President. Each year American textile manufacturers spend approximately $350 million more for the raw cotton they use than would foreign manufacturers if they bought a comparable amount from the Commodity Credit Corporation—$350 million, Mr. President extra for our own cotton. Who pays the difference? Who pays the 6 cent or 8 cent loss on each pound of cotton sold to foreign textile manufacturers? The American taxpayer pays it. Who is thrown out of work as a result of foreign textiles underselling domestic textiles? The American taxpayer. Who pays more for his own domestic fabrics and wearing apparel as a result of higher cost for raw material borne by the domestic producers? The American taxpayer. We are giving to foreign textile manufacturers advantages which we are not giving our own producers, and, as an additional insult to our own people, we are paying for these advantages out of our own pockets.

Textile manufacturers in the United States face, therefore, a completely unrealistic and unreasonable form of competition in that they are challenged not only by the lower wages of their foreign competitors, but also by a Government policy which makes it possible, through subsidies, to sell cotton abroad for less than what our own textile producers pay for it here. Mr. President, I am sure that if all Americans were made fully aware of this fact, there would ensue an immediate and forceful campaign to end this foolishness. If the American taxpayer knew that his dollars are being used to assist foreign producers to put him out of work, the entire Nation would insist that this policy cease. As it is, Mr. President, American tax dollars are actually helping to finance the liquidation of an American industry, to the detriment of the taxpayer, who last year paid several hundred millions of dollars for the pleasure of putting himself out of work, and to the detriment of the textile producer and worker. Having to compete against low wages in countries with low standards of living is one thing, but to have to compete against the United States Government as well is quite another thing. This can no longer be tolerated. To do so will mean continued depression of the textile industry until it will have to cease operations altogether.

There have already been two bills introduced in the Senate by my able colleague from Maine [Mrs. SMITH], which I have supported, and which are a step toward the alleviation of the problem imposed upon our textile industry as a result of the Government's cotton-surplus program. These bills would permit the textile industry to share in the rewards of the major overseas cotton-disposal programs. S. 314 would allow American textile mills to pay world prices or less for cotton going into fabric for exports, and S. 3196 would provide that at least 25 percent of all cotton sold overseas by the Commodity Credit Corporation be in the form of finished textile goods.

Mr. President, these bills have received nothing but negative reactions from the Department of Agriculture. Department officials shake their heads and say how very sorry they are for the collapse of the textile industry, but they seem to be so obsessed by their efforts to reduce surpluses that they fail to give adequate attention to any other program which might help the textile industry. Asked if they can advise us on this matter, they say they are working on it. But, Mr. President, they have been working on it for years, without results, and in the meantime the industry is dying.

Only once have they been able to contribute anything at all toward a solution of the problem. In 1956, the Department of Agriculture came up with the cotton products export equalization rebate program. But even in this case the program was offered very reluctantly and only after administration officials were forced into action by the fear that Congress would approve import quotas on textiles. The program allows the Government to pay rebates to American exporters of cotton textiles.

But has this program helped the textile industry? Mr. President, I want to let Mr. Lester Martin, president of the Bates Manufacturing Co., the largest textile firm in Maine, answer this question in his own words. In 1956 before a subcommittee of the Senate Agriculture Committee, he said:

> Gentlemen, do you know who these exporters are? There are a lot of them. They have 2-by-4 rooms down on lower Broadway. They are not textile mills for the large part. There will be no check possible on these cotton textile exporters that the Department of Agriculture proposes to give a subsidy to * * * and the mills will not be helped. It is a few exporters who took orders at high prices before who will ship them out now and will get a cash refund. That is the way this is being handled by the Department of Agriculture.

This statement, Mr. President, was made in 1956, shortly before the program went into effect, but it was a fairly accurate prediction of how the program has operated.

Apart from this, nothing has been done to help the American textile industry cope with this problem of two-price cotton. It is high time action was taken.

ADVERSE EFFECTS OF FOREIGN TRADE PROGRAM ON THE TEXTILE INDUSTRY

Another Government policy which is proving detrimental to the textile industry is that of foreign trade. In 1955 our textile industry, realizing that the old tariff duties were much too low to prevent a flood of imports from new, modernized industries in low-wage countries, especially like Japan, urged the Government to adopt a policy of extreme caution with a view to raising duties to avoid an onslaught of foreign goods. The textile industry received an answer. Duties on cotton textiles were cut an average of 25 percent, and in some cases as much as 50 percent, in the spring of 1955 as soon as extension of the Trade Agreements Act was assured. This cut was effected through GATT agreements. Two previous tariff cuts had been made before this one in 1945 and another in 1948. As a result of these, cotton textile imports increased by more than 500 percent between 1952 and 1956. As I mentioned earlier, the total increase since 1947 represents a 1,000-percent increase.

And this represents only cotton textile imports, Mr. President. Woolen and worsted imports have been in some cases even more devastating. Since 1947 such imports have increased by 800 percent. In return for our generosity 132 woolen mills have been liquidated and in excess of 100,000 wool textile jobs have been lost. This generosity has done some people good; but unfortunately, they have not been Americans. In the 3-year period between 1954 and 1957 imports of Japanese woolens and worsteds increased by 650 percent, imports of English wool fabrics increased from 50 percent in some categories to 120 percent in other categories, and Italy increased her share of the United States market by even greater amounts. In 1956 imports of light-weight woolen and worsted fabrics equaled about 60 percent of total United States production of such fabrics. I have in my hand, Mr. President, three

statistical tables compiled from information furnished by the United States Tariff Commission, on woolen and worsted imports. I ask unanimous consent to have the tables printed in the RECORD at this point.

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

Wool yarn imports

IN THOUSANDS OF POUNDS

Year	Japan	Belgium	West Germany	United Kingdom	France	Total	United States production (estimated) pounds	Year	Japan	Belgium	West Germany	United Kingdom	France	Total	United States production (estimated) pounds
1950	7	75	877	425	297	2,413	605,678	1954	277	305	535	135	307	1,643	404,249
1951	4	63	670	169	169	1,605	566,593	1955	759	336	458	166	241	2,032	----------
1952	1	195	793	389	390	2,386	553,635	1956	981	579	277	212	255	2,385	----------
1953	18	380	741	262	544	2,114	526,000	1957	728	481	360	393	200	2,283	----------

IN THOUSANDS OF DOLLARS

1950	15	157	1,586	864	959	4,969	----------	1954	1,002	844	1,157	395	1,690	5,287	----------
1951	1	146	1,651	579	764	4,296	----------	1955	2,867	1,190	1,063	438	1,341	7,075	----------
1952	5	467	1,602	730	1,625	5,920	----------	1956	3,226	2,216	587	777	1,705	8,838	----------
1953	125	1,020	1,574	749	2,931	6,874	----------	1957	1,905	1,589	891	1,379	1,224	7,679	----------

Woolen and worsted cloth

IN THOUSANDS OF POUNDS

Year	Imports					United States production (estimated)	Year	Imports					United States production (estimated)
	Japan	Italy	France	United Kingdom	Total			Japan	Italy	France	United Kingdom	Total	
1950	132	683	228	7,100	9,163	----------	1954	386	894	576	6,486	9,291	250,287
1951	97	1,119	272	6,528	8,982	----------	1955	1,337	1,536	877	9,093	14,318	283,314
1952	61	1,072	370	10,125	12,493	----------	1956	2,896	1,857	1,167	9,680	17,271	280,000
1953	107	1,177	639	9,030	12,055	301,308	1957	3,772	1,716	816	8,098	15,897	284,000

IN THOUSANDS OF DOLLARS

1950	490	3,211	1,534	24,323	33,114	----------	1954	1,329	4,272	3,170	25,098	37,475	----------
1951	413	6,164	1,822	30,523	43,383	----------	1955	4,792	6,434	4,146	33,256	53,691	----------
1952	228	4,715	1,998	32,915	43,006	----------	1956	10,243	7,555	4,854	34,515	62,374	----------
1953	572	5,302	3,452	32,585	45,892	----------	1957	13,572	6,983	3,743	29,922	59,014	----------

Rayon acetate broadwoven fabric—Imports

IN THOUSANDS OF POUNDS

Year	Switzerland	United Kingdom	Japan	France	West Germany	Italy	Austria	Total	Year	Switzerland	United Kingdom	Japan	France	West Germany	Italy	Austria	Total
1950	45	37	30	22	----------	----------	----------	237	1954	31	8	450	120	413	46	----------	1,111
1951	51	9	93	30	----------	----------	----------	212	1955	24	5	566	98	534	235	85	1,575
1952	36	18	203	55	64	----------	----------	394	1956	24	20	676	95	606	1,077	152	2,700
1953	39	8	682	173	287	----------	----------	1,235	1957	24	20	661	127	615	1,465	159	3,071

IN THOUSANDS OF DOLLARS

1950	172	57	78	127	----------	----------	----------	575	1954	190	30	664	447	761	169	----------	2,336
1951	207	36	275	206	----------	----------	----------	802	1955	188	----------	698	416	919	477	108	2,900
1952	160	46	504	278	111	----------	----------	1,160	1956	216	----------	1,004	422	1,196	1,699	200	4,897
1953	190	28	904	479	515	----------	----------	2,298	1957	237	35	849	478	1,070	2,219	251	5,139

Mr. PURTELL. Mr. President, will the Senator yield for a question?

Mr. PAYNE. I am glad to yield to my good friend, the Senator from Connecticut.

Mr. PURTELL. Is it not true that when we ask for relief from a situation which has become intolerable, we are told the total exports of wool constitute only about 5 percent? The fact is completely forgotten that woolen imports are concentrated on a certain type of woolen goods. American textile mills will be put out of existence, and with their disappearance the prosperity, meager as it has been, of the mill towns will likewise disappear.

Mr. PAYNE. The Senator is absolutely correct.

Let me say, further, that the Senator from Connecticut has stood time and time again in defense of the textile industries not only of his State, but of the entire area, trying to protect them to the best of his ability. It has been a difficult job, because I know his own State has lost some woolen mills. Others are presently on the verge of going out of business.

Unless some assistance, help and consideration is promptly given to the American textile industry, we will see it disappear from the horizon of the American industrial scene now and forever.

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

Mr. PAYNE. I yield.

Mr. PURTELL. Is it not true a number of mills are going out of business day after day?

Mr. PAYNE. The Senator is correct. I have placed in the RECORD the figures showing the number of cotton textile mills, and the number of woolen and worsted textile mills which ceased operations, but the figures do not include those moving toward extinction each and every day.

Mr. PURTELL. Is it not true that we do not have to take away from a small woolen mill or small cotton mill all of its business to bring about such an effect? If we take away 50 or 60 percent of its business we have in fact put the mill out of business.

Mr. PAYNE. It is not only true that such a percentage of reduction would put them out of business, but it would also put the community out of business, because too often the textile communities, whether in the South or in the North, are, sadly enough, one-industry communities. When the textile industry goes, the community faces extinction as well.

Mr. PURTELL. Is it not true that one cure for the situation would be an import quota on a category basis?

Mr. PAYNE. It is my opinion that the Senator is correct. Fixing a quota on imports is the only way by which help can be given. The tariff means nothing. There must be a quota, and I have some suggestions I shall make a little later in my speech in that regard.

Mr. PURTELL. Does the Senator feel we can wait much longer for the quotas to be set so that these industries can be protected?

Mr. PAYNE. Time is running out, and I am not sure it has not run out already.

Mr. PURTELL. I thank the Senator.

Mr. BARRETT. Mr. President, will the Senator yield to me?

Mr. PURTELL. I am glad to yield to the Senator from Wyoming.

Mr. BARRETT. I am interested in the statement the Senator made about competition from Japan, England, and European countries. It seems to me the wide difference in the wage scales, particularly in a comparison between Japan and this country, makes it absolutely impossible for our textile mills to compete with products from Japan. As I understand, the wage scale in Japan is approximately one-twelfth or one-thirteenth of the wage scale in the United States.

Mr. PAYNE. It is between one-tenth and one-twelfth. The wage scale in Japan is about 14 cents an hour, average, as against an average in the United States of $1.40 an hour or more.

Mr. BARRETT. I invite the attention of the Senator to the fact that labor is the major cost in the production of the better line of fabrics. Consequently, it is utterly impossible for a manufacturer in this country to compete against manufacturers in Japan, where wages are on such a low scale.

Mr. PAYNE. The Senator is correct.

Mr. BARRETT. While it is true that the wage scale in England and in Europe is approximately one-third of the wage scale in this country, nevertheless such a wage difference makes it impossible for American mills to compete. The end result is that we now find textiles coming to the United States in floods from every country on earth.

Mr. PAYNE. The Senator is correct.

Mr. BARRETT. Eventually, as the Senator has so well explained, the only result which can be expected is in the closing of mills in this country.

I hope action will be taken to impose a quota on textile imports.

Mr. PAYNE. I appreciate the Senator's comments.

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

Mr. PAYNE. I am glad to yield.

Mr. COTTON. First, I should like to add my commendation to that of other Senators who have engaged in colloquy with the distinguished Senator from Maine, for the very fine contribution he is making to a subject which, at the present time, is more vital to the State of Maine and the other New England States than almost any other subject. The Senator is to be commended for the fight he has made, not only this year, but for the past several years—particularly the past 3 years—to save the textile industry of his great State.

Those of us who are neighbors of his, in States in which similar conditions exist, recognize how much the Senator from Maine has done in this field. He is to be commended for the magnificent fight he has made, and the leadership he is affording in this field.

I should like to have the Senator's comments upon a certain point. It was my privilege during the recess last fall to visit Japan. I went there for the distinct purpose of familiarizing myself at firsthand with the textile mills of Japan. They are centered around Kobe. I discovered some very interesting things about which I had previously had some knowledge, but which became very real when once I saw them.

The textile industry in Japan has been equipped, largely through our generosity and assistance, with the best, latest, and most competitive textile machinery that can be found anywhere. In many instances it is more modern and competitive than the machinery in our own mills.

The second interesting thing which I observed is known to all of us, and we do not need to go to Japan to find it out. It is known to the Senator from Maine, who has emphasized it again and again in the Senate. I refer to the small wages paid to Japanese labor.

The third thing I discovered, and which I had never fully realized before, is that in Japan—as was once the case in this country—the textile industry is in the hands of a few old textile families who dominate the industry, and who keep wages down. There are no labor unions there fighting for the living standards of workers.

I suggest to the Senator from Maine that the United States has again and again sincerely declared its policy to lift the living standards of other nations of the world because, unless other nations have a good living standard, privation and starvation breed wars. Therefore, we are interested in lifting living standards.

However, with one hand we are killing and crucifying the textile industry of the United States in order to let in cheap goods from Japan, and at the same time with the other hand we are maintaining a group of entrenched industrialists in Japan who are holding living standards of labor down, and who are doing more to drive Japanese people toward communism than any other factor I can think of.

So in killing the industry in Maine, New Hampshire, Connecticut, and other States, we are not achieving any but an evil purpose, because at the same time we are defeating the very praiseworthy and laudable purposes of our foreign policy and our foreign aid.

Has the Senator from Maine considered those subjects in addition to the fine points he has already brought out?

Mr. PAYNE. First, let me thank my colleague, the distinguished junior Senator from New Hampshire, who has been overgenerous with his comments upon my speech and upon any work which I may have done in this field.

As I proceed with this speech, there will be portions dealing with the subjects upon which the able Senator has touched. I shall elaborate upon those subjects to some extent.

The deductions which the Senator has drawn are absolutely correct. From his personal observation as the result of his visit, he knows that they are correct. I say without fear of contradiction, because of my personal acquaintance with the Senator, that no Member of this body has a greater knowledge with respect to certain component parts of the textile industry than has the distinguished junior Senator from New Hampshire. I am very happy that he has taken a keen and continuing interest in this problem, which faces not only New England, but the entire country, involving the extinction of an industry which could mean much to the woolgrowers, the cotton producers, and producers and manufacturers in many component parts of the industry, all the way down—including bobbin manufacturers, textile machinery manufacturers, coal producers, and many others.

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

Mr. PAYNE. I am very happy to yield.

Mr. PURTELL. I am very glad to know that the Senator from New Hampshire, in the colloquy between himself and the Senator from Maine, has added the very valuable information with which we were familiar, but to which the public did not have access.

The textile industry in Japan is in a few hands. All we are doing is enriching the coffers of the families who control it, without lifting the living standards of the workers there, who are thus contributing to the unemployment situation in our own textile mills.

Is it unreasonable to ask for relief for our mills, when we know that 50, 60, or 70 percent of the business they formerly enjoyed is going to foreign countries?

Mr. PAYNE. I shall deal with that subject later. The record of the Senator is very clear on this subject. We have both voted for the Reciprocal Trade Agreements Act. We have both voted for foreign aid—and I shall touch upon that subject later. But when we get into a situation which affects detrimentally the welfare of the American people, the well-being of the American people must come first. Otherwise, there will be no money with which to help any foreign country.

Mr. PURTELL. The Senator voices my opinion. I do not mean to intimate that I have faltered in my belief in the necessity for foreign aid. But I say that

unless we do something to protect our own American industries, we shall have no money to give for foreign aid.

Mr. PAYNE. We are not asking for assistance. We are asking only for the same fair treatment which is being given to other countries.

Mr. PURTELL. Could the Senator derive any modicum of satisfaction from going back to his State and telling his people that he has been informed by authorities that the total amount of importation of woolen goods is only 5 percent, when, in the particular category in which they are interested, it is as high as 65 or 70 percent?

Mr. PAYNE. It would be a pretty poor dish to hand to a family whose members are without jobs, and who have always been self-supporting in the past.

Mr. PURTELL. I commend the Senator from Maine for calling the attention of the public to the grossly unfair situation in which the textile industry has been placed. The Senator has fought valiantly for his people, and for the textile industry, in the North as well as in the South. He continues to support the policy that we must see that aid is given to nations which need it; but certainly it must be done intelligently. The request that import quotas be established on a category basis seems to me to be fair. If that were done, it would not reduce by a single dollar the amount of exports to this country from Japan and elsewhere. However, that relief has been refused, as the Senator knows.

Mr. PAYNE. The Senator is absolutely correct.

I refer not only to problems affecting the North and South, and those connected with the cotton textile industry, but I refer to the woolen textile industry, woolgrowers, and producers of many commodities, including steel and other component parts of the industry.

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

Mr. PAYNE. I yield.

Mr. PURTELL. I must attend a hearing of the Committee on Interstate and Foreign Commerce. However, I did wish to stay to hear at least a part of the outstanding speech the Senator from Maine is making today, and to congratulate him on it. He is performing a valuable service for the entire country, because as we protect one segment of our people, we protect the people of the entire country.

Mr. PAYNE. I thank my colleague. I know he will have time to read my remarks in the RECORD.

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

Mr. PAYNE. I yield.

Mr. ELLENDER. I am glad my good friend from Maine mentioned steel. I hope he will also mention the tragedy that is happening in the automobile industry. We have spent millions of dollars in assisting our friends across the seas, particularly in France, England, and Italy, to rehabilitate their automobile factories. There is not a city in the United States in which we do not see foreign cars on the streets. What disturbs me particularly is that for the past 5 or 6 years we have spent tax money in order to rehabilitate the factories of those countries. I say to the Senator that the chickens are now coming home to roost.

Mr. PAYNE. The Senator from Louisiana is correct. In that connection I should like to say that it was my privilege to serve, and it is still my privilege to serve, on the Automobile Marketing Subcommittee of the Committee on Interstate and Foreign Commerce. We held hearings a few years ago at which automobile manufacturers testified. I asked them at that time why they were not doing something about building a low-priced automobile which would find ready acceptance in the American market with the American family, particularly with those who want a low-priced car. Moreover, there are many families who can afford two cars, and they could buy one of the small cars as a second car.

At that time the automobile manufacturers gave no indication that they were interested. They said they were not interested. It was pointed out to them—and I am positive the record will reflect this statement—that perhaps they would be concerned about the increased importation of the smaller cars from abroad, and they were asked whether they were concerned about it. They said no, they were not concerned about it. Now they are beginning to realize that the importations of the smaller foreign cars have increased tremendously, and they are waking up to the fact that the American market has been outpriced to the average American family on the type of car the American manufacturers are producing. The automobile industry has been very shortsighted, as is shown by what is happening to it. It is about time for the American automobile industry to put its own house in order.

The havoc which unrestrained woolen imports produced on the textile industry was finally critical enough for the administration to offer some help. The damage, however, had already been done and the industry has been halved in size since the end of World War II. This help came in the form of a tariff quota on certain woolen and worsted fabrics. The quota was established by Presidential proclamation on September 28, 1956. There is little doubt that this has been of some help to the industry, but, I repeat, it has been too little and too late.

The wool tariff quota fails to make any provision against the concentration of imports in different categories of fabrics. That is the point the Senator from Connecticut [Mr. PURTELL] made. Under the terms of the quota, all the 14.2 million pounds of wool fabrics allowed to enter at a low rate of duty can be concentrated in one or a few types of goods. That is what the Senator from Wyoming [Mr. BARRETT] pointed out, namely, that the quota does not involve any particular grade. Any grade can be picked out. The quota is not imposed class by class or type by type; it is on an overall basis—heavy, fine, and so forth.

Imports of woolen goods tend to concentrate in the higher quality goods which are relatively lightweight and contain a relatively greater proportion of labor. Consequently, during the first 6 months of 1957 after the quota program took effect imports of woolen and worsted fabrics weighing not over 6 ounces per square yard amounted to over 22 percent of the total domestic production of such fabrics. In other categories of high quality woolen fabrics, industry sources estimate that imports equal as high as 60 percent of United States production of such fabrics. Many mills, Mr. President, have been forced to liquidate since the quotas went into effect because of this type of competition.

Furthermore, the wool fabric tariff quota does not apply to yarns, blankets, wool apparel or other wool products. Is there little wonder, Mr. President, why I say that help has been too little and too late for the woolen and worsted industry? Will we now repeat this grave error in connection with cotton textiles? Are we to continue to allow foreign products to steadily encroach by huge and unreasonable percentages into the American market?

At this point I think we should keep in mind the fact that just a week or so ago the President further reduced the quotas on foreign oil. In other words, a comparatively healthy industry—comparatively in terms of the textile industry certainly—is being given assistance while an extremely sick industry is being allowed to die. What has been the reason given by our policymakers for not applying higher tariffs or even quotas on textiles? Why, of course, the reason is to soothe the feeling of certain foreign countries. Why then, I ask, cannot this same reasoning apply to all industries? Can anyone deny that the oil policy of this administration has very seriously strained the relations between this Nation and by far its truest and stanchest friend, Canada? Mr. President, our policymakers will have to give me a better explanation than that if I am to see their point of view.

I honestly believe that the textile industry has been singled out as the one major American industry which is to be sacrificed for the benefit of foreign policy. If other industries such as oil can be given the assistance they need then I am going to do my level best to see to it that the American textile industry also receives such assistance. And, Mr. President, every Senator has an interest in seeing that this should be so. No one can stand aside while this great industry is made the sacrificial lamb for the benefit of appeasing foreign nations. It is a precedent which could eventually wipe out all industries. Can anyone deny that if the type of help this Government is giving foreign textile producers should also be given to foreign producers of other commodities that in time, with their wage advantages, they could undermine all of our industry?

It is well known that Japan has made the greatest inroads in our textile market. In 1953 Japan's share of total United States imports of cotton cloth was 48 percent. In 1954 it was up to 65 percent, and in 1955 it had reached 75 percent. Imports have concentrated in particular kinds of fabrics, frequently the fine quality type of goods made in

New England. The Japanese low wage advantage is greatest in fine fabrics and apparel. For example, in the case of velveteens, imports in 1955 and 1956 were almost twice as much as domestic production. The Merrimack Manufacturing Co., in Lowell, Mass., which has been in continuous operation since 1823 and was the largest United States maker of velveteens, announced its closing several months ago as a result of Japanese competition. In 1957 it was estimated that from 50 to 75 percent of the total market for velveteens in this country was absorbed by foreign goods.

In 1955 total imports of cotton cloth to the United States ran between 120 million to 130 million yards. This is double the 1953 rate, and the entire increase came from Japan. The inflow of wearing apparel from Japan is also becoming a major problem. Such imports were at a very low level in 1953, but doubled in 1954, totaling $3 million. In 1955 they tripled and reached about $15 million. The thing to remember about these figures is that most of the 1955 gains occurred before the additional GATT reductions of that year went into effect.

Apart from the fact that the Japanese textile manufacturers can buy our own cotton for anywhere from 6 to 8 cents a pound cheaper than we sell it to our own manufacturers, and apart from the fact that tariffs in this country are being cut on textile imports, the Japanese manufacturers also have an unbelievable wage advantage. The average textile worker in Japan receives approximately 14 to 15 cents an hour whereas his counterpart in this country is paid an average of more than $1.40 an hour. How in the world can such an enormous gap in wage differentials ever be matched? Certainly, Mr. President, not by selling our cotton for less than what we have to pay for it ourselves. Certainly not by constantly cutting our tariff rates. An American producer, if it were not for the fact that the Government added to his handicap, could still compete satisfactorily against the Japanese textile industry despite the enormous wage differences. As it is, however, his hands are tied by the policies of his own Government.

It would be unfair of me not to point out that in the latter part of 1956 these policies led to a situation in which some action had to be taken, and our Government convinced the Japanese Government that it should establish voluntary quotas on exports of cotton goods to the United States. Where the quotas on various types of Japanese goods were low enough, this has worked out fairly well. In the case of velveteens, however, and the other similar type textiles where the quota was too great to begin with and where the Japanese exceeded their own voluntary limitations by more than one-third, the result, as I have already shown, has been disastrous. Furthermore, since this quota arrangement is purely voluntary there is no assurance that at any time the Japanese might open up the floodgates wider than they are. Thus, American producers are never certain of what their market will be or what to expect during any given year. In addition to this, there is no protection from Japanese-made textiles imported to this country from a third-party nation.

Mr. ERVIN. Mr. President, does the Senator from Maine desire to conclude his speech before yielding, or will he yield now?

Mr. PAYNE. If the Senator from North Carolina wishes me to yield, I shall do so.

Mr. ERVIN. I was very much interested in what the Senator from Maine said about voluntary quotas. At the time the Senator was speaking on that subject, I asked the Department of State and the Department of Commerce for a certain report from the American consul at Kobe, Japan. I was furnished a copy of that report and was astounded by what it revealed.

It said that in the case of blouses, the Japanese manufacturers of clothing had produced the full extent of their quota of blouses for export to America; that in addition to shipping directly to the United States their full voluntary quota of blouses, they had completed and shipped a tremendous quantity of blouses to Canada and West Germany; that those blouses were then transshipped from Canada and West Germany, which were not governed by a quota, into the United States.

In addition, the report said that after reaching its quota, Japan shipped a great deal of the material in an uncompleted state to Hong Kong, where the material was manufactured into blouses and then shipped into the United States as Hong Kong exports.

I do not know whether the Senator has seen a copy of that report.

Mr. PAYNE. I have not seen the report, although I have heard something similar to what the Senator from North Carolina has just elaborated upon.

Mr. President, no one knows better than do both the senior Senator from North Carolina and the junior Senator from North Carolina—the junior Senator from North Carolina being the present occupant of the chair—the problems of the textile industry. They know how much it affects their own State.

Mr. President, I fully realize that Japan must trade in order to live. In recent years, as Japan finds some of her traditional Far Eastern markets closed to her or more competitive than in prewar years, the United States assumes a more important place as a market for her products. And the United States, seeking a free and stable Japan, wants to help. As long as American policy restricts Japanese trade with Communist China, this country must help. That was one reason why we made such generous tariff cuts in favor of Japan at the 1955 GATT meeting, cuts which were extended to the other contracting parties of GATT on a most-favored-nation basis. The responsibility for strengthening Japan through greater trade rests not only with the United States. Some 14 nations, mostly in Europe, have become alarmed by the prospect of a flood of Japanese imports into their home markets and have, as a result, refused to grant trade concessions to Japan. Nor must the responsibility of strengthening Japan through greater trade be borne almost entirely by one single American industry.

To the New England or southern textile worker out of a job, it certainly looks very much as if he alone is being asked to make sacrifices, while many other nations of the Free World protect their workers by maintaining barriers against Japanese trade. Probably that is why the latest available statistics show that only about one-half of 1 percent of the total French labor force is unemployed; that only 1.6 percent of the British labor force is unemployed; and that 6.2 percent of the West German labor force is unemployed; whereas more than 7 percent of our labor force is unemployed and that figure is increasing day by day.

In Biddeford, Maine, as I have pointed out, 30 percent of the working force is out of employment. In the area in and around Portland, approximately 10 percent of the working force is unemployed. Around Lewiston, the number of unemployed is more than 10 percent of the working force. They are all in textile-industry and industry-related towns.

Compare that picture, Mr. President, with the picture in other countries, which ask themselves, "Will we trade with Japan and give them a chance to find an outlet for their markets, so as to help them to trade under the terms of the agreement? No, we do not think so, because we do not want to have their products coming into our countries."

So the United States rests alone as the country which must stand the brunt of the impact of Japanese textile imports.

While over 5 million American workers are out of work, approximately 100,000 French workers are unemployed, 350,000 British workers are unemployed, and 1,213,000 German workers are out of work.

Mr. President, as I said earlier, my record on reciprocal trade is open for everyone to see. I have supported the law. However, let me make it perfectly clear that I will continue to favor this program only if it is what it claims to be; that is, truly reciprocal. Not for a moment will I consent further to have this country take part in trade agreements which sacrifice segments of our economy for the sheer benefit of foreign economies. I refuse to go to the thousands of textile workers in Maine, Massachusetts, Rhode Island, the States of the South, and elsewhere in the Nation, who are now out of work and explain that I supported a program which, in efforts to appease foreign governments, has established tariff rates which are essentially to blame for this unemployment. Mr. President, although I cannot claim to speak for any of my other distinguished colleagues in the Senate, I am sure that many of them are also giving this matter extremely serious thought now, and will give it serious thought in the days ahead, especially in the light of the fact that unemployment here at the present time is much higher in proportion to the working population than it is in countries such as England, France, and Germany who all impose far greater restrictions against foreign trade than we do in this country. I think that

it is high time that we make sure that the reciprocal trade program is indeed reciprocal. We have stood by and looked at the deterioration of the textile and other industries long enough while they were being placed on the chopping block as a result of one-sided trade agreements.

Mr. MARTIN of Iowa. Mr. President, will the Senator from Maine yield at this point?

The PRESIDING OFFICER (Mr. JAVITS in the chair). Does the Senator from Maine yield to the Senator from Iowa?

Mr. PAYNE. I yield.

Mr. MARTIN of Iowa. Mr. President, I desire to express my profound appreciation of the wonderful address being made by the distinguished Senator from Maine. The address he is making is extremely sound.

I subscribe particularly to his remarks about the importance of making the reciprocal trade program truly reciprocal, and the importance of bearing in mind the impact of the reciprocal trade program on our domestic industries. Today, serious consideration of those phases of the problem is needed even more than at any time heretofore.

Mr. President, I desire to commend very highly the distinguished Senator from Maine for his excellent and forceful address.

Mr. PAYNE. I thank the Senator from Iowa for his kind remarks.

ADVERSE EFFECTS OF THE FOREIGN AID PROGRAM ON THE TEXTILE INDUSTRY

A third Government policy, Mr. President, which has added to the difficulties of the American textile industry is the foreign aid program. Since the end of World War II the United States has sponsored programs of aid and mutual security which have cost in the neighborhood of $60 billion. Here again, Mr. President, my record on this matter is quite clear. I have supported foreign aid. I firmly believe that it is not only our moral obligation, as a country with great wealth, to help the less fortunate of the world, but that such aid has strengthened the Free World and is therefore in our own self-interest as well. Not for a moment would I seek to eliminate the foreign aid program, but I assure you, Mr. President, that after studying many aspects of this program I will think twice before acting upon it this year. The reason for this is that I have discovered certain policies followed under our foreign-aid program which are detrimental to the textile industry, which are completely unreasonable, in my estimation, and which add greatly to the serious plight of our whole economy.

Not only have we been allowing foreign textile producers to buy our cotton for less than it is sold to our own textile producers, not only have we given foreign textile producers part of our domestic textile market by reducing tariffs to a phenomenally low level, but as a result of our foreign-aid program we have also built foreign textile plants, equipped them with modern machinery, furnished technical help and management services, and then our Government has gone ahead and purchased their textile products instead of our own. And remember, all this was done, and is still being done, with the hard-earned dollars of the American taxpayers.

Little wonder that foreign textile producers can undersell our domestic industry.

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

Mr. PAYNE. Yes, I am very glad to yield to the Senator from North Carolina.

Mr. ERVIN. I think the Senator has put his finger on a very serious maladministration of foreign aid in this particular field. We have done much to assist Japan in rebuilding its textile industry. During recent years the ICA has been encouraging, and indeed has been financing, in part, with American funds, the erection of textile mills to manufacture textile goods in other areas of Asia and in the Pacific, which means, in effect, that while we build up the Japanese textile manufacturing interests, we build, in the area where the Japanese would naturally sell their products, mills not only to compete with us, but with the Japanese themselves.

Mr. PAYNE. The Senator is correct.

Mr. ERVIN. I was astounded to learn that the ICA had assisted in the erection of a textile plant, for example, in Indonesia, with the effect I have just stated.

Mr. PAYNE. The Senator is correct. In a moment I shall place in the RECORD some rather interesting figures. They are not my figures; they are figures submitted and given to me, finally, after exhaustive efforts, by ICA itself, and they show the procurement of textile products and of textile machinery also, domestically as compared with foreign purchases.

The figures are startling, because if those purchases, even in part, had been made in this country, from our own people and our own industries, it would have enabled many of our fellow Americans to be at work and on the job today. It is not something that has just been started recently. It goes back to the overall program put into effect a number of years ago. The fact is that it is starting to catch up with us. It started catching up with us a few years ago, and now the chickens are coming home to roost.

Mr. President, we furnish the foreign textile producers with the mills, the modern equipment, the technical know-how, the cheap cotton, and then we buy their finished product with American tax dollars instead of buying our own fabrics. All the foreign producers furnish is low-wage labor. Why, Mr. President, I would venture to say that if we followed such policies in any other industry in this country, including the automobile and electrical appliance industries, where we are supposed to excel, foreign competition would ruin that industry also. In an economy based on free enterprise, Mr. President, I can well understand the role of fair competition. It plays an important and valuable role in the development and improvement of such an economy. Were the Japanese and other nations able to stand on their own two feet and compete with our textile industry only on the basis of their wage advantage, then I would feel that our domestic industry would have little to complain about and little to fear. Through our great technological advancements and achievements, we could not only outproduce foreign textile industries, but we could outdistance them in quality products. But can we for a moment look at the present situation and call it fair competition? Foreign textile producers are not standing on their own feet and competing with our producers on the basis of their own particular ingenuity, initiative, and wage advantages. They are, instead, being subsidized by our own tax dollars. We give them assistance which we deny our own producers. Is this fair competition? Then we lower our tariff rates on textiles to a point where we also give them our domestic market in turn. Is this fair competition? And then, when we buy textiles under our foreign aid program with American tax dollars, we buy foreign textiles instead of American fabrics and American textile machinery. Is this fair competition? As one spokesman for the textile industry said recently:

> Ironically enough, we are told that foreign textiles are purchased because they are priced lower than ours. If Uncle Sam will furnish us with mills, cotton, and financing, I daresay our prices might be a bit lower.

Mr. President, I was appalled when I learned that in fiscal 1957 alone, American tax dollars brought over $89 million worth of foreign textiles under the foreign aid program, and only $7 million worth of American textiles. Mr. President, I know of several liquidated textile plants in New England and in the South which might be operating today had they received such contracts. We bought from Japan alone, in 1957, $56 million worth of textiles under the foreign aid program. One could hardly believe that such a policy could be followed in the face of the drastic unemployment and hardships in our own domestic textile industry.

Mr. O'MAHONEY. Mr. President, will the Senator yield for a question?

Mr. PAYNE. If the distinguished Senator from Wyoming will let me complete another sentence or two, then I shall be very happy to yield to him.

Mr. O'MAHONEY. The Senator from Maine is in command.

Mr. PAYNE. We are literally using American tax dollars to put American industries out of operation; we are using American tax dollars to put American labor out of work. It is inconceivable that this should be allowed to continue. And these figures represent only fiscal 1957. This policy, Mr. President, has been going on since 1948.

I now am very happy to yield to my colleague from Wyoming.

Mr. O'MAHONEY. I wonder if the Senator from Maine is aware of the fact that there was delivered to the Congress today a budget estimate from the White House, signed in the name of the President, Dwight D. Eisenhower. It is from the Executive Office of the President, that is to say, the Bureau of the Budget, under date of March 28, 1958. I read:

> THE PRESIDENT,
> *The White House.*
>
> SIR: I have the honor to submit herewith for your consideration proposed appropriations for the fiscal year 1959, in the

amount of $3,942,092,500, for mutual assistance programs, the details of which are set forth in the attachment to this letter.

The amount recommended was covered in the budget for the fiscal year 1959, but detailed estimates were not included as the legislative proposals were not ready at the time the budget was transmitted.

The necessity for the estimates was detailed in the message from the President of the United States transmitted to the Congress on February 19, 1958, recommending the enactment of mutual security legislation.

I recommend that these proposed appropriations be transmitted to the Congress.

Respectfully yours,

MAURICE H. STANS,
Director of the Bureau of the Budget.

I wonder if the Senator from Maine is aware of the fact that this enormous sum of money—$3.9 billion-plus—is being recommended for the mutual assistance program, which of course includes foreign aid, military and economic.

Mr. PAYNE. Let me say, Mr. President, I was not aware of the particular message. Perhaps I should have been.

Mr. O'MAHONEY. No. The message just arrived.

Mr. PAYNE. I indicated earlier—I think before the Senator was present in the Chamber—my support in the past of the so-called mutual aid or foreign aid program. I also pointed out, as the Senator will be able to read in the RECORD, the apprehension I hold with respect to the program unless certain conditions are clearly set forth, so the Congress will know what it is acting on in a very definite manner.

The figure the Senator mentioned represents a staggering amount—at least, it used to be, in years gone by. But, since the Senator mentions $3.9 billion, let me say that is a rather small amount compared to the tremendous number of billions of dollars which have been piled up in the program over a number of years under two administrations.

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

Mr. PAYNE. I am happy to yield.

Mr. O'MAHONEY. I am prompted to interrupt further by the last remark of the Senator.

Mr. PAYNE. I would not imagine for one moment the Senator from Wyoming would be amazed by my remark, because I would not want any inference left that all these expenditures were made by one administration or were in accordance with a policy which had just been brought into being.

Mr. O'MAHONEY. No. I would not suggest such a thing at all. The President in his message to Congress specifically recited that he was carrying on the program which had been previously initiated. He spoke with great approval of the notable achievements which had been made under the program ever since 1950. If there is anything in it to be praised, the present President is entitled to such praise. If there is anything in it to be condemned, then, likewise, he is entitled to be condemned.

Mr. PAYNE. Let me point out to my good friend that if he will read the record of my speech he will find, I think, that I am not making a partisan speech in any way, shape, or manner. I am being about as nonpartisan as any person could possibly be in trying to face up to a situation which confronts the people of America and the Congress of the United States in this year, 1958. Unless the present Congress takes some action to rectify the conditions which I mentioned we are going to see one of the great industries of this country go down the drain. That is all I am talking about.

Mr. O'MAHONEY. Will the Senator yield to me for a question?

Mr. PAYNE. I am happy to yield for a question.

Mr. O'MAHONEY. I understand the Senator to say—and I believe it, of course—that he is interested in the welfare of the people of the United States, as well as the welfare of the people of Maine.

Mr. PAYNE. And of the people of Wyoming, who grow wool.

Mr. O'MAHONEY. Undoubtedly.

Mr. PAYNE. That is correct.

Mr. O'MAHONEY. The Senator is interested in all the people. I am afraid the Senator is laboring under a misapprehension that I am trying to needle him, as a Democrat against a Republican. I assure the Senator that is not the fact.

Mr. PAYNE. The Senator from Wyoming and I have been good friends for a long time, and I know him better than to entertain such a thought.

Mr. O'MAHONEY. I desire to point out a way by which I think the Senator from Maine can help to achieve the very objective he has in mind. If he will indulge me, I shall read to him the opening statement——

Mr. PAYNE. May the Senator from Maine inquire as to the length of the item which the Senator desires to read?

Mr. O'MAHONEY. If the Senator will look at my finger, he will see.

Mr. PAYNE. The Senator may proceed.

Mr. O'MAHONEY. I read the first paragraph taken from the huge document known as the Budget, House Document No. 266, part I.

Mr. PAYNE. That is what worried me a bit.

Mr. O'MAHONEY. I have no doubt it did.

The 1959 budget includes $3,949 million for several programs of the Government for which new obligational authority is granted directly to the President, who may designate officials or agencies to act for him in carrying out the activities involved.

That is the power of delegation.

The amount for these various activities is $1,143 million more than in 1958, primarily because of the increase recommended for the mutual security program.

That is the very program about which the Senator is speaking. The paragraph then goes on:

The 1959 request for this program is $3,940 million, compared with a total availability in 1958 of $3,528 million which includes authority to use $764 million of unobligated prior-year funds.

I suggest to the Senator from Maine that if he will join with me I shall be glad to offer an amendment to the mutual security bill to provide that no unobligated funds carried over from previous years shall be appropriated. And, more than that, I should like to have the Senator's cooperation in the sponsorship of an amendment to the mutual security bill which would provide that before any award of moneys or contracts under the law—which law the Senator is criticizing—can become effective, the award must first be reported to the Congress, so that the Senator from Maine, the Senators from Wyoming, and the Senators from every other State may know in advance what is being done to the people of their States.

Mr. PAYNE. If the Senator from Wyoming will reduce his suggestion to writing, he may be sure that his suggestions will be given my most earnest consideration.

Let me say that insofar as unobligated balances to which the Senator has referred are concerned, the Senator from Maine drafted and introduced in the Senate in cooperation with the Senator from Massachusetts [Mr. KENNEDY], a bill which would impose a control on the carrying over of unobligated and unexpended balances. I refer to the accrued expenditures bill, so-called, which passed the Senate and went to the House. There an amendment was attached to the bill. Fortunately, the bill is back in the Senate, although it does not carry out all we seek, which is the ending of the so-called carryover of unobligated and unexpended balances.

I will say that the bill as it came back to the Senate and is presently on the calendar, is certainly a step forward. We made one step forward 2 years ago, and the bill represents another step forward in trying to put our fiscal house in order, so that we shall have some control over the great pileup of moneys which constantly accrue, building up and building up as a result of appropriations granted by the Congress which are not expended.

Mr. O'MAHONEY. I believe the Senator is to be complimented for the work he has done. I should like to point out, before taking my seat, after complimenting the Senator again, that in the Mutual Security Act, which was signed August 14, 1957, the specific provision appears that such commitments shall not be reported to the Congress until after they have been completed. In other words, we are not entitled, under the existing law, to know what is being done with the money from the Treasury until after the giveaway has been completed.

Mr. PAYNE. I thank my colleague. He always makes a very definite contribution. If he will read my remarks and the table which I shall offer for printing in the RECORD, I think he will see that my statements and the table which will be placed in the RECORD in connection with certain expenditures, will indicate that Congress must have definite control over them in order to avoid in the future certain things which have happened in the past.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. PAYNE. I am happy to yield to the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. I commend the Senator from Maine for his remarks. I thoroughly agree with what he is saying concerning the situation in which the American textile industry finds itself. If something is not done, I, too, fear for the future.

Mr. PAYNE. I thank my colleague from South Carolina for his kind words. No Member of this body has stood on his feet more often in this Chamber during my brief period of service than has the Senator from South Carolina, continually pointing out the problems confronting the textile industry and offering solutions for them. He and I have joined forces on a number of occasions in that connection. I have always been happy to do so, because we are fighting for what is right, and in a common cause.

In textile machinery alone, we purchased over $4,200,000 worth offshore in 1957 and only $1 million worth here at home. We did this while the Saco-Lowell Shops in Maine, the Nation's largest producer of textile machinery had cut its working force by 50 percent. Since 1948, Mr. President, we have supplied foreign countries with over $135,700,000 worth of textile machinery under our foreign-aid program. Also since 1948, we have purchased over $356 million worth of textiles under the foreign-aid program. Of that amount, $240,800,000 were spent for offshore purchases and only $155,100,000 bought our own domestic textiles. Mr. President, how many American textile plants which are now darkened phantoms in once thriving communities might still be operating today had they received some of the $240 million contracts which went to their foreign textile competitors?

Mr. President, I ask unanimous consent that recent official Government statistics prepared by the International Cooperation Administration showing annual domestic and offshore purchases of textiles and textile machinery under the foreign-aid program since 1949 be printed in the RECORD at this point in my remarks.

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

ICA and predecessor agencies—Expenditures for basic textiles and textile machinery, by fiscal years, Apr. 3, 1948–Dec. 31, 1957

[In thousands of dollars]

Fiscal years	Fabricated basic textiles			Textile machinery		
	Total	Source of purchase		Total	Source of purchase	
		United States	Offshore		United States	Offshore
1949	51,583	27,756	23,827	10,212	9,808	404
1950	47,476	23,719	23,757	44,084	43,787	297
1951	8,404	5,263	3,141	31,035	30,787	248
1952	25,170	13,514	11,656	12,063	10,945	1,118
1953	15,497	9,868	5,629	5,900	5,825	75
1954	5,078	2,162	2,916	6,467	5,723	744
1955	25,408	9,672	15,736	4,119	3,107	1,012
1956	46,208	11,280	34,928	6,561	2,852	3,709
1957	96,322	7,211	89,111	9,831	1,332	8,499
1958 (through Dec. 31, 1957)	34,864	4,745	30,119	5,433	1,169	4,264
Cumulative expenditures, Apr. 3, 1948–Dec. 31, 1957	356,010	115,190	240,820	135,704	115,334	20,370

Source: Office of Statistics and Reports, Mar. 19, 1958.

Mr. PAYNE. Mr. President, those figures will be very revealing, indeed, to many who have not known about the situation in that connection.

The Mutual Security Act of 1954, as amended, already stipulates in section 510 that funds made available for this program may be used for the procurement of commodities outside the United States unless the President determines that such procurement will result in adverse effects upon the economy of the United States, with special reference to any areas of labor surplus. Despite this provision, Mr. President, and despite frequent attempts on my part to point out the tragic plight of our textile industry to those who are responsible for our foreign aid policy, this provision of the Mutual Security Act has never been implemented. Yet, can anyone deny that our foreign procurements in the past have had adverse effects on our economy and have actually done much to create areas of labor surplus? If those in positions of responsibility will not act, Mr. President, I say the Congress must.

We have been paying out of our pockets for the capital equipment used by foreign textile producers, while our own domestic producers have been hardput to pay for such equipment in the light of increasing costs, decreasing markets, and abnormally low prices for their product. Is this fair competition? Ask the American textile producer if it is. Ask the unemployed textile worker if it is. Ask any American taxpayer if it is. No, Mr. President; this aspect of the foreign-aid program must be modified. We can no longer stand by and watch our own dollars finance modern industries in foreign nations which then undersell our own products on our own market. We can no longer stand by and watch our dollars buy the products of these foreign industries we have created instead of products of our industries. We can no longer stand by and see this happening while our workers stand by in long lines waiting for unemployment compensation checks, which in some areas of my own State have already stopped coming. Our generosity is one of our greatest virtues as a nation, but there must be a limit even to that. No country in history has ever given so much of itself to help others. In the process, however, let us not ruin ourselves. I daresay that there exists no other nation in the world which would come to our aid at a moment of crisis with the same generosity and good will which we have used in their behalf. We must continue to aid nations everywhere, but it must never be to the detriment of our own people. We would not demand this of any other nation. Certainly they should not expect it of us.

PROGRAM TO MEET TEXTILE PROBLEMS

Now, Mr. President, what can we possibly do to assist the American textile industry before it perishes entirely from our scene? What can we do to modify the Government policies which contribute so much to the deterioration of this once prosperous and important industry? I recommend at this time for the Senate's serious consideration a six-point program which I believe will contribute both long-run and short-run assistance to the textile industry.

First. A full investigation of the textile industry's problems made by a national White House conference of all interested parties, called by the President of the United States. Such a conference could perfect and expand the other points of the program I am about to outline.

Second. In conjunction with the agricultural surplus program, I recommend the enactment of legislation which will permit American textile manufacturers to buy raw cotton at the same price at which we sell it to foreign manufacturers. In other words, we need one-price cotton to end this unfair discrimination. Legislation has already been introduced both in the House and in the Senate to accomplish this purpose. I believe the bill in the Senate was introduced by my colleague from Missouri [Mr. SYMINGTON].

The proposed legislation would allow the American textile industry to buy raw cotton at the going world price arrived at through the normal supply-demand formula. We must enact this legislation. In addition, I recommend that such legislation also provide for reimbursements to cotton textile mills for losses on cotton and cotton inventories on hand at the time such legislation goes into effect.

Third. In conjunction with our foreign trade policy, I recommend enactment of legislation which will establish quotas on cotton textile imports instead of tariff rates. These rates are already so very low that for results only an enormous increase would suffice. Such an increase would be extremely difficult to attain in the light of present commitments and administration policy. Furthermore, as a result of the enormous wage advantages of many foreign textile producers, they could still flood our markets with cheap goods despite higher tariff rates. A quota, on the other hand, as has been used for woolen imports, would prevent the further loss of our domestic cotton textile market to foreign producers. This quota, however, should be on a fabric-by-fabric basis in order to prevent the liquidation of specialized textiles, such as happened to velveteens and others. The fabric-by-fabric quota should also apply to woolen and worsted imports. Furthermore, the quotas

should cover all cotton, woolen, and worsted textile fabrics, including yarns and threads.

Fourth. In conjunction with our foreign aid program, I recommend that we amend the Mutual Security Act in order to provide that no less than 50 percent of all funds which go to purchase commodities for our foreign friends be spent here at home, unless the commodities involved are produced by domestic industries suffering severe unemployment. In that event, 100 percent of our foreign aid purchases of those commodities should be made domestically.

Fifth. Immediate enactment of S. 314 and S. 3196, sponsored by the Senator from Maine [Mrs. SMITH] to permit the American textile industry to share in the rewards of the major overseas cotton disposal programs, rewards which are now enjoyed only by foreign textile producers.

Sixth. Immediate enactment of comprehensive distressed areas legislation along the lines of S. 3447, which I have introduced and which would assist areas of chronically high unemployment in developing new sources of employment and provide some relief to those whose textile jobs have already been lost.

CONCLUSION

Mr. President, I have attempted in my remarks today to describe the serious deterioration of our textile industry, a deterioration which in many ways has been a result of Government policies. Few other industries have been singled out by our Government for liquidation in this way. Few other industries which were once so flourishing have been allowed to perish as a result of Government policies. No other industry has suffered to the extent our textile industry has suffered since the war.

Mr. President, action is needed and needed now. To wait but for a few more years might mean the complete annihilation of this great and important industry. To wait any longer will mean the continuation of present hardships suffered by textile workers and many others throughout the country, who depend upon the commodities that go into the channels of trade, and who are indirectly affected by the success of the textile industry itself. Unless we modify the Government policies I have described and enact the proposals I have outlined, we will all have to bear full blame for the death of this industry which will drag with it hundreds of thousands of workers, billions of dollars of investment, and thousands of cottongrowers throughout the South.

This is as crucial and urgent a problem as any facing the Nation today. I am not pleading for a giveaway program for the textile industry, Mr. President. On the contrary I am pleading for an end to Federal programs which contribute to the unreasonable and unfair competitive advantages of foreign textile producers. This is the crux of the matter, this is the focal point of our textile liquidations, and this is what we must act upon now. We can no longer afford to pay American dollars for the ruination of an American industry. We can no longer tolerate the hardships and misery of textile workers who are unemployed, working only part time, and constantly fearing the liquidation of their mills and their jobs. Mr. President, we must act promptly and with certainty if we are to prevent the death of our textile industry.

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

Mr. PAYNE. I yield.

Mr. ERVIN. I wish to congratulate and commend the able and distinguished Senator from Maine on his very fine exposition of the tragic situation now existing in the textile industry. As one representing a State which has 230,000 of its citizens employed in textile plants, I thank the Senator for the great fight he is making on this occasion, and which he has made ever since he came to the Senate, to protect this great industry and the jobs of hundreds of thousands of Americans in it from those who seem to be bent on making it a sacrificial lamb to appeasement of foreign nations.

The Senator has pointed out most effectively the fact that we are now subsidizing, with the dollars of American taxpayers, foreign competitors of a basic American industry, namely, the textile industry. This puts our textile industry at a well nigh hopeless disadvantage.

Article I, section 8 of the Constitution provides that Congress shall have the power to regulate commerce with foreign nations. Congress has abdicated its constitutional function of regulating commerce with foreign nations insofar as the textile industry is concerned. The regulation of foreign commerce in textiles, to all practical intents and purposes, has been abdicated by Congress and has been delegated, under an act passed by Congress, to a foreign nation. This is the first time this situation has existed, so far as I know, in human history. It is the situation of a sovereign nation delegating to a foreign nation the power to determine whether one of its basic industries shall fade or flourish.

That is what relying on voluntary quotas established by the Japanese textile industry amounts to. No amount of sophistry can erase that plain fact.

I again thank the Senator for his fine statement. We in Congress no longer exercise our constitutional function of regulating foreign trade in textiles, but, instead, abdicate our constitutional function in this respect and permit it to be exercised by a foreign country, whose industry competes with ours.

Mr. PAYNE. First of all I should like to say that I appreciate very much the kind remarks of the Senator from North Carolina. I know he has been tremendously concerned with this problem ever since he has been in the Senate, and no one holds him in higher respect than I do, both as a constitutional lawyer and as a great Senator and great American.

He and I of course know that what we have done is to delegate the powers we hold under the Constitution to the executive branch of the Government, so to speak, to carry them out. It would be extremely difficult, of course, to do otherwise. I cannot imagine ourselves getting into a situation where Congress would have to take up each individual item and try to establish quotas and tariffs affecting each one, because in this complex life of ours we would probably be in session the year around in trying to work out the details as to each item. Therefore experts have been put to work on this whole problem. However, I would say that we must take a closer look at the situation than apparently we have been taking over some period of time if we are going to get at the root of the problems which now plague our textile industry.

Mr. ERVIN. I agree with the Senator from Maine that it would be very unwise for Congress to attempt to handle the specific items relating to matters of foreign trade. I think Congress is wise to delegate that authority, provided it is delegated under a statute which prescribes definite standards which must be observed, and which will protect our domestic industries.

Mr. PAYNE. Congress has the power to strengthen those standards further if it thinks it necessary. I am one who is of the opinion that the standards should be strengthened, in order to correct the trouble we are trying to reach.

Mr. ERVIN. I was much impressed by the Senator's reference to the Reciprocal Trade Agreements Act and its lack of reciprocity in this particular field. Does the Senator from Maine agree with me that the only sound concept for a reciprocal trade agreements program is one under which the agreements shall be such as will encourage the exportation by the United States of the things we produce in surplus quantities, and the importation into the United States of things which we either do not produce or cannot effectively produce?

Mr. PAYNE. In other words, the matter goes back basically to the old principle which was in effect for so many years in the days gone by, which was called barter and trade—"We will take from you that which we do not produce; and we will trade to you that which you do not have; and the trade will even itself up."

Mr. ERVIN. Does the Senator agree with me in the thought that that is the only kind of sound commercial system of trade which can be erected, and the only kind which will be satisfactory in the long run?

Mr. PAYNE. It is the only one which is fair to everyone concerned.

Mr. ERVIN. It is a concept which has been grossly ignored, so far as the textile industry is concerned.

Mr. PAYNE. There is no question about that.

Mr. ERVIN. The Senator from Maine has pointed out very forcefully that when we encourage the importation into the United States of textile products which the United States is already producing in surplus quantities, the only result which can ensue will be to close down American plants and deprive Americans in the textile industry of their jobs.

Mr. PAYNE. That is correct. I am about ready to take my seat, but I want to clear up one point. Some persons get the impression that when we talk about textiles we are talking about the cottongrower or the textile-plant worker, whether the mill be a cotton or a woolen

textile mill. Let me make it clear—and no one knows this better than does the Senator from North Carolina—that textile production involves the purchasing of coal to heat the plants and operate the machinery. It requires the production of power; of oil to lubricate the machines for the spindles; the production of the steel which goes into the machinery; it involves carloadings on the railroads, and the loadings of trucks; and all the other hundreds of things which are attendant upon the manufacture of the various items which reach out into every facet of our economy. They are what make up what we term "the textile industry."

So nobody should think of the textile industry as simply the cotton farmer of the South, the cotton weaver of the South, or the cotton weaver of the North, the woolgrower of the West, or any other single facet of the industry. The textile industry is an all-embracing industry, a fundamental industry, and has been for many, many years.

Mr. ERVIN. As the Senator from Maine has so well pointed out in his speech, the greatest customer of the American cottongrower is the American textile industry. If the American textile industry is destroyed, its destruction will annihilate the greatest consumer of one of the most staple agricultural products—cotton.

Mr. PAYNE. The Senator from North Carolina is absolutely correct.

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

Mr. PAYNE. I am glad to yield to the Senator from South Carolina.

Mr. THURMOND. I have had the pleasure of serving on the Committee on Interstate and Foreign Commerce, including the Special Subcommittee on Automobile Marketing, with the distinguished Senator from Maine. I congratulate him upon the able address he has made on this occasion. He has accurately and thoroughly described the economic plight of the American textile industry.

I do not agree with every proposal which my distinguished friend has advanced. Basically and fundamentally however, he is on the firmest of ground. Who can deny, after hearing the facts which the Senator has set forth, that the textile industry is in a position of great peril?

At the present time, we are putting great faith in a voluntary quota arrangement on the part of Japan in our efforts to keep the imports of textiles at a reasonable level. This self-restraint on the part of the Japanese is helpful, but there is no guaranty that it will continue. There is evidence that the arrangement is being evaded by the shipping of goods through Hong Kong and other places. Even if the self-restraint on the part of the Japanese continues, we face the threat of rapidly increasing textile imports from India, Hong Kong, and other places.

I may say that the plywood industry is another industry which has had some experience with voluntary quotas.

Mr. PAYNE. The plywood industry is another industry for which we have concern in my section of the country.

Mr. THURMOND. It is a very important industry, and means much to a large number of people in the Nation. Quotas on plywood no longer exist. The plywood industry has lost more than 50 percent of its domestic market to foreign competitors.

I concur in the view of the distinguished Senator from Maine that a comprehensive study—perhaps a White House conference—would be helpful in presenting the problems of the textile industry to the Nation. I do not believe the American people want to see the textile industry sacrificed on the altar of foreign relations. I am confident that they will rally to the support of the industry when the facts are fully and generally known.

Experience has demonstrated that administrative remedies are insufficient; therefore, Congress must provide legislative remedies. The first step, I am convinced, is the establishment of reasonable legislative import quotas. By reasonable, I mean that the quotas should be restricted enough to permit American industries to survive and grow, and that they should be broad enough to permit the continuation and development of world trade.

I hope that Congress will proceed promptly to the most solemn consideration of the matter. The need is urgent. It is important that Congress act without delay.

Again, I congratulate the Senator from Maine upon the fine contribution he has made in presenting this matter to the Senate and to the American people.

Mr. PAYNE. Mr. President, I have had the honor to serve in two separate capacities with the distinguished junior Senator from South Carolina. We had occasion to work together and to be together in the governors' conference. As Governor of South Carolina the distinguished Senator represented his State as an able, outstanding, nationally known person, concerned with every problem affecting the well-being of the Nation.

I have also had the privilege of serving with him in the Senate, particularly on the Committee on Interstate and Foreign Commerce, where he continues to make very great contributions.

I thank him sincerely for the remarks he has made this afternoon, because he always sets forth some very constructive ideas and thoughts. Not only today, but down through the years, he has exercised the greatest of concern and interest in the problems which affect the well-being of America and the American people. I thank him for his contribution.

Mr. THURMOND. I thank the Senator for his kind remarks.

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

Mr. PAYNE. I yield.

Mr. POTTER. I commend the Senator from Maine for his outstanding, well-documented address, which shows great concern not only for the people of his own State of Maine, but also for an industry which is of great importance to the whole economy of the Nation.

I represent, in part, a State in which the textile industry is not a major industry. But we have economic problems also in our major industry, the automobile industry.

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

Mr. POTTER. I yield.

Mr. PAYNE. It is true that the Senator from Michigan comes from an area which also has problems of unemployment. Please do not think I am discussing the unemployment problem on the basis of a single industry at all.

The Senator from Michigan, time and time again, not only this year, but in every year since I have been a Member of the Senate, has fought for the very things we are talking about and toward which we are working. He has always favored programs looking to a realistic approach to Government policies concerning such problems.

A part of the reason for the unemployment of every person who is out of a job in the automobile industry in Detroit can be traced back to the fact that when the man who used to have a job in the textile industry of the Nation, the man who used to get a fair price for the wool or the cotton he produced lost his income, he was shut off from purchasing. No longer has he the income or the ability to buy an automobile which is produced in the great automobile centers of Michigan.

Mr. POTTER. Mr. President, the Senator from Maine is absolutely correct. He has very forcefully brought out the point that when one segment of the economy is depressed, that situation has an adverse effect on the entire economy of the Nation. When, because the textile plants close, the workers in the textile industry are unemployed they are unable to buy the Fords, the Chevrolets, and the Plymouths which make jobs in Detroit, Flint, and Lansing.

The Senator from Maine has performed a real service, Mr. President, not only to his State of Maine, but to all the American people. I hope that all the people of the country will realize the accuracy of what the Senator from Maine has said.

Mr. President, although certain programs have been delegated to the executive branch of the Government, the Congress has a duty and a function to perform in connection with this situation. The Senator from Maine has placed his finger directly on a very real problem which faces the country. The Congress must assume, in that connection, a responsibility which I believe it has not heretofore assumed.

Mr. President, let me say that I greatly enjoy my friendship with the distinguished Senator from Maine. I serve with him in committee, and I know of his hard and diligent work, and of the respect in which he is held by all colleagues.

Again I desire to commend him for the excellent address he has delivered to the Senate this afternoon.

Mr. PAYNE. Mr. President, I thank the Senator from Michigan. Let me say that I reciprocate his kind words, and that my regard for him is perhaps even greater than he may realize.

Mr. JAVITS. Mr. President, will the Senator from Maine yield to me?

The PRESIDING OFFICER (Mr. MORTON in the chair). Does the Senator from Maine yield to the Senator from New York?

Mr. PAYNE. I yield.

Mr. JAVITS. Mr. President, I think my distinguished colleague, the Senator from Maine [Mr. PAYNE], knows that I am very much in favor of the reciprocal trade program and that I am very strongly in favor of increasing the foreign trade of the United States.

Nevertheless, I believe every Senator must be grateful to a colleague who does a thorough job in presenting a case, for it is only by understanding the respective points of view of our colleagues that this august body is able to make progress.

I should like to ask my colleague from Maine a question. I appreciate that he has stated his side of the case, just as on occasion other Senators, including myself, have stated what we regard as our side of the case.

Heretofore we have referred to the importance of foreign trade, as indicated by the number of persons who find work because of it, which result in exports which aggregate an estimated $4,500,000,000 in value. We realize the important bearing of foreign trade on the security interests of the United States, and we realize how large a part exports play in the aggregate production of United States industries, as well as in connection with the interests of the consumers, who are vitally concerned with being able to purchase the best at the cheapest prices. All those interests and concerns and activities have combined to make our country great. Briefly stated, that is the other side of the case.

I assure the Senator from Maine that I am deeply concerned when American industries are hurt, and I am deeply sensitive to that situation. Industries which are hurt have two ways by means of which they can deal with their problem. One is by building up a domestic market in the articles as to which American industries are supreme. For example, notwithstanding the importation of a considerable number of foreign manufactured automobiles, the United States domestic automobile industry absolutely dominates the United States market, and does an enormous business.

That is also true of certain branches of the textile industry; the products of certain branches of our textile industry cannot be displaced by exports, for those domestic products are sufficiently attractive to dominate the domestic market.

All of us are concerned with those of the American people who are hurt by imports. We are also vitally interested in having the domestic market stimulated by the development of specialties and other lines of production by means of which the American people will be able to help themselves. In short, we are interested in self-help and in mutual cooperation.

Does my colleague think it might be useful—let me say that one of the points he made was in connection with this matter, and therefore I refer to it now—to have the Congress enact a statute by means of which the Government would help American industries which have been hurt to reconvert, retool, or reshape their operations, by means of loans and technical assistance of the kind which was provided, following World War II, to small business, particularly, which had been engaged in the war effort, and had to reconvert to peacetime activities. We did not want small business to go broke. Similarly, I do not want the textile industry to go broke. Instead, I want it to flourish, to prosper, and to be great.

Mr. PAYNE. Mr. President, the Senator from New York has emphasized two most important programs. All these programs are long range in scope. But, in the meantime, are we going to sit idly by and say, "Yes, at some time or other we will get to this," but in the meantime watch the extinction of an American industry?

Certainly we should put into use the tools of the sort the distinguished Senator from New York has mentioned, so as to enable some of the industries, which at present simply cannot "make the grade," because of many circumstances, to retool and to develop new techniques and new methods, in connection with the great technological advances which have been made. We should enable them to do so over a period of time, instead of being completely ruined. We realize that if they are ruined, there will be nothing from which to rebuild.

Mr. JAVITS. Mr. President, will the Senator from Maine yield further to me?

Mr. PAYNE. I yield.

Mr. JAVITS. I am very grateful to the Senator from Maine for the observations he has made. I wish to pledge to the Senator from Maine that, as one Senator, who represents, in part, a great State and a great city, which, as my colleague knows, lives on foreign trade, I will do my utmost, according to my lights, to see that the Congress takes prompt action, for I could not agree more with the Senator from Maine that we do not want these employees and these industries to be distressed. Our country is rich enough to "take up the slack" in this instance, as it has done before when people have been hurt, and when the national interest has required that they should not be hurt.

Mr. PAYNE. Mr. President, I appreciate the comments which have been made by my colleague, the Senator from New York [Mr. JAVITS], who is a seatmate of mine. I know that he appreciates my thinking, and that he stands ready always to help American industry and the American people.

Mr. CASE of South Dakota. Mr. President, will the Senator from Maine yield to me?

Mr. PAYNE. I yield, provided that I do not lose the floor.

Mr. CASE of South Dakota. Mr. President, I should like to congratulate the Senator from Maine for the masterful speech he has delivered to the Senate this afternoon. It has been an inspiration to me to hear his speech and to note the approval it has received from Senators on both sides of the aisle.

I represent one of the newer States of the Union. The people of South Dakota undoubtedly have a great deal to do yet as regards the development of industry.

It would be disheartening to us if we thought that the attempts of United States citizens to develop their resources were to be compromised or limited by restrictions which would not permit them to achieve their full development.

So it is heartening to hear the distinguished Senator from Maine make a speech in behalf of the protection and development of American resources.

Mr. PAYNE. Mr. President, I thank the Senator from South Dakota very much, indeed. One of the pleasures I have had in the Senate has been to serve with him, and to serve under him on the Committee on the District of Columbia, and to work with him in connection with many other matters of importance in the Senate.

Mr. President, I yield the floor.

INCREASED ANNUITIES TO CERTAIN ANNUITANTS

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 72) to increase annuities payable to certain annuitants from the civil-service retirement and disability fund, and for other purposes, which were to strike out all after the enacting clause and insert:

That (a) the annuity of each retired employee or Member of Congress who, on October 1, 1956, was receiving or entitled to receive an annuity from the civil-service retirement and disability fund shall be increased by 10 percent.

(b) The annuity otherwise payable from the civil-service retirement and disability fund to—

(1) Each survivor whose annuity commenced on or prior to October 1, 1956, and

(2) Each survivor of a retired employee or Member of Congress described in subsection (a) of this section, shall be increased by 10 percent. No increase provided by this subsection shall exceed $200 per annum.

(c) No increase provided by this section shall be computed on any additional annuity purchased at retirement by voluntary contributions.

(d) No increase in annuity under this section shall exceed the sum necessary to increase such annuity, exclusive of annuity purchased by voluntary contributions, to $4,104.

SEC. 2. The unremarried widow or widower of an employee—

(1) Who had completed at least 10 years of service creditable for civil-service retirement purposes,

(2) Who died before February 29, 1948, and

(3) Who was at the time of his death (A) subject to an act under which annuities granted before February 29, 1948, were or are now payable from the civil-service retirement and disability fund or (B) retired under such an act,

shall be entitled to receive an annuity. In order to qualify for such annuity, the widow or widower shall have been married to the employee for at least 10 years immediately prior to his death and must be not entitled to any other annuity from the civil-service retirement and disability fund based on the service of such employee. Such annuity shall be equal to one-half of the annuity which the employee was receiving on the date of his death if retired, or would have been receiving if he had been retired for disability on the date of his death, but shall

not exceed $750 per annum and shall not be increased by the provisions of this or any other prior law. Any annuity granted under this section shall cease upon the death or remarriage of the widow or widower.

SEC. 3. (a) An increase in annuity provided by subsection (a), or clause (1) of subsection (b), of the first section of this act shall take effect on the first day of the second month following the date of enactment of this act. An increase in annuity provided by clause (2) of such subsection (b) shall take effect on the first day of the second month following such date of enactment, or on the commencing date of the survivor annuity, whichever occurs later.

(b) An annuity provided by section 2 of this act shall commence on the first day of the second month following the date of enactment of this act, or on the first day of the month in which application for such annuity is received in the Civil Service Commission, whichever occurs later.

(c) The monthly installment of each annuity increased or provided by this act shall be fixed at the nearest dollar.

SEC. 4. The annuities and increases in annuities provided by the preceding sections of this act shall be paid from the civil service retirement and disability fund. Such annuities and increases in annuities shall terminate for each fiscal year beginning on or after July 1, 1960, for which an appropriation shall not have been made by the Congress to compensate such fund for the cost, as determined by the Civil Service Commission, of such annuities and increases in annuities for such fiscal year. For any fiscal year for which such appropriation shall not have been made, the preceding sections of this act shall not be in effect and annuities and increases in annuities shall be determined and paid as though such sections had not been enacted. Nothing contained in this section shall be held or considered to prevent the payment of annuities and increases in annuities provided by the preceding sections of this act for any fiscal year for which the Congress shall have made such appropriation.

SEC. 5. Each increase in annuity provided by subsection (a) of the first section of this act shall be payable under the following conditions:

(1) Such increase shall not be payable, for any month which begins during the period commencing with the date of enactment of this act and ending with the close of the calendar year in which this act is enacted, to any individual whose income from gainful employment (including salary, wages, and income from self-employment), during the 12-month period immediately preceding the last day of the month in which this act is enacted, shall have exceeded $1,200;

(2) Such increase shall not be payable after April 30 of any year following the year in which this act is enacted to any individual whose income from gainful employment during the preceding calendar year, shall have exceeded $1,200;

(3) Such increase shall not be payable to any individual until the first day of the month following the month in which such individual shall have reported, in such form as the Civil Service Commission shall prescribe, that his income from gainful employment in the 12-month period referred to in paragraph (1) of this section or the calendar year referred to in paragraph (2) of this section, as the case may be, did not exceed $1,200; and

(4) Each such increase payable after receipt by the Civil Service Commission of such report shall terminate on April 30 of any subsequent year unless before such date a new report that such income from gainful employment did not exceed $1,200 in the preceding calendar year shall have been received by the Civil Service Commission. Payment of any increase terminated due to failure to submit the required report shall be resumed effective the first day of the first month after such report is received by the Civil Service Commission, but any such payment so resumed shall not be made for any month elapsing after such termination and before such resumption. Each department and agency of the Government of the United States and of the municipal government of the District of Columbia shall furnish, upon request of the Civil Service Commission, such information as the Commission may deem necessary to verify the accuracy of any such report.

SEC. 6. (a) The amendments made by section 401 of the Civil Service Retirement Act Amendments of 1956 (70 Stat. 743–760; 5 U. S. C. 2251–2267), may apply at the option of any employee who, prior to July 31, 1956, was separated from the service under the automatic separation provisions of the Civil Service Retirement Act but whose separation would not have taken effect until after July 30, 1956, if he had been permitted to remain in the service until the expiration of any accumulated or current accrued annual leave to his credit at the time of his separation from the service. Such option shall be exercised by a writing received in the Civil Service Commission before January 1, 1959.

(b) No increase in annuity provided by this act or any prior provision of law shall apply in the case of any retired employee who exercises the option permitted by subsection (a) of this section.

SEC. 7. The civil service retirement and disability fund is hereby made available for payment of any expenses incurred by the Civil Service Commission in the administration of this act during the period beginning with the date of enactment of this act and ending with the last day of the sixth month which begins after the date on which the first payment of any benefit provided by this act (except section 6) is made.

And to amend the title so as to read: "A bill to provide increases in certain annuities payable from the civil service retirement and disability fund, and for other purposes."

Mr. JOHNSTON of South Carolina. Mr. President, I move that the Senate disagree to the amendments of the House, request a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. JOHNSTON of South Carolina, Mr. YARBOROUGH, Mr. PROXMIRE, Mr. CARLSON, and Mr. MORTON conferees on the part of the Senate.

BEWARE THE PROPHETS WHO GLEAM AND BEAM—A PLEA FOR A TAX CUT

Mr. MORSE. Mr. President, since the first weeks of the Eisenhower administration, it has pursued economic policies of scarcity which favor bankers and hurt farmers, small business and consumers. The high interest, tight money crusade was launched in February 1953, with a $1 billion Government bond issue at the highest rates in 20 years. That policy was persisted in until the closing days of 1957.

Throughout this period, including the painful and unnecessary recession of 1954, all objections to this reckless economic dogmatism have been sought to be silenced with charges that the objectors are prophets of gloom and doom.

I say it is time that we should beware the prophets who gleam and beam. Where have the Eisenhower tactics of favoritism and drift landed us? We are scraping the rocks and headed for the economic reefs.

Let us start with unemployment:

The latest figures show that in February some 5.2 million, or 7.7 percent of the civilian labor force were fully unemployed. Many millions more worked only part time. Two men working half time are equal to one man fully unemployed. The equivalent full-time unemployment of these part-time workers is equal to 1.2 million, or 1.8 percent. Thus, the total full-time equivalent unemployment for February was 6.4 million, or 9.5 percent of the entire civilian labor force.

In presenting these figures I have merely updated the data presented to the Congress by the senior Senator from Illinois [Mr. DOUGLAS] in his individual views contained in the February 27, 1958, Report of the Joint Economic Committee. In every instance, the figures show that unemployment not only became worse, but substantially and seriously worse. On March 31, the Senator from Illinois presented on the floor his projections of unemployment for March; the official figures will not be available for almost two weeks.

Let us consider business failures:

Only this past Sunday the New York Times' financial section summarized:

> The evidence is at hand. Business failures last year, as reported by Dun & Bradstreet, were the highest in 19 years. They continue at even a higher rate this year. These are only the cases that actually land in court. Many concerns quietly fade into oblivion without legal fanfare or—in the medium-size bracket—are absorbed by their big brothers.

Let us consider industrial production:

The latest figures available from the Federal Reserve Board, as procured for me by the staff of the Joint Economic Committee, show that the February seasonally adjusted figures for the major manufacturing output was 69 percent of capacity; metals were 57 percent of capacity; and textiles, fibers and yarns were 72 percent of capacity. Unadjusted January figures for cement, the latest available, show production was about 70 percent of capacity.

What does this indicate? The best economist in Congress, the Senator from Illinois [Mr. DOUGLAS], summarized the situation as follows:

> We do not have too much investment for long-term growth but we do have more investment and production than there is demand for the products of industry at present prices.

The January 1958 Chase Manhattan Bank report, Business in Brief, put it in somewhat similar terms, characterizing our manufacturing situation as having too much productive capacity.

Our national economic problem, in fact, is that there is tremendous productive capacity but too little purchasing power. The goods are available, the productive plant can turn out far more

than it now is; what we presently lack are consumer dollars.

ECONOMIC SITUATION NOT STATIC

The economic distress of the unemployed and small business and the continued squeeze of family type farms is serious. Even more serious is the fact that these factors are not static—they do not stand still.

The first principle (in dealing with a recession) is that when the economy shows signs of faltering—

Writes Dr. Burns in his new book, Prosperity Without Inflation—

prompt countermoves are required. Even mild measures on the part of Government can be effective in the early stages of an economic decline.

On the other hand, if action is withheld until a recession has gathered momentum, strong and costly measures may prove insufficient.

I have quoted from the New York Times of March 23, 1958.

Senator DOUGLAS issued the same warning in his February comments:

At some point like that at which we now stand, the forces of breakdown can snowball and avalanche. Production, employment, purchasing power, and investment all decline and each decrease leads to further decreases. Therefore, remedial action of a size which might have been very effective in the early stages of a recession can be almost completely useless in the later stages of a decline.

It is the danger of a cumulative breakdown in our economy, brought on by impetuous forces which are almost impossible to turn around once they have gained real momentum, about which we should be worried. Because this recession has now reached very serious proportions and because of the dangers of a cumulative breakdown, the time to act has arrived. The danger is not that we will do too much, but rather that we will do too little and do it too late.

Many of us have issued similar warnings. Delay in strong remedial action is not conservative, it is reckless.

TAX CUT NEEDED—NOW

The most effective single means of stemming the present economic slump is a tax cut which puts hundreds of millions of dollars in the hands of consumers as quickly as possible.

That is why I cosponsored and voted for the Douglas income- and excise-tax-cut amendment recently. It would reduce tax withholdings in a matter of weeks, thereby increasing purchasing power. Further, it would reduce prices by reducing excise taxes, thereby encouraging purchasing.

I do not say this is the only or ideal method of tax cutting. It had the advantage of relative speed and giving tax relief to those in the lower and middle income groups, to consumers and to industries which are both burdened by built-in excise taxes and by economic difficulties, such as the automobile and railroad industries.

An increase in exemptions would reduce taxes by over $2.5 billion, with 86.8 percent of the relief going to taxpayers with incomes under $10,000 according to the Joint Committee on Internal Revenue Taxation.

The effect of such cuts would not be limited to the direct recipients alone. Every sector of the economy would be alert to its implications and plan for its increase in purchasing power. It would supply what now is missing—a definite, affirmative force to repel and reverse recession where now we have only preachment and hollow prediction.

Liberal Democrats have been the principal advocates of such a course. Within the past 2 weeks we have gained an important recruit. As reported by the Christian Science Monitor of March 24, Dr. Arthur Burns now strongly urges this course:

Dr. Burns now urges an immediate $5 billion permanent tax cut. He declares, "the current recession may prove to be a more serious economic decline than the recessions of 1948–49 or 1953–54" and that "there is no good evidence of the likelihood of an early economic upturn."

The New York Times also reported the counsel of President Eisenhower's former Chairman of the Council of Economic Advisers:

Prompt action, he said, would create "an excellent prospect" of reversing the economic tide. He continued:

"If, on the other hand, we delay more than a very few weeks, in the hope that economic recovery will come on its own by midyear, we shall be taking the risk of having to resort later to drastic medicine."

The handwriting is on the wall. It has been for many weeks, indeed for many months. Delay and equivocation are intolerable.

Congress, with little help and frequent obstruction from the President, has taken some affirmative action. The recently passed housing bill was a step in the right direction, except for the boost in GI home-loan-interest rates.

The acceleration of the roadbuilding program, over the initial opposition of the President is all to the good.

Acceleration of public works, long advocated as sound investment, will help some in the future.

But, when unemployment reaches almost 10 percent of the working force, when bankruptcies and business failures are at record rates, timidity is irresponsible.

Congress has the solemn obligation to move at the earliest possible moment to cut taxes and to shore up the unemployment insurance program so that the unemployed do not become destitute as their benefits are exhausted.

THE DEFICIT BUGABOO

There are some who warn that it would be "irresponsible" to increase the budget deficit and increase the national debt by cutting taxes.

The answer is: If we do not cut taxes we could well suffer a greater deficit and increase the national debt even more.

That is what is happening. For example, in his January 1957 budget message the President predicted a surplus for the current fiscal year of $1.8 billion. In his 1958 message that surplus was turned into a deficit of $0.4 billion. A part of the deficit is attributable to a greater amount of defense expenditures. But most is caused by a decrease in tax collections.

In the January 1957 budget message collections in this year were estimated at $73.6 billion; but the 1958 message estimated $72.4 billion, and the actual will probably be less. The staff of the Joint Economic Committee advises that the presently expected deficit of $0.4 billion will be greater because of lower tax collections caused directly by the lowered rate of economic activity.

If the economy is permitted to slow down even more, the deficit will grow and grow without cutting taxes a nickel.

For example, in 1925 and 1930 tax rates were almost exactly the same—the rates in the latter year were fractionally lower. But in 1930 tax collections were greatly reduced because there were fewer citizens with taxable income, and the average taxable income was lower—chart Nos. 428 and 429 Statistical Abstract of the United States, 1956 edition.

On the other hand, increased economic activity spurred by a tax cut and other affirmative measures would minimize deficits. The Times story already quoted attributed such a view to Dr. Burns who said the tax cut would be offset "in considerable part" by increased collections.

If any attitude about taxes is irresponsible, it is that which counsels inaction and delay.

THE INFLATION ARGUMENT

For several years the consumers, wage, and salary earners, and small farmers and businessmen have been put through an economic high-interest tight-money wringer in the name of fighting inflation.

But inflation persevered, even if small farmers and business did not.

As early as 1953 I pointed out that the factors of a true inflation did not exist. We had sufficient food and goods, whereas the classic definition of inflation is too many dollars chasing too few goods.

Today the factors of inflation are even more dramatically demonstrable. The productivity figures already presented show that physical output could meet a demand many times larger than what we have today.

A budget deficit, of itself, does not produce inflation. It does so only if it pumps buying dollars into a market where there are too few goods to be bought. It is painfully obvious that we are not confronted by such a result of deficit spending.

And, I would repeat, we run the risk of even greater deficits if we do not cut taxes.

THE PRESIDENT PREACHES

Despite all the current evidence of continued decline the President continues to put off a tax cut decision, yet continues his preachment. At last Wednesday's news conference he came up with some magnificent economic analysis as follows:

The next question was: "Mr. President, there are reports that many people are holding off from buying automobiles to wait and see whether there is a cut in the excise tax. If there is such a cut, do you think it should be retroactive?"

The President replied succinctly: "Well, I am not going to mention—to answer that question directly for the simple reason I don't want yet to discuss the details of any such proposal before you until I believe that necessity is here.

"But I will say this: I believe that the American public now should be buying on

the basis of the worth of the product that is offered to them. I believe that there is great, a great field for expansion of business by better salesmanship on the part of business concerns. I believe there is still, we have got great savings, I believe we have got to offer things in a better packaged way, we've got to do better advertising and above all things let the public buy when they think they are getting a bargain and not worrying about what is going to be the possible future of some possible future action."

The President said:

(1) Business should do a better job of salesmanship, advertising, and packaging; and (2) consumers should buy without "worrying about * * * the possible future."

He could not have missed the point of our current economic difficulties by a wider margin.

This sort of foolish preachment, plus the President's repeated and baseless optimistic predictions, not only help little—they hurt. Any business man reading the President's comments of recent months can only conclude that we are in worse difficulty than the plain economic facts indicate because little that is sensible is to be expected from the White House.

The President's optimism may fool some people, but it is not fooling industry. They are not increasing production or investment. They are headed for the storm cellars. They will not settle for pep talks, but demand evidence—which Dr. Burns and others say is presently lacking—that the economy will improve.

It is the job of Government to help provide that evidence and that improvement.

The best and most effective evidence that unemployment will decrease and that business will improve is a tax cut that will help do the job.

This is a time for speedy action to repel recession. Happy talk is more pleasing in musical plays than in the White House when we are in economic trouble.

ROLE OF LATIN AMERICA AND CARIBBEAN NATIONS IN NATIONAL AND HEMISPHERIC SECURITY

Mr. CHAVEZ obtained the floor.

Mr. POTTER. Mr. President, will the Senator yield to me for about a 6-minute speech?

Mr. CHAVEZ. I have been waiting for about 3 hours, but I yield.

Mr. POTTER. The Senator is always kind. I appreciate his understanding.

Mr. President, as the 85th Congress passes midpoint, we find ourselves examining our Military Establishment and tailoring our resources, both human and financial, to fit space-age defense. I cannot help but note what I consider to be a serious oversight: There has been an almost total absence of consideration of the role the Latin American and Caribbean nations could play in national and hemispheric security.

There was a time—roughly a decade ago—when we courted the Latin American and Caribbean countries with fervent economic and cultural ardor. Today, our attentions to the lands which lie south of the border appear more perfunctory.

This is not to say that our regard has lessened. Perhaps it can be attributed to the assumption in some quarters that affection, once won, may thereafter be taken for granted. Any such attitude to our good friends to the south would indeed be unfortunate. As we should have learned by now, the relations between any two countries, though they be most friendly, are always in the making.

Certain developments in Latin America, it is true, have given rise to hostile sentiment toward the United States.

The trade picture between the United States and her neighbors to the south, if examined closely, is not encouraging. These nations are buying far more from us than they are permitted to sell us. Falling world prices in basic Latin American commodities are aggravating the situation.

Latin American countries today are badly in need of capital, markets, and more advantageous trade agreements. We hear reports that Brazil has been offered oil-drilling equipment and technical help by the Soviet. Argentina, unable to obtain credit from the United States, is asking Russia for coal and oil development money. Columbia, Uruguay, and Chile are reported to be sending economic missions to the Soviet.

In short, Soviet Russia, ever the opportunist, does not hesitate to mount the anti-United States wave and ride it to her own advantage.

Through economic alliances, all sorts of other ties can develop. Certainly it is not difficult to envision the Soviet following the example of Hitler's Reich and moving into a position of strength on our southern borders through her economic friends or through nations under the thumb of ambitious dictators in Latin America.

As a member of the Appropriations Committee, I am deeply concerned with defense spending and how it might be affected by according the Latin American and Caribbean nations a more prominent role in our defense planning.

The protection of the Western Hemisphere is the responsibility of all the countries within it. While our neighbors to the south may believe, or some of their citizens may believe, that the United States takes them for granted, nevertheless they also are well aware that it is the United States which has laid the foundations for their present industrialization and technological development.

While ruffled on the surface from time to time, our friendship has common wellsprings, rooted deep in the history of north and south.

In their history and culture the Latin American and Caribbean nations are a basic part of the Western World, and are entitled to play an important role in the drive toward peace and security.

Let me illustrate with an example:

We are quick to ask Europe for missile bases, for the European countries are located advantageously for missile coverage of the Soviet Union. And these same European nations are quick to refuse permission. Denmark and Norway have refused intermediate range ballistic missile bases and atomic stockpiles in their countries. Other NATO countries have only provisionally accepted our requests.

Mr. President, I have before me a list of United States installations in Latin America and the Caribbean. I shall not take the time of this body to read the document, but ask that it be appended to my remarks. Very briefly, however, I wish to state that we may be overlooking a great reservoir of strength and good will.

At the present time we have a military assistance advisory group in the Dominican Republic, and MAAG functions have been assigned to certain of our missions south of the border.

The Caribbean Command is a unified command under Lt. Gen. Robert M. Montague.

Most of our Army, Navy, and Air Force installations are concentrated in the Canal Zone, Cuba and Puerto Rico.

Undoubtedly, the Armed Services Committees of this Congress and the Department of Defense are the best equipped working groups to determine the potentialities of Latin and South America and the Caribbean in our defense pattern. They would be well advised, in my opinion, to renew their studies in this direction and take another look at what may be available.

It seems to me that these nations could be relied upon for additional missile bases, submarine detection bases, air bases, atomic stockpiles, and other buttresses to our farflung strength. Even a tiny island in the Caribbean has something to offer and could have something to be proud of in the vast defense posture of the western hemisphere. I suspect that by working together to build joint defenses, we could greatly enhance and improve our people-to-people relations with our neighbors to the south. We might avert what certainly appears to be a Soviet effort to gain a foothold in the west, and at the same time contribute to the industrialization and further development of our friends in this hemisphere.

In short, Mr. President, by developing additional nearby outposts, we shall accomplish a dollars-and-cents savings for the American taxpayer, who, I regret to say, must support a mammoth defense budget for some time to come. Simultaneously, by according recognition to the worth and dignity of all Western Hemisphere nations, by working with them on projects to solidify our mutual strength, we shall dramatize ancient ties of friendship at a time when this is not only wise, but necessary.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a list of United States installations in Latin America and Caribbean areas, to which I previously referred.

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

LIST OF UNITED STATES INSTALLATIONS IN LATIN AMERICA AND CARIBBEAN AREAS

We have a military assistance advisory group in the Dominican Republic, and MAAG functions have been given to United States missions in Brazil, Chile, Colombia, Cuba,

Ecuador, Guatemala, Haiti, Honduras, Nicaragua, Peru, and Uruguay.

The Caribbean Command is a unified command, with headquarters at Quarry Heights, C. Z. Commander in Chief Caribbean (Lt. Gen. Robert M. Montague, USA), carries out his assigned missions (representing United States military interests in Latin America and administration of mutual defense assistance programs) in Central America (less Mexico) and South America.

United States Army installations in the Canal Zone are: 1st Battle Group, Fort Kobbe (authorized strength: 1,450); an antiaircraft battalion, Fort Clayton (authorized strength: 600); jungle warfare training center; Latin American School, Fort William D. Davis; support installation, Fort Gulick; inactive, Fort Sherman, United States Army element of Caribbean Command, Fort Amador.

Our combined headquarters, at Fort Brook, P. R., include: United States Army Forces Antilles; Military District of Puerto Rico. (The United States Army has no tactical units in Puerto Rico. The Military District of Puerto Rico is concerned with Reserve and logistical affairs, mainly.)

Language Training Center, Fort Buchanan (for Puerto Rican enlistees, to give English training before they take their basic military training).

Inactive installations: Camp Losee, Henry Barracks, Camp Tortuguero (under lease to Puerto Rico for National Guard), Salinas Maneuver Area.

Our Navy installations south of the United States are: Naval Air Station, Guantánamo Bay, Cuba; Naval Station, Guantánamo Bay, Cuba; Naval Supply Depot, Guantánamo Bay, Cuba; Naval Hospital Guantánamo Bay, Cuba; Marine Barracks, N. O. B., Guantánamo Bay, Cuba; Headquarters, 15th Naval District, Fort Amador, C. Z.; Naval Communications Station, Fort Amador, C. Z.; Naval Station, Rodman, C. Z.; Naval Station, Coco Solo, C. Z.; Naval Station, Bermuda, British West Indies; Naval Station, Trinidad, British West Indies.; Headquarters 10th Naval District, San Juan, P. R.; Naval Communications Station, San Juan, P. R.; Naval Station, Roosevelt Roads, P. R.; Naval Station, San Juan, P. R.

Our Air Force installations south of the United States are: auxiliary Air Force bases, in connection with the missile tracking activities of Patrick Air Force Base, Fla.; San Salvador Island, Bahamas; Eleuthera Island, Bahamas; Grand Bahama Island, Bahamas; Grand Turk Island, Bahamas; Mayaguana Island, Bahamas; Fernando de Noronha Island, Brazil; Ascension Island, South Atlantic; St. Lucia Island, British West Indies; Sabena de la Mar, Dominican Republic (this is a radio facility).

Air Force bases are located as follows: Ramey Air Force Base, P. R.; Albrook Air Force Base, C. Z.; Howard Air Force Base, C. Z.; France Air Force Base, C. Z.; Waller Air Force Base, Trinidad, British West Indies (caretaker status).

We also have a radio facility located at Toboga Island, C. Z.

DEFENSE OF THE CONSTITUTION IS NECESSARY, NOT "SILLY"

Mr. O'MAHONEY. Mr. President, I should like to make a brief statement before the conference report on the rivers and harbors bill is considered. My statement really relates to a matter of personal privilege.

In reading the Washington Post this morning, I observed the Attorney General of the United States had a press conference the day before, and ventured to refer to a stand I have taken as "silly," or if not "silly" as unwise.

Mr. WILEY. Look at all the publicity the Senator is getting.

Mr. O'MAHONEY. Yes; look at all the publicity I am getting—but it is bad publicity. I want to give the Attorney General a little publicity. I am a very friendly person, and like to reciprocate in kind whenever any compliments are paid to me.

In fact, I am moved to bring to the attention of my colleagues some of the activities of the Attorney General. This will not take much time. I know the Senate is anxious to proceed to consideration of the conference report and adjourn. I am also anxious to do so.

I would be the last person to suggest that there is anything "silly" about Attorney General Bill Rogers. I think he is able and clever and, from the point of view of those who would like to see the executive branch of the Government take over the legislative power, he might even be called wise. Such wisdom, however, is not likely to help sustain the point of view of Abraham Lincoln who, in his immortal Gettysburg address, referred to this as a government of the people, by the people, and for the people.

Mr. Rogers is currently involved in one-sided correspondence with the Senator from Missouri [Mr. HENNINGS], chairman of the Subcommittee on Constitutional Rights of the Committee on the Judiciary. Testifying on March 6, 1958, before the subcommittee on a freedom of information bill now under consideration, the Attorney General stated that a mere housekeeping statute does not authorize the executive to withhold information from the public. Returning to his office, he wrote a letter to the Senator from Missouri [Mr. HENNINGS] a week later—that is to say, on March 13—in which he took the opposite view and he contended that the same housekeeping statute "is a legislative expression and recognition of the executive privilege" to withhold information. These two statements the Senator from Missouri believes, and I agree, are flatly contradictory. The Senator from Missouri has asked for an explanation which has not yet been received, but I am confident the Attorney General will be asked to appear before the committee and explain in person.

Every opportunity will be extended to the Attorney General at that time, also, if he so desires, to explain why he believes my suggestion in defense of the Constitution is "silly."

MANAGEMENT BY PALACE GUARD

Nobody knows better than Mr. Rogers that this Government is rapidly drifting away from the concept of Washington, Jefferson, Lincoln, and others and is becoming a Government managed in the name of the top executive by what the Senator from New Hampshire [Mr. BRIDGES] on television recently called a palace guard and most of whom never faced a ballot box. Because the founders of our Government knew that they were launching an experiment in popular government they knew that the Constitution they were framing would need defense. The oath for the Chief Executive proposed by the Committee on Detail was not sufficient for Colonel Mason and James Madison, although it required the Chief Executive to "solemnly swear—or affirm—that I will faithfully execute the office of President of the United States." They moved an addition and their motion was adopted with only one State voting in the negative. The new language, which they proposed, reads, "and will, to the best of my ability, preserve, protect, and defend the Constitution of the United States." Here are three separate words of active guardianship.

Let nobody think this was not necessary at that time, and that active defense of the Constitution is not necessary at this time. It was not until John Quincy Adams, the sixth President, was inaugurated that any Chief Executive thought it proper to assert in his inaugural address the belief that the experiment in popular government established here had proved to be a success.

PROTECT THE LEGISLATIVE POWER FOR THE PEOPLE

The oath which I have proposed for judicial nominees to take when appearing before the Senate for confirmation under the Constitution is intended to emphasize upon the judicial branch of the Government and to publicize both to Congress and to the people the fact that all legislative power was vested by the Constitution in the Congress of the United States and in no other branch of Government. I venture to assert that it is neither "silly" nor "unwise" to do this as the Attorney General asserts. When people all over the world are falling prey to dictators, it is important for us to "preserve, protect, and defend" the Constitution.

The huge budget which the President has laid before this session of Congress calls for the expenditure of 80 percent of its grand total for wars that are past, wars that may come, and cold wars that are presently being waged, because the American system of government is under attack not only by Soviet Russia but by governments we call our friends, and here in the United States itself by citizens who calmly consent to the delegation of Congressional power to anonymous aides of the President to whom he in turn has delegated his powers.

THE CONSTITUTION NEEDS DEFENSE

The Constitution needs defense because totalitarian power both political and economic is undermining it. We fondly believe that we are spending our substance to preserve free government in the world, but if we allow the executive branch of the Government by clever interpretations of housekeeping statutes to broaden the power of the Executive to classify and conceal information which the Congress and the people should have, and if we allow the courts knowingly to render opinions for the purpose of changing the law, we will destroy our very capacity to lead the Free World to victory against communism.

And another thing, I think that the Senate, being the only branch of the Congress having the exclusive power of confirmation, should not hesitate to use that power to support and defend the Constitution against invasion of the legislative power. I did not hesitate to de-

fend the independence of the judiciary when the bill to expand the Supreme Court was before the Senate. I do not hesitate now to defend the possession by the Supreme Court of the complete power of judicial review by opposing the Jenner bill, and I do not hesitate to defend the legislative powers as vested in Congress by the Constitution. I would rather be a defender of the Constitution than a defender of the new pretentions of the Executive to spread the veil of secrecy over Executive actions and public information by anonymous aids.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks the full text of a statement issued by the Senator from Missouri [Mr. HENNINGS], and a copy of a letter addressed to him by the Attorney General.

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

SENATOR HENNINGS SAYS ATTORNEY GENERAL EXPRESSES CONTRADICTORY VIEWS ON SECRECY IN GOVERNMENT—HENNINGS URGES PROMPT ENACTMENT OF FREEDOM OF INFORMATION BILL

WASHINGTON, D. C.—United States Senator THOMAS C. HENNINGS, JR., Democrat, of Missouri, chairman of the Senate Subcommittee on Constitutional Rights, today made public the text of a letter received by him from the Attorney General, dealing with the power of the President and executive department officials to withhold information from Congress and the public.

Upon releasing the letter, Senator HENNINGS made the following statement:

"On March 6, 1958, the Attorney General of the United States, the Honorable William P. Rogers, appeared before the Senate Subcommittee on Constitutional Rights to present his views on the power of the President to withhold information from the Congress. At the same time, he stated his views on S. 921, a freedom of information bill now pending before the subcommittee, which would amend section 161 of the Revised Statutes (5 U. S. C. 22) to make it clear that this mere 'housekeeping' statute does not authorize the withholding of information from the public.

"I have just received from Mr. Rogers a letter dated March 13, 1958, addressed to me as chairman of the Subcommittee on Constitutional Rights, in which he further expounds his views on S. 921. He requests that the letter be appended as an extension of his testimony before the subcommittee.

"As far as I am concerned, the Attorney General's request should be granted. His letter will be made a part of the printed record of his original testimony. However, since his original testimony was given at a public hearing, and since the additional remarks contained in his letter are of great importance, I think these additional remarks should be made public at once so that they will be available for consideration along with the original testimony.

"Frankly, I think the Attorney General's letter is completely baffling when compared to his oral testimony. The views he expresses in the letter seem to contradict flatly some of the statements he made in his original testimony before the subcommittee. For example, while discussing section 161 of the Revised Statutes before the subcommittee, the Attorney General stated: 'Now I don't recall any instance when Washington, Jefferson or Truman or anyone else ever relied upon this statute as a basis of executive privilege. It is something entirely different. This is a bookkeeping statute, which says they keep the records, they hold them physically. It does not relate at all to executive privilege.'

"Yet, in his letter the Attorney General states: 'Section 161 is a legislative expression and recognition of the executive privilege. Thus reliance on this statute by an executive department is in effect reliance on the constitutional executive privilige as recognized by Congress since 1789.'

"Clearly, these two statements are incompatible. Section 161 either relates to the so-called executive privilege, or it doesn't.

"I personally think the statute has no relation whatsoever to any constitutional executive privilege, and I am amazed by the Attorney General's assertion that it does.

"In almost 2 years of investigation and study of the subject of freedom of information, I have come across a number of cases where various misguided, secrecy-minded executive department officials, eagerly seeking authority to justify withholding information from the Congress and the public, have tortured the simple provisions of section 161 beyond all recognition. However, the interpretation of this statute now offered by the Attorney General in his letter surpasses all of these others by far. That such a misinterpretation of the simple provisions of section 161 should come from the chief legal officer of the Government is most difficult to understand. I think the Attorney General's letter presents overwhelming proof of the urgent need to amend section 161 to make clear beyond any doubt that Congress intended it to be merely a housekeeping statute and not an instrument of censorship."

(Attached is a copy of the complete text of the Attorney General's letter.)

Hon. THOMAS C. HENNINGS, Jr.,
Chairman, Subcommittee on Constitutional Rights, United States Senate, Washington, D. C.

DEAR SENATOR: You will recall that in my testimony on March 6 before the Subcommittee on Constitutional Rights of the Senate Judiciary Committee I emphasized that executive privilege, in regard to documents and the decision making process, like similar judicial and legislative privileges, stems from the constitutional principle of separation of powers. In response to questions by you I stated that section 161 of the Revised Statutes (5 U. S. C. 22) was not itself the fundamental basis for executive privilege. I desire to make clear the relationship which in my opinion section 161 bears to the fundamental basis of executive privilege, the constitutional separation of powers. I would be pleased if you would append this letter together with footnotes as an extension of my testimony before your committee.

Section 161 is a legislative expression and recognition of the executive privilege. Thus reliance on this statute by an executive department is in effect reliance on the constitutional executive privilege as recognized by Congress since 1789.

Section 161 of the Revised Statutes is essentially a codification of section 2 of the 1789 act creating a Department of Foreign Affairs and its counterparts for the other early executive departments (1 Stat. 28, 49, 65, 68, 553).[1] The historical refusals of the executive branch to acquiesce in congressional demands for executive documents have been based, not on any statute alone, but on the Constitution itself, for Revised Statute 161 itself reflects the independence of Congress and the executive branch of each other. The historical antecedents of Revised Statute 161, going back to the first Congress and the legislative decision of 1789, show that it was intended to be a grant of independent authority, in accordance with and as part of the fabric of the constitutional plan of separation of powers. The statute carries out the constitutional plan by authorizing the head of each department to prescribe appropriate regulations for the custody of documents.

To show that this custody of documents is a matter placed within the executive branch, and intended to be subject only to regulation by the executive branch, one need only refer to the important distinction between the first statute setting up the Department of Foreign Affairs (the historical antecedent of Revised Statute 161), and its complete dissimilarity with the statute establishing the Department of Foreign Affairs under the Continental Congress, as discussed on pages 7 and 8 of my prepared statement. In the majority opinion in the Myers case[2] Chief Justice Taft set forth in some detail the controversy in the House of Representatives in the First Congress, respecting the provisions of the bill to establish the Department of Foreign Affairs, which I discussed on pages 8 and 9 of my prepared statement. Even in the condensed form in which that debate can be viewed in reading the annals of Congress, that bill raised the basic question respecting the separation of powers under the Constitution.

This basic question was crystallized in two provisions of the bill. The first would have provided that at the head of the Department there should be a Secretary, to be appointed by the President, by and with the advice and consent of the Senate, and "to be removable from office by the President * * *." In regard to the reference in the bill to the power of removal by the President, there was objection on the ground that any such reference might suggest that the President's power to remove stemmed from a legislative grant and was thus subject to revocation.[3]

The second provision of the bill would have provided that there should be a chief clerk to be appointed by the Secretary, who, in case of vacancy in the office of the Secretary, should have the charge and custody of all records, books, and papers appertaining to the Department. Congressman Benson of New York proposed to amend that second provision in order to provide that the chief clerk, "whenever the said principal officer (the Secretary) shall be removed from office by the President of the United States or in any other case of vacancy," should during such vacancy have the charge and custody of the departmental books and records. Congressman Benson maintained that his amendment thus avoided the point as to whether the words "to be removable by the President" in the first provision might be construed to be a legislative grant. He further stated that if his amendment were adopted, he would then move to strike the words "to be removable by the President" in the first provision, and that there would thus be established a legislative construction of the Constitution that the President had the power of removal.[4]

Both proposals were adopted. The words "to be removable by the President" in the first provision were stricken from the bill, and Congressman Benson's amendment inserting the words in regard to the removal of the Secretary by the President was also adopted in the second provision. Mr. Madison, who had been a member of the Constitutional Convention and one of the authors of the Federalist, was then a Congressman in the First Congress and took a leading role in effecting this constitutional construction. Chief Justice Taft's opinion in the Myers case declares that Mr. Madison's "arguments in support of the President's constitutional power of removal independently of congressional provision, and without the consent of

[1] See Historical Note to 5 U. S. C. sec. 22; *Touchy* v. *Ragen* (340 U. S. 462, 468).

[2] *Myers* v. *United States* (272 U. S. 52, 111–137).

[3] Id. 112.

[4] Id. 113; 1 Annals of Congress 578 (1789).

the Senate, were masterly, and he carried the House."[5]

This is the legislative decision of 1789. It established the principle that the reasonable construction of the Constitution must be that the three branches of the Federal Government should be kept separate in all cases in which they were not expressely blended, and that no legislation should be enacted by the Congress which would tend to obscure the dividing lines between the three great branches or cast doubt upon the prerogatives properly belonging by the Constitution to anyone.

Therefore, I consider S. 921 and H. R. 2767 as proposals which, if they have any meaning or vitality at all, can serve only to do what was emphatically rejected by Mr. Madison and others in the first Congress under the new Constitution, i. e., confuse the constitutional lines of demarcation and responsibility among the three separate branches. The proposed statute can no more restrict Executive privileges and responsibilities, which stem from the Constitution, than could the legislation proposed in 1789. Moreover, it could have a very mischievous effect by confusing and clouding those Executive privileges and responsibilities. This was in part the basis of the objection which was successfully sustained in 1789.

Legislative proposals similar to S. 921 and H. R. 2767 have arisen from time to time. Joint Resolution 342 of the 80th Congress was perhaps a more ambitious attempt in the same general field. When the measure was considered by the House on May 12 and 13, 1948, Mr. RAYBURN, then a Member of Congress, though not Speaker, had these pertinent remarks to make:

"I do not know what you think the powers of Congress are. Are they limitless? Is there no limit under the Constitution to which any Congress, much less a very partisan one would go? Back in the formative period of this *Government* there was a great jurist. * * * In 1803 he gave forth this language in a very familiar case (and at this point Mr. RAYBURN quoted the language of Chief Justice Marshall in *Marbury* v. *Madison*, dealing the principle of the separation of powers, which I cited on p. 25 of my prepared statement).

"Pass this resolution. The President says to his Cabinet officer, 'No; you are my agent, you are my alter ego; do not give that information to the Congress.'

"What are you going to do about it? You might have an unseemly session, an unseemly row upon the floor of the House of Representatives. What are you going to do about it? Are you going to impeach the President of the United States because he says the giving up of certain information is not in the public interest? * * *

"Who is better prepared? Who knows more about our foreign affairs? He knows better than any other man in the Government—not you; not me. Who knows better what is necessary to bring an army and navy and an air force together to defend the country than the president of the United States? And in his wise discretion he makes recommendations to Congress."[7]

And in the same debate Mr. MCCORMACK, of Massachusetts, now majority leader in the House of Representatives, argued:

"I must recognize that there must be an independence of the other branches which must be preserved the same as the independence of the legislative branch must be preserved, and I say that under our form of government, consisting of the three coordinate branches, the President of the United States is the one to judge, and not the Congress. And, in turn, the judge of the President of the United States is the people."[8]

Congressman MCCORMACK then took up the argument that since Congress may appropriate money for the agencies and may destory all of them, it is entitled to the papers in the possession of the agencies against the decision of the President.

"We could not administer the executive branches of Government, because under the Constitution we cannot. Never mind the practical difficulties, we simply cannot. So with the argument that we have the power to appropriate, then it becomes a higher political question of us with the people, just the same as in the case of the President who says that 'these papers are papers that in the exercise of my duty as President of the United States and under the Constitution I should not transmit,' then he has to answer to the people * * *"[9]

These arguments of Congressmen RAYBURN and MCCORMACK in 1948 are expressions completely consistent with the constitutional and practical arguments which I have advanced to your committee.

Similar independence as against the judiciary was also asserted by the Congress when attempts were made to compel it to disclose certain information to the Court. It was resolved that "no evidence of a documentary character under the control and in the possession of the House of Representatives can, by the mandate of process of the ordinary courts of justice, be taken from such control or possession but by its permission."[10]

Here too, where records of the executive branch are involved, reasons of public policy in the interest of efficient and effective government, require that access to certain documents and other information shall not be permitted, if the President in his sound discretion determines that it would be contrary to the public's best interests to make them available.

For the reasons stated, I am opposed to the enactment of S. 921 and S. 2148.

Sincerely,

WILLIAM P. ROGERS,
Attorney General.

[5] Id. 115.

[6] CONGRESSIONAL RECORD, May 12, 1948, p. 5740.

[7] Id.

[8] Cong. Rec. May 12, 1948, p. 5712.

[9] Id.

[10] H. Res. 427, 81st Cong., 2d Sess., see 96 Cong. Rec. 565–66; 96 Cong. Rec. 1400; H. Res. 465, 96 Cong. Rec. 1695; H. Res. 469, 96 Cong. Rec. 1765.

THE CANADIAN ELECTION

Mr. BRIDGES. Mr. President, our great northern neighbor, Canada, with whom we share so much in common, held a national election yesterday. The results of that election may well have far-reaching implications in this country.

I wish to have printed in the RECORD, as a part of my remarks, a news account of that election appearing in this morning's edition of the Washington Post.

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

TORIES WIN BY LANDSLIDE IN CANADA—CONSERVATIVES GET GREATEST MARGIN IN DOMINION HISTORY

(By Max Harrelson)

TORONTO, March 31.—Prime Minister John Diefenbaker's Conservatives won the most decisive federal election victory in Canada's history today.

They swept into control of the House of Commons by a landslide majority that amazed even their most confident backers.

With all but 2 districts completed, the Conservatives had won 209 seats out of the total 265 and were leading in another district. The greatest previous election victory was in 1949, when the Liberals won 190 seats.

The Conservative sweep completely eliminated one of the splinter parties, the Social Credit, and reduced the Socialist Cooperative Commonwealth Federation from 26 seats to 8. The once powerful Liberals had won only 46 seats and were leading in 1 other district.

Reports from 91 percent of the polling precincts gave the Conservatives 53 percent of the record popular vote to 35 percent for the Liberals. The count was Conservatives 3,559,873, Liberals 2,308,885.

The victory in this showdown federal election assured the Conservatives of another 4 years or more in office.

Diefenbaker won his own seat easily in his Prince Albert, Saskatchewan district. His cabinet ministers also were returned.

Liberal leader Lester B. Pearson, former foreign minister, 1957 winner of the Nobel peace prize and chief opposition spokesman in Parliament, conceded the Conservative victory at 8 p. m. He sent the Prime Minister a telegram congratulating him and declaring:

"I can assure you of the cooperation of the Liberal opposition in all measures which will advance the best interests of the country."

Pearson himself managed to squeeze through, again winning his seat in northern Ontario's Algoma East.

NEW HAMPSHIRE DELEGATION TO SIXTH ANNUAL CONFERENCE OF REPUBLICAN WOMEN

Mr. BRIDGES. Mr. President, during the period of March 16 to 18, many hundreds of women from all sections of the Nation visited Washington, to participate in the sixth annual conference of Republican women. My particular reason for calling attention to this conference is the fact that the New Hampshire Congressional delegation is proud of the representation from the State of New Hampshire.

Our State had a severe snowstorm on that weekend; yet New Hampshire was represented by the largest number of women in the 6-year history of the conference. They weathered the storm, and came to Washington by plane, train and car. Especially responsible for this fine attendance were Mrs. Mildred Perkins, of Concord, the chairman of the women's division of the Republican State Committee; Mrs. Norma Currier, of Rochester, Republican national committeewoman; and Mrs. Margaret Chandler, of Warner, president of the Republican Women's Federated Clubs of New Hampshire.

In recognition of their outstanding effort, the New Hampshire Congressional delegation has presented a citation to the women of our State. I ask unanimous consent that the text of this citation and the list of those who attended the conference be printed in the CONGRESSIONAL RECORD.

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

CITATION

The members of the New Hampshire Congressional delegation, Senator STYLES BRIDGES, Senator NORRIS COTTON, Congressman CHESTER MERROW, and Congressman PERKINS BASS, take great pride in publicly commending the Republican women of New

Hampshire for their outstanding participation in the sixth annual conference of Republican women, held in Washington, D. C., March 16 to 18, 1958.

We take pride in the fact that New Hampshire, with its recordbreaking delegation of 72 women may well have had the largest per capita representation at the conference of any State in the Union. We take pride in the fact that the attendance of so many delegates from our State reflects an intelligent and vigorous interest on the part of all New Hampshire women in the affairs of this Nation. We take pride in the fact that the New Hampshire delegates, by their thoughtful and constructive contributions to the success of the conference, recorded clearly the dedication to civic duty and willingness to work for good government which characterize the women voters of New Hampshire.

The New Hampshire delegation to the sixth annual conference of Republican women gave meaning and emphasis to the conference motto: "Work now, win in November." We are proud to salute them.

STYLES BRIDGES,
United States Senator.
NORRIS COTTON,
United States Senator.
CHESTER MERROW,
United States Representative.
PERKINS BASS,
United States Representative.

LIST OF WOMEN FROM NEW HAMPSHIRE WHO WILL BE ATTENDING THE SIXTH ANNUAL REPUBLICAN WOMEN'S CONFERENCE IN WASHINGTON ON MARCH 16–18, 1958

Mrs. Lane Dwinell, Mrs. Mildred K. Perkins, Mrs. Norma M. Studley Currier, Mrs. John P. H. Chandler, Jr., Mrs. Eralsey C. Ferguson, Mrs Alexander Rennie, Jr., Mrs. Katherine Pike Foster, Mrs. Doris Woodes, Mrs. Alice Davis, Mrs. Luella W. Ball, Mrs. Ann M. Lockwood, Mrs. Carl E. Chase, Mrs. Alice W. Sukeforth, Mrs. Eugene V. N. Bissell, Mrs. Elsie G. Holmes, Mrs. Lillian R. Ross, Mrs. Mary R. Ayer, Mrs. George A. Colbath, Mrs. Ruth F. Miner, Mrs. Mary Senior Brown, Mrs. Frances Taylor Miller, Mrs. Calvin Clark, Mrs. Ivy Young, Miss Ruth Spies, Mrs. Edith V. Teuber, Miss Emma Vincent, Mrs. Harlan F. Johnson, Mrs. Elsie M. Brown, Miss Gladys L. Whipple, Miss Christine Perry, Mrs. M. Irene Leger, Mrs. George Spedding, Mrs. Phyllis Brown, Mrs. Edith M. Cabell, Mrs. Helen C. Funkhouser, Mrs. Florence Morey, Mrs. Richard F. Cooper, Mrs. Floyd Busch, Mrs. Ada C. Taylor, Mrs. Clara Gale, Mrs. Richard W. Eddy, Mrs. Fred F. King, Miss Anne Forsyth, Mrs. H. Lyman Armes, Mrs. Henry F. Goode, Mrs. Ann Van Loan, Mrs. William Deachman, Miss Ethel Wilson, Mrs. Marcia Rich, Mrs. George Pepperill, Mrs. George McAvoy, Mrs. Ann J. Goodwin, Mrs. Thomas Shannon, Mrs. Mildred W. Horne, Mrs. Ray W. Smith, Mrs. Herman Fish, Mrs. Donalda Howard, Mrs. Winifred Couser, Mrs. Eleanor Cummings, Mrs. Elizabeth Purcell, Mrs. Anne Lewis, Mrs. Mildred Arata, Mrs. Warren Waters.

CERTAIN PUBLIC WORKS ON RIVERS AND HARBORS—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 497), authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

Mr. CHAVEZ. Mr. President, early in the session today, I submitted, on behalf of the Committee on Public Works of the Senate, the conference report on the flood control, rivers and harbors, and navigation bill. The time has been taken up with the discourse of the Senator from Maine, and I now ask that the Senate consider the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. CHAVEZ obtained the floor.

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

Mr. CHAVEZ. Yes.

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

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

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

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

Mr. MANSFIELD. Mr. President, will the Senator from New Mexico yield for one moment, so I may propose a request, which will make certain Senators are informed?

Mr. CHAVEZ. I yield.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays on the conference report.

The yeas and nays were ordered.

Mr. BARRETT. Mr. President, will the Senator from New Mexico yield to me for a series of questions?

Mr. CHAVEZ. I yield.

Mr. BARRETT. I am very much interested in the subject matter of the conference report. It is of vital importance to the people of the West. Before I address a few questions to the distinguished Senator from New Mexico [Mr. CHAVEZ] and the distinguished junior Senator from South Dakota [Mr. CASE], who were conferees on this bill, I should like to make a few observations.

It seems to me that there may be some question as to whether section 205 of the bill might cast doubt on the validity of water laws in the Western States. Nothing is more important to the people of our western empire than water rights. I invite attention to the fact that when the flood-control bill was before this body in 1944, section 1 prescribed some very strong rules and regulations. Let me read that provision at this time:

Section 1 of the Flood Control Act of December 22, 1944 (58 Stat. 887):

"In connection with the exercise of jurisdiction over the rivers of the Nation through the construction of works of improvement, for navigation or flood control, as herein authorized, it is declared to be the policy of the Congress to recognize the interests and rights of the States in determining the development of the watersheds within their borders and likewise their interests and rights in water utilization and control, as herein authorized, to preserve and protect to the fullest possible extent established and potential uses, for all purposes, of the waters of the Nation's rivers; to facilitate the consideration of projects on a basis of comprehensive and coordinated development; and to limit the authorization and construction of navigation works to those in which a substantial benefit to navigation will be realized therefrom and which can be operated consistently with appropriate and economic use of the waters of such rivers by other users."

I skip over to subsection (b).

(b) The use for navigation, in connection with the operation and maintenance of such works herein authorized for construction, of waters arising in States lying wholly or partly west of the 98th meridian shall be only such use as does not conflict with any beneficial consumptive use, present or future, in States lying wholly or partly west of the 98th meridian, of such waters for domestic, municipal, stock-water, irrigation, mining, or industrial purposes.

The provisions of the section to which I refer bother me somewhat because of the fact that, for the first time, Congress is proposing to put into statutory law a provision that in projects dealt with and constructed by the Army Engineers and also by the Bureau of Reclamation water may be stored for the augmentation of the low stream of the river.

That will be the first time that any such provision has been written into the law. It seems to me that the language of the proposal is very broad, not only with respect to present needs, but also with respect to anticipated needs during the life of the project.

In addition, the next section gives the same authority to both the Army Engineers and the Secretary of the Interior to provide water storage for municipal or industrial uses, both present and anticipated—and anticipated during the life of the project.

It seems to me that this is pretty broad power and authority, and might very well interfere with the rights of people who intend to develop their water resources and to apply the water on the lands for irrigation purposes.

As I understand, in the 1944 Flood Control Act navigation was subordinated to other uses, which were all enumerated. The pending bill, however, puts the use for the augmentation of the stream below the project and for industrial and municipal purposes which might be anticipated many years in advance, in a position in which such use could attack the validity of water rights established under previous authorization by Congress.

I addressed a letter to all the members of the conference committee. Seventeen other Senators joined with me in the letter. I ask unanimous consent to have the letter printed in the RECORD at this point as a part of my remarks.

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

UNITED STATES SENATE,
COMMITTEE ON INTERIOR
AND INSULAR AFFAIRS,
March 24, 1958.

Hon. DENNIS CHAVEZ,
Chairman, Public Works Committee,
Senate Office Building,
Washington, D. C.

DEAR SENATOR CHAVEZ: Because of our lifelong interest in the century-old rights of our Western States to control the use of waters within their respective boundaries, we the undersigned hereby protest as strongly as we know how against the deliberate exclusion of any protective proviso in the House-approved version of S. 497 now before your conference committee.

We have thoroughly reviewed the House report and the debate on the floor on S. 497, and we are appalled at the lack of knowledge or concern about property rights in water as demonstrated by the majority of those approving the House measure. We sincerely trust that there will be no willingness on the part of the Senate conferees to accept the House version of this bill.

As you are well aware, the American Farm Bureau Federation and the National Reclamation Association have written Members of the Senate and the House, protesting against the House action and recommending an amendment to the bill which has been presented to you. We appreciate deeply the active interest that both of these organizations have taken consistently in the fight to preserve the principle of States rights to control their waters.

It is our firm conviction that the language explaining section 205 in the House Report No. 1122 at pages 56 and 57 constitutes a declaration that the Corps of Engineers, Department of the Army, shall, in effect, control the waters of streams on which storage reservoirs are constructed with priorities as of the dates of their authorization by the Congress. The report states that a specific law requiring that the Corps of Engineers shall construct and use reservoir storage in compliance with State laws and interstate compacts is undesirable. The report explains this contention in this language: "On this matter the committee believes that the construction of Federal projects for flood control, navigation, hydroelectric power development, and other related water uses, have been successfully carried on for many years without any questions of interference with State laws or interstate compacts."

It fails to take into consideration that the authorization for construction and use of reservoirs under the provisions of section 205 of the bill, as reported, is something entirely new *in statutory* law.

According to the report the Corps of Engineers could use any reservoirs under their jurisdiction "for low-flow augmentation" which would be handled "similar to flood-control benefits from major reservoirs." Continuing the report says: "Second, this legislation would permit storage to be constructed in reservoirs where it is apparent that there will be a future demand but where the necessary organization, as well as demand, is not in existence at the time of construction." In simple English this means that the military construction of reservoirs in the United States and its possessions under the provisions of this legislation would give the Army Engineers a water right reaching to a future demand, but standing for the present against all appropriators whose priorities date from the time the reservoir is authorized to a time when such reservoirs would be put to use for "municipal, industrial, and agricultural purposes" included in "long-range planning."

The report further says, "The committee believes that any specific proviso (regarding water rights) would either be unnecessary in some case or unworkable in others. The committee notes that the Department of Justice agrees with this view."

The last sentence of the discussion of the amendments to section 205 gives the clear intent of the amended section to ignore the laws of States in connection with Corps of Engineer projects, because it says: "The committee feels strongly that this section is wise and prudent legislation, that it is urgently needed to meet one of the most acute domestic problems facing the country, and that it deals with the problem in sufficiently broad and flexible terms to suit the varying needs and requirements as they arise."

A clear warning should be broadcast that the language in the report would nullify the preamble to section 1 of the Flood Control Act of 1944 (although the bill pretends to preserve it), which declares that the policy of the Congress is to recognize the interests and rights of the States in determining the development of their water resources. If this policy is now to be discarded, there will arise throughout the 17 Western States and the other 31 States as well, problems involving property rights worth billions of dollars. As to these problems, it will be difficult indeed to find easy solutions. Congress cannot afford to turn over the control of the Nation's water resources to the Department of the Army through its Corps of Engineers.

We note that some claim that the Corps of Engineers operates under the commerce clause of the Constitution and does not appropriate water but merely provides for flood control and navigation improvements. We direct the attention of all of the 48 States in our country to section 6 of the Food Control Act of 1944. Let us quote this section:

"SEC. 6. That the Secretary of War is authorized to make contracts with States, municipalities, private concerns, or individuals, at such prices and on such terms as he may deem reasonable, for domestic and industrial uses for surplus water that may be available at any reservoir under the control of the War Department: *Provided*, That no contracts for such water shall adversely affect then existing lawful uses of such water. All moneys received from such contracts shall be deposited in the Treasury of the United States as miscellaneous receipts."

Is anyone now in doubt that the Corps of Engineers, Department of the Army, makes appropriations of water? If they did not they would have nothing to sell under the contracts authorized by this section.

Many of the 31 States lying easterly of the 17 Western reclamation States are now actively working on State water laws in order that they might protect the rights of their citizens and also their rights in planning for the development and use of the waters within their borders. Members of Congress from the 17 Western States stand ready to help them in this endeavor and to share with them a long record of experience standing back to 1850.

This is of tremendous concern to the people of the West and we trust that you will not yield in a matter of such paramount importance.

Sincerely yours,

FRANK BARRETT, ARTHUR V. WATKINS, WILLIAM F. KNOWLAND, CARL CURTIS, ALAN BIBLE, MILTON YOUNG, GEORGE MALONE, ROMAN HRUSKA, GORDON ALLOTT, KARL MUNDT, BARRY GOLDWATER, WALLACE BENNETT, CLINTON P. ANDERSON, WILLIAM LANGER, HENRY DWORSHAK, United States Senators.

Mr. BARRETT. Mr. President, I appreciate the efforts of all the conferees. I think they have done about as good a job as could be done under the circumstances.

I should like to have one point elucidated, if possible——

Mr. CHAVEZ. Mr. President, so far as the 1944 law is concerned, if the Senator will turn to page 22 of the conference report, at the top of the page he will find subsection (d) of section 205:

(d) The provisions of this section shall not be construed to modify the provisions of section 1 and section 8 of the Flood Control Act of 1944 (58 Stat. 887), as amended and extended, or the provisions of section 8 of the Reclamation Act of 1902 (32 Stat. 390).

We retained the provisions of the Reclamation Act of 1902, we retained the provisions of the Flood Control Act of 1944, and we even added to them, in order to emphasize the fact that we wanted to protect the situation referred to by the Senator from Wyoming.

Mr. BARRETT. Yes. I was going to read that section. However, it has been qualified by the following language:

Nor shall any storage provided under the provisions of this section be operated in such manner as to adversely affect the lawful uses of the water.

Mr. CASE of South Dakota. Mr. President, will the Senator yield at that point?

Mr. BARRETT. I have four questions I should like to address to the conferees.

Mr. CASE of South Dakota. Will the Senator from Wyoming yield, in order that I may raise one point in connection with what he has said?

Mr. CHAVEZ. In a moment I shall be happy to yield. I appreciate the interest of the Senator from Wyoming in water. He comes from a Western State, and water is the very life of the States in the West. Among the conferees there were four who come from States which have irrigation and also flood protection. They are the Senator from South Dakota [Mr. CASE], the Senator from Oklahoma [Mr. KERR], myself, and Representative MACK from the State of Washington. Certainly we would not do anything whatever to jeopardize the rights which already exist.

Mr. BARRETT. Of course not. I wish to make my position clear. I appreciate what the Senator has said. What I am trying to do is to make as clear as possible the intention of the conference committee by the language I mentioned. I have four questions I should like to ask the conferees.

Mr. CHAVEZ. Before the Senator does that, I shall yield temporarily to the Senator from South Dakota.

Mr. CASE of South Dakota. I appreciate the Senator's yielding to me. Before we go further into the discussion, I should like to say that, instead of the added clause modifying or weakening what goes before it, it was intended that that language should strengthen what goes before it.

Mr. KERR. It is in addition to the previous language.

Mr. CASE of South Dakota. In subparagraph (d) we specifically refer to the existing law. We wanted to go beyond that, and we say:

Nor shall any storage provided under the provisions of this section be operated in such manner as to adversely affect the lawful uses of the water.

We wanted to strengthen the existing language, not weaken it.

Mr. BARRETT. If the history of the legislation and the efforts of the conferees will bear out the interpretation that I am sure will be given to this language, then I will agree the bill has been strengthened considerably.

Mr. CHAVEZ. That was the purpose of the language.

Mr. BARRETT. Let me ask my four questions.

Mr. KERR. Before the Senator from Wyoming does that, will the Senator from New Mexico yield to me briefly?

Mr. CHAVEZ. In order properly to develop this discussion, I yield temporarily to the Senator from Oklahoma.

Mr. KERR. I wish to emphasize what the Senator from South Dakota has said. The words in section (d) at the top of page 22 of the report, following the words "Reclamation Act of 1902 (32 Stat. 390)," in no way limit the effectiveness of section 1 and section 8 of the Flood Control Act of 1944, as amended and extended, or the provisions of section 8 of the Reclamation Act of 1902. Rather, these additional words provide added strength to the language of the section, the purpose of which is to make it crystal clear that the legislation weakens neither the provisions of the flood control act nor the provisions of the Reclamation Act; nor, as the language says, "shall any storage provided under the provisions of this section be operated in such manner as to adversely affect the lawful uses of the water."

In other words, we have added language, in order to protect what the Senator from Wyoming has in mind.

Mr. BARRETT. I appreciate the objectives indicated by the distinguished Senator from Oklahoma. What I am trying to do is to pin down that intention as nearly as I possibly can. I may say to the distinguished Senator from Oklahoma that the language suggested by me and other Senators spelled out in precise words the exact rule which is laid down in section 8 of the Reclamation Act of 1902. I call attention to the fact that the language which was in the mimeographed sheet showing section 205, which was supplied to me by the committee, contains the words which we suggested, which are as follows:

> The storage provided under the provisions of this section shall be used in compliance with applicable State laws and interstate compacts.

That is the precise language contained in section 8 of the Reclamation Act of 1902.

Mr. KERR. It applies to reclamation projects.

Mr. BARRETT. That is correct.

Mr. KERR. Not to Corps of Engineers projects.

Mr. BARRETT. That is correct. That provision is contained in the Reclamation Act. What we are trying to do now is to make sure that nothing is done which will interfere with the rights which have been vested or which may be vested in the future with respect to reclamation projects and areas upstream, say, in the Missouri Basin.

Mr. KERR. That is the reason why we preserved in this language the effectiveness of section 1 and section 8 of the Flood Control Act of 1944, as that act applied, and the effectiveness of section 8 of the Reclamation Act of 1902, as it applied; then we added:

> Nor shall any storage provided under the provisions of this section be operated in such manner as to adversely affect the lawful uses of water.

That is additional protection. The language the Senator from Wyoming suggested would have amended the Flood Control Act of 1944 without in any way fortifying the rights of water users and States interested in water under the Reclamation Act of 1902.

Mr. BARRETT. I have no argument at all with the distinguished Senator from Oklahoma, the distinguished Senator from New Mexico, and the distinguished Senator from South Dakota. I have talked privately to all three of them, and I am sure we are in accord. What I am trying to do is develop a legislative history which will show in clear and unmistakable language precisely what was intended by the language of section 205. Therefore, if I may ask these questions of the conferees——

Mr. WATKINS. Mr. President, before the Senator asks his questions, may I comment on the matter under discussion?

Mr. CHAVEZ. I shall be glad to yield to the Senator from Utah in a moment. First, I should like to say to the Senator from Wyoming that the House would not agree to the language he suggested.

Mr. BARRETT. I understand. The conferees on the part of the Senate obtained the best compromise that could be obtained under the circumstances.

Mr. CHAVEZ. That is correct. The conferees on the part of the House would not agree, and they say why in 10 or 12 lines in the statement of the managers on the part of the House.

Mr. BARRETT. There is no argument on that point at all. My first question is this: Is it a correct interpretation of subsection (d) to say that the language before us will protect the rights to the use of water acquired and to be acquired under the laws of the States lying wholly or in part west of the 98th meridian?

Mr. CASE of South Dakota. If the Senator from Wyoming is addressing that question to us jointly, I should like to answer it. First, I should like to qualify myself. In 1944, when the Flood Control Act was being shaped up, I was a Member of the House of Representatives. The language which the Senator from Wyoming has used with reference to the 98th meridian is contained in section 1 of the Flood Control Act of 1944. That was the language which became known as the O'Mahoney-Millikin amendment.

The junior Senator from South Dakota was not a member of the Flood Control Committee in the House of Representatives at that time, but he was a member of the Appropriations Committee subcommittee which dealt with rivers and harbors projects. The subcommittee recommended appropriations for several functions of the Corps of Army Engineers. Because of that fact I was interested in this language. In addition to that, I was a Representative from the State of South Dakota. We were interested in having adopted, in 1944, the authorization for the general comprehensive plan for flood control and other purposes on the Missouri River. That authorization was made in section 9 of the Flood Control Act of 1944.

When the report was made by the Chief of Engineers to the House of Representatives, it was made for the plan which was recommended by Gen. Lewis A. Pick, who at that time was or had been division engineer at Omaha. Subsequently he became Chief of the Corps of Engineers. The House of Representatives incorporated in its omnibus flood-control bill in the spring of 1944 the authorization for the so-called Pick plan.

The Bureau of Reclamation was conducting at the same time a study which was presented by an engineer named Glenn Sloan. That report was submitted to the Senate and was printed as a Senate document.

The House of Representatives considered carefully the Corps of Engineers recommendations, under the leadership of Representative Whittington, who was then the chairman of the House Committee on Flood Control. When the bill came to the Senate I think the hearings were conducted by two different committees. But the principal hearing, as I recall, was conducted by the chairman of the Subcommittee on Flood Control, who was the late Senator Overton.

A struggle developed as between the plan of development of the Missouri River proposed by the Corps of Engineers in the Pick report, and the plan for development proposed by Mr. Soan in the Bureau of Reclamation report.

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

Mr. CASE of South Dakota. I yield.

Mr. BARRETT. The Sloan report became known as Senate Document No. 191, which authorized reclamation projects west of the 98th meridian.

Mr. CASE of South Dakota. Yes. During the summer and fall of 1944, a series of conferences were held. They were more or less extracurricular conferences. Members of both the Senate and the House attended the Mississippi Valley Association meeting, which was held at New Orleans, and conferences held in St. Louis and Chicago, and possibly, another one in Missouri. I think there were four conferences during that summer at which the problems which arose in connection with the two plans were worked out.

The final plan was merged into section 9 of the Flood Control Act of 1944, but it was buttressed by what was known as the O'Mahoney-Millikin amendment which became the language of section 1, paragraph (b) of the Flood Control Act of 1944, which provided that—

> The use for navigation, in connection with the operation and maintenance of such works herein authorized for construction, of waters arising in States lying wholly or partly west of the 98th meridian shall be only such use as does not conflict with any beneficial consumptive use, present or future, in States lying wholly or partly west of the 98th meridian, of such waters for domestic, municipal, stock water, irrigation, mining, or industrial purposes.

In the language in paragraph (d), of section 205, when we expressly say "The provisions of this section"—that is, of section 205—"shall not be construed to modify the provisions of section 1 and section 84 of the Flood Control Act of 1944," we are reaffirming the O'Mahoney-Millikin amendment—that is, paragraph (b) of section 1—as well as of the other sections of paragraph 1, section 8, of the 1944 act.

Consequently, the answer to the question which the Senator from Wyoming poses is that we do not weaken, but we reaffirm, section 1 of the Flood Control

Act of 1944, and we incorporate it in this section 205.

Mr. BARRETT. In other words, the answer is "Yes"?

Mr. CASE of South Dakota. The answer is "Yes."

Mr. BARRETT. I thank the Senator. Now I shall propound my second question.

Mr. KERR. Mr. President, may I refer to the first question again?

Mr. BARRETT. Yes.

Mr. KERR. My understanding of the language of section (d) of section 205 of the conference report entirely agrees with the interpretation which the Senator from South Dakota has given.

I say to the Senator from Wyoming that, so far as I am concerned, I do not know whether or not an affirmative answer to the first question he has asked changes the interpretative remarks of the Senator from South Dakota. On the basis that they do not change the interpretative remarks which the Senator from South Dakota has made as to what is contained in subsection (b) and its meaning, then I agree with the Senator from South Dakota.

Mr. BARRETT. Now for my second question. The last sentence of subsection 205 (d), as I read it, means that the provisions of this section, relating to storage for low flow regulation downstream and for supplying the municipal and industrial water, shall not be construed to impair, modify, or limit water rights acquired pursuant to State law. In other words, is it expressly intended that water rights acquired pursuant to State law shall be protected?

Mr. CASE of South Dakota. My answer is that it is intended that water rights acquired pursuant to State law shall be protected. The Senator from Wyoming has read the language which, he suggested, referred to State laws and interstate compacts. That language could not be agreed upon by the conferees. At one point during the conference, I think I may say, the language proposed in substitution for it would have read as follows:

> Nor shall any storage provided under the provisions of this section be operated in such manner as to adversely affect then existing lawful uses of the water.

That language was taken from section 6 of the Flood Control Act of 1944, which has been the statutory authority under which the Secretary of War—and that would include the Army Engineers—could make contracts with States, municipalities, and others for domestic and industrial use of water.

Section 6 of the Flood Control Act of 1944 carried the proviso:

> *Provided*, That no contract for such water shall adversely affect then existing lawful uses of such water.

I objected to the use of that language in this instance, because I thought we were dealing with a broader field. We were dealing not merely with reservoirs constructed by the Corps of Engineers; we were dealing also with reservoirs which had been or might be constructed by the Bureau of Reclamation. I did not want the use of water or the right to use water to be established in such a way as would adversely affect a right to water under the reclamation law, under the policy which is recognized in the laws of the Western States, or under the reservation of rights to beneficial consumptive use of water established in the O'Mahoney-Millikin amendment. So I objected to the use of the words "then existing," because they might have been interpreted to mean if there was a lawful use of water under existing law, but it had not to this day been appropriated or been put into actual use, then the provision might be defeated by the establishment of some downstream use of the water. I objected to the use of the words "then existing," and they were stricken from the last clause.

I see the distinguished Senator from New Mexico [Mr. CHAVEZ], the chairman of the conference, nodding in agreement. I hope he will confirm what I say; namely, that the conferees, in their deliberations, did not agree to the use of the words "then existing." We deleted them and made the provision read:

> Nor shall any storage provided under the provisions of this section be operated in such manner as to adversely affect the lawful uses of water.

In other words, it was my intention, as a member of the conference, and as a Senator protesting the inclusion of the words "then existing," to protect the lawful uses of water, even though they might not have been asserted at the time the downstream use of the water was proposed.

Mr. BARRETT. Mr. President, I think the Senator's amendment strengthened the language materially.

I take it, then, that his answer to my second question is in the affirmative.

Mr. CASE of South Dakota. Yes, it is.

Mr. KERR. Mr. President, with reference to the question, I wish to say that my understanding of the effectiveness of subsection (d) is that there is a difference between the provisions of the Flood Control Act and the provisions of the acts which deal with the operations of the Corps of Army Engineers and the provisions of the acts which deal with the operations of the Bureau of Reclamation, under the Reclamation Act.

It is my understanding that the operations of the Bureau of Reclamation, as defined in the Reclamation Act of 1902, will continue, and that the rights protected by it will continue to be protected. Nothing in the conference report was intended to decrease the effectiveness of the reclamation law now in existence.

Furthermore, so far as I understand, it was not the purpose of this amendment to take away from the Army Engineers, in connection with the operation of their program, any of the lawful prerogatives or duties or responsibilities which they now have.

Mr. BARRETT. Mr. President, I think I understand correctly the Senator's statement. As I understand, he has said that this subsection, which authorizes the storage of water to be used to augment the flow when the river is low, does not interfere with rights acquired upstream under the Reclamation Act.

Mr. KERR. Mr. President, the Senator from Wyoming is eminently correct. The same is true under State laws, let me add.

Mr. BARRETT. Yes.

Mr. CHAVEZ. Mr. President, Representative ASPINALL, of Colorado, when discussing the language in which the Senator is interested—after the conference report was brought before the House of Representatives by Representative DAVIS, of Tennessee, the chairman of the House conferees—made the following statement, which I read from page 5954 of the CONGRESSIONAL RECORD for yesterday, April 1:

> Mr. ASPINALL. Mr. Speaker, I would like to ask one of the members the Conference Committee this question. I note that the Conference Committee inserted language in subsection (d) of 205 which states that the storage authorized for municipal and industrial water and for increasing low flows shall not be operated in such manner as to adversely affect the lawful uses of the water. I am pleased to see that language included and I interpret this language as protecting all uses of water for which rights have been initiated or perfected under the laws of the several States. I would like to ask some member of the Conference Committee if my interpretation of this language is correct.

Then Representative MCGREGOR answered the question in the affirmative, and said that was the intent.

Mr. BARRETT. I thank the Senator from New Mexico.

My third question is as follows: Was it the intent of the conferees to adopt language—such as that in subsection (d)—which will prevent any Federal agency from interfering with uses of water lawfully recognized by the States lying wholly or in part west of the 98th meridian?

Mr. CASE of South Dakota. My answer to the question again is "yes"; and I refer to the fact that the language itself specifically reiterates the force of the Flood Control Act of 1944, which directly relates to certain uses of water west of the 98th meridian.

Mr. BARRETT. I assumed that the Senator would answer in that fashion, and I thank him.

My final question is as follows: Directing attention to section 205 (d), is it understood that the prohibition against use of any of the storage in such manner as "to adversely affect the lawful uses of the water" means uses which are lawful and have been recognized under the laws of the State involved?

Mr. CASE of South Dakota. My answer to that question is "yes."

Mr. KERR. That is my understanding, also.

Mr. BARRETT. Mr. President, I thank the distinguished chairman of the committee, the senior Senator from New Mexico [Mr. CHAVEZ]; and I also thank the senior Senator from Oklahoma [Mr. KERR] and the junior Senator from South Dakota [Mr. CASE].

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

Mr. CHAVEZ. I yield.

Mr. O'MAHONEY. I wish to congratulate my colleague [Mr. BARRETT] on the questions he has addressed to the Senators in charge of the report.

I believe the answers for the most part have been satisfactory in indicating that there was no intention on the part of the conferees to take away from the States any water rights they possess.

But I was a little concerned when I heard the senior Senator from Oklahoma [Mr. KERR] refer to the intention not to take anything away from the Army Engineers. I think the language is subject to misinterpretation, that is to say, to a meaning the Senator from Oklahoma did not intend.

I wish it to be understood that back in 1944, when I was in charge of the flood-control bill or of amendments to the bill, we had, in Chicago, conferences with many Senators who represented States primarily interested in the use of water, and also with reclamation association members and others. Finally, an agreement was reached as to what might best be done to protect the fundamental rights of the States and their people to the use of the water.

Between the Bureau of Reclamation and the Army Engineers, there was a perfectly natural conflict with respect to who should do what work. For example, as regards the Missouri River, both the Army Engineers and the Bureau of Reclamation were studying the same projects and were planning to secure Congressional authorization to build the projects. There were 2 sets of plans—1 by the Army Engineers and 1 by the Bureau of Reclamation—for development of the Missouri Basin; and it was extremely difficult to get those 2 branches of the Government together.

Finally I went to the President—at the time, President Franklin D. Roosevelt—and I said to him that I knew of no one else in the Government who could persuade those two branches of the Government to work in harmony. President Roosevelt was good enough to take up the matter with them, and they did work in harmony.

Eventually we worked out the well-known Pick-Sloan plan for the joint development of the Missouri River.

The flood-control bill was then passed; and it contained a provision to the effect that when the Army Engineers, on the one hand, and the Bureau of Reclamation, on the other, were working upon interstate streams which would store the water flowing through the various States, they would have to announce their plans to the States, first, before they could be approved; and a definitive plan would have to be drafted, and then would have to be submitted to the States; and, finally, when agreement was had all around, authorization from Congress would be next in order.

The States came first. After the Thirteen Original States, other States were admitted to the Union by acts of Congress. In most of those acts of admission which I have examined or which I have had reason to examine, particularly in the case of the States in the arid West, it was provided that the water rights were to be handled by the States. The people of the several States did wonders in connection with using the water, but they did not have the assets necessary to be had in order to construct the giant projects.

So the Flood Control Act of 1944 was designed to bring about a comprehensive combination of operations among all concerned. But the States came first. The Army Engineers were merely an agency to do the work which was laid down in the law, and the Bureau of Reclamation was, similarly, merely an agency to do that work.

I am sure the Senator from Oklahoma did not wish to convey the impression that, as a result of this measure, the Army Engineers would gain any powers they have not previously had.

Mr. KERR. Mr. President, the Senator from Wyoming is eminently correct, insofar as the rights of water users are concerned. The Senator from Oklahoma did not understand that this provision took from the Engineers any of the responsibilities or duties they now have.

I wish to say to the distinguished Senator from Wyoming that when this matter came up in the committee and in the conference, the distinguished Senator from New Mexico [Mr. CHAVEZ] and the distinguished Senator from South Dakota [Mr. CASE] expressed their opinion, which coincided with my own, that language protecting the rights of water users and the States involved in the western areas had been perfected by two of the ablest men whoever studied the matter, the distinguished Senator from Wyoming [Mr. O'MAHONEY] and the then distinguished Senator from Colorado, Mr. Millikin. The O'Mahoney-Millikin amendment was not only able, accurate, and statesmanlike in its lucidity, cogency, and effectiveness, but to the extent that mere laws of the Congress of the United States can be, it was sacred.

I shared in the sentiment and joined in expressly retaining and reaffirming the effectiveness of that language in the provisions of section (d) of this bill. I want to say to the distinguished Senator from Wyoming I felt that he and his colleagues had done such an able and effective job in framing the language of that amendment, that nothing I could do or say would add to it. Certainly, in view of the fact that it was my purpose in no way to participate in detracting from it, I joined in the language now before the Senate, which explicitly retained the provisions, expressly verifying and certifying their effectiveness.

Mr. O'MAHONEY. The Senator from Oklahoma is overkind in his personal allusions, but I am happy to take them.

Mr. KERR. I do not think the Senator would take issue with my statement.

Mr. O'MAHONEY. The Senator from Wyoming would not attempt to take issue with the Senator from Oklahoma. I know from the Senator's history as governor, and from his public work in his own State, that he has been a powerful defender of the use of water by the people of the West. There is no one who has done better than he has in that regard. He deserves every one of the encomiums he has been pouring upon former Senator Millikin and myself. I take great pleasure in the lucidity with which he now has helped to make this legislative record so clear that we know no water rights have been taken from the people. It makes me feel good. I thank the Senator from Oklahoma for the kind words he has uttered.

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

Mr. CHAVEZ. I yield to the Senator from Utah.

Mr. WATKINS. I should very briefly like to ask some questions of the distinguished Senator from New Mexico, the chairman of the committee. Is it not true that the section from the Flood Control Act of 1944 which has been referred to in this discussion is subsection (b)?

Mr. CHAVEZ. It is section 1.

Mr. WATKINS. I am referring to the Flood Control Act of 1944.

Mr. CHAVEZ. Section 8.

Mr. CASE of South Dakota. Section 1 and section 8.

Mr. WATKINS. Subsection (b) of the Flood Control Act reads:

> (b) The use for navigation, in connection with the operation and maintenance of such works herein authorized for construction, of waters arising in States lying wholly or partly west of the 98th meridian shall be only such use as does not conflict with any beneficial consumptive use, present or future, in States lying wholly or partly west of the 98th meridian, of such waters for domestic, municipal, stock water, irrigation, mining, or industrial purposes.

That simply states that, with respect to flood-control projects constructed for navigation purposes, other rights are superior to them. Is that not a correct interpretation of that subsection? Is that not the subsection which has been referred to in the discussion?

Mr. CHAVEZ. Section 1, subsection (a) of the Flood Control Act of 1944 has to do with the matter the Senator from Utah is now discussing. The purpose of the language in subsection (d) of section 205 of the bill is to reaffirm the language the Senator from Utah has read.

Mr. WATKINS. I wish to call attention to the fact that we have fully protected all other rights. There is not any doubt, so far as navigation is concerned, that apparently other rights are given priority. At least, those rights are protected, as against use of water for navigation. In the early history of flood-control bills, such legislation related largely to navigation purposes.

Mr. CHAVEZ. That is correct.

Mr. WATKINS. As time went on, with growth and development, dams were constructed not only for purposes of navigation, but for purposes of generation of power, to back water up and store it for power uses and for numerous other uses.

Mr. CHAVEZ. The first navigation project was on the Sacramento River. It was at that time that the Army Engineers commenced to operate as they now do.

Mr. WATKINS. What does the Senator say with respect to the use of water for generation of electric power? Is such use protected by the language I have just read, namely, the use of water for navigation is, in effect, junior to other uses in States lying wholly or partly west of the 98th meridian?

Mr. CHAVEZ. There are projects on some streams for multipurposes. A

part of a project might be for navigation purposes. Another part of the project might be for irrigation purposes. Another part of the project might be for the purpose of developing power. We have one such project in my State, and possibly there is one in the State of the Senator from Utah. The Rio Grande irrigation project in New Mexico delivers flood-control benefits. It also provides electric power. It provides water to irrigate approximately 270,000 acres in Texas and New Mexico.

Mr. WATKINS. Is it not true there are some Army Engineer projects which do not actually do anything about navigation, but are built largely for the generation of power, rather than for navigation?

Mr. CHAVEZ. The Senator is correct.

Mr. WATKINS. Does this section which is reaffirmed, which is not modified in any way, protect the rights of the States lying wholly or partly west of the 98th meridian with respect to the water for domestic, municipal, stock water, irrigation, mining, and industrial purposes against anything the Army Engineers may do in the field of generation of power? There is mentioned specifically in the section, "The use for navigation." Nothing else is mentioned. When there is specifically mentioned one use, that certainly would exclude the other uses.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. CASE of South Dakota. I do not know that we can go back to rewrite the 1944 Flood Control Act.

Mr. WATKINS. Of course we cannot. I simply mention this item.

Mr. CASE of South Dakota. I hope the Senator will permit me to answer in the way I think the question should be answered.

Mr. WATKINS. I would not attempt to put words in the mouth of the Senator. I have great respect for the Senator and for his ability.

Mr. CASE of South Dakota. I think we have tried to make clear that paragraph (b) of section 1 of the Flood Control Act of 1944, although a part of section 1, is not the only part of section 1 which is important to the Senator's question. Section 1 has a great deal in it.

Paragraph (a) goes ahead of paragraph (b). I think that for the Senator's cause he would want also to note that paragraph (a) of section 1 of the Flood Control Act of 1944 sets forth a policy, and then says certain things in conformity with the policy, such as that plans which are to be used shall be submitted to the several States and the States shall have to pass upon the plans before the Chief of Engineers can submit them to the Congress.

Mr. WATKINS. Does a mere submittal of the plans guarantee any rights to the States? Do the States have any rights?

Mr. CASE of South Dakota. Let us read what paragraph (a) says in that respect. First, before section 1 of the Flood Control Act of 1944 is broken down into subparagraphs, there is a declaration of policy.

Mr. WATKINS. Will the Senator read that, please?

Mr. CASE of South Dakota. I shall be glad to. The declaration of policy reads as follows:

> In connection with the exercise of jurisdiction over the rivers of the Nation through the construction of works of improvement, for navigation or flood control, as herein authorized, it is hereby declared to be the policy of the Congress to recognize the interests and rights of the States in determining the development of the watersheds within their borders and likewise their interests and rights in water utilization and control, as herein authorized to preserve and protect to the fullest possible extent established and potential uses, for all purposes of the waters of the Nation's rivers; to facilitate the consideration of projects on a basis of comprehensive and coordinated development; and to limit the authorization and construction of navigation works to those in which a substantial benefit to navigation will be realized therefrom and which can be operated consistently with appropriate and economic use of the waters of such rivers by other users.

That is the declaration of policy. First of all, it is declared to be the policy of Congress to recognize the interests and rights of States. Then the language proceeds:

> In conformity with this policy.

And then follow (a) and (b).

Paragraph (b) has been read, reread, and referred to several times during the debate.

Paragraph (a), which is also in conformity with the policy, gives assurance of the point of view which the Senator wishes to establish.

Mr. WATKINS. I wish it did. As a matter of fact, I think the rule of construction certainly is that when after stating a general policy, specific items are added, the specific items govern rather than the general statement. There is no definition of the rights of States. We recognize them, but what are their rights?

Mr. CASE of South Dakota. Paragraph (a) of section 1 of the Flood Control Act of 1944, in conformity with the policy, says:

> Plans, proposals, or reports of the Chief of Engineers, War Department, for any works of improvement for navigation or flood control not heretofore or herein authorized, shall be submitted to the Congress only upon compliance with the provisions of this paragraph (a). Investigations which form the basis of any such plans, proposals, or reports shall be conducted in such a manner as to give to the affected State or States, during the course of the investigations, information developed by the investigations and also opportunity for consultation regarding plans and proposals, and, to the extent deemed practicable by the Chief of Engineers, opportunity to cooperate in the investigations. If such investigations in whole or part are concerned with the use or control of waters arising west of the 97th meridian, the Chief of Engineers shall give to the Secretary of the Interior, during the course of the investigations, information developed by the investigations and also opportunity for consultation regarding plans and proposals, and to the extent deemed practicable by the Chief of Engineers, opportunity to cooperate in the investigations. The relations of the Chief of Engineers with any State under this paragraph (a) shall be with the governor of the State or such official or agency of the State as the governor may designate. The term "affected State or States" shall include those in which the works or any part thereof are proposed to be located; those which in whole or part are both within the drainage basin involved and situated in a State lying wholly or in part west of the 98th meridian; and such of those which are east of the 98th meridian as, in the judgment of the Chief of Engineers, will be substantially affected. Such plans, proposals, or reports and related investigations shall be made to the end, among other things, of facilitating the coordination of plans for the construction and operation of the proposed works with other plans involving the waters which would be used or controlled by such proposed works. Each report submitting any such plans or proposals to the Congress shall set out therein, among other things, the relationship between the plans for construction and operation of the proposed works and the plans, if any, submitted by the affected States and by the Secretary of the Interior. The Chief of Enginers shall transmit a copy of his proposed report to each affected State, and, in case the plans or proposals covered by the report are concerned with the use or control of waters which rise in whole or in part west of the 97th meridian, to the Secretary of the Interior. Within 90 days from the date of receipt of said proposed report, the written views and recommendations of each affected State and of the Secretary of the Interior may be submitted to the Chief of Engineers. The Secretary of War shall transmit to the Congress, with such comments and recommendations as he deems appropriate, the proposed report together with the submitted views and recommendations of affected States and of the Secretary of the Interior. The Secretary of War may prepare and make said transmittal any time following said 90-day period. The letter of transmittal and its attachments shall be printed as a House of Senate document.

Then follows paragraph (b) which the Senator has read.

Paragraph (c) which follows, states:

> The Secretary of the Interior, in making investigations of and reports on works for irrigation and purposes incidental thereto shall, in relation to an affected State or States (as defined in par. (a) of this section), and to the Secretary of War, be subject to the same provisions regarding investigations, plans, proposals, and reports as prescribed in paragraph (a) of this section for the Chief of Engineers and the Secretary of War. In the event a submission of views and recommendations, made by an affected State or by the Secretary of War pursuant to said provisions, sets forth objections to the plans or proposals covered by the report of the Secretary of the Interior, the proposed works shall not be deemed authorized except upon approval by an Act of Congress; and subsection 9 (a) of the Reclamation Project Act of 1939 (53 Stat. 1187) and subsection 3 (a) of the Act of August 11, 1939 (53 Stat. 1418), as amended, are hereby amended accordingly.

So the rights of the States west of the 98th meridian are specifically spelled out. It is declared to be the policy of the Congress that they shall be respected. The States are given an opportunity to comment upon the plans whenever their waters are involved. The Secretary of the Interior also is given that opportunity. The comments made, together with any recommendations of the affected States, must be submitted to the Congress. No project can be approved unless by an act of the Congress, in those circumstances.

Mr. WATKINS. I point out to the Senator that that is a very fine expression of cooperation. I have no argument against it. But when it comes to defining just what rights the States have, it has no effect whatsoever.

Mr. CASE of South Dakota. Certainly paragraph (b) spells out a specific right of the States lying wholly or partly west of the 98th meridian to use waters for domestic, municipal, stockwater, irrigation, mining, or industrial purposes.

Mr. WATKINS. As against navigation.

Mr. CASE of South Dakota. As against navigation.

Mr. WATKINS. Let me make a comment in the interest of clarifying the situation.

There is a similar statute—although not in the exact wording—with respect to reclamation. For example, the States which border on an interstate stream have the right to have programs submitted to them, and to have reports of the Bureau of Reclamation submitted to them. They have the right to check, and to give their views. They are supposed to cooperate with all the other States interested in one of the interstate streams. But that does not give any rights whatsoever. It merely calls upon the States to express their views and defend whatever rights they think they have.

With respect to the Colorado River, California came in with views opposite to those of the rest of the States with respect to the use of the upper Colorado. Its view was negative. Nevertheless, we went ahead. The State of California had no particular protection. It had the opportunity to find out what was going on. The Secretary had to report to the State. The findings of the engineers were subject to review, and the State did review them. It had 90 days within which to do so. So far as defining any rights was concerned, the provision was absolutely valueless.

Mr. CASE of South Dakota. It defined a right——

Mr. WATKINS. It defined the right of consultation. That is about all it means.

Mr. CASE of South Dakota. It defined a right in that no project adverse to the recommendation of the State could be prosecuted or initiated unless it was authorized by an act of Congress.

Mr. WATKINS. That is exactly what we have done.

Mr. CASE of South Dakota. The distinguished Senator from Utah certainly exercised his right on the floor of the Senate most effectively in protecting the rights of his State and other upstream States in the use of the waters of the Colorado River.

Mr. WATKINS. That is correct, but no right was given to the other States, other than to state their views.

The present provision does exactly the same thing.

Then we come to subsection (b), where an attempt is made to spell out exactly what is meant. That was a very fine effort on the part of Senator MILLIKIN and Senator O'MAHONEY. That was the first time we were able to get in at all. The provision was:

> The use for navigation, in connection with the operation and maintenance of such works herein authorized for construction, of waters arising in States lying wholly or partly west of the 98th meridian, shall be only such use as does not conflict with any beneficial consumptive use, present or future, in States lying wholly or partly west of the 98th meridian, of such waters for domestic, municipal, stock water, irrigation, mining, or industrial purposes.

We have advanced to the stage where the Army engineers not only build for navigation, but build for industrial use, municipal use, power generation, and even for irrigation. Such uses are not placed in a junior position with respect to anything except navigation. That is unfortunate, but it is something we must watch.

As the Senator very well knows, the States of the West claim rights to the use of all the waters of such States for consumptive purposes, and for use for generation of power, mining, and industry, even when the use is nonconsumptive.

Mr. CASE of South Dakota. My own State of South Dakota would like to assert that it has a right to the use of the water which originates in South Dakota, or which comes to us from upstream States, for the production of electricity. So far as I am concerned, the use of water for the production of electricity is industrial use. But I recognize also that we cannot rewrite the Constitution by statute.

Mr. WATKINS. I am not trying to rewrite it.

Mr. CASE of South Dakota. The Constitution does give to the Congress responsibility for dealing with interstate commerce; and we have certain rights over interstate streams.

Mr. WATKINS. I do not want the Senator to put himself out on a limb, because there are now on the books decisions of the Supreme Court of the United States on the subject, and we have the 1902 Reclamation Act, which requires the Bureau of Reclamation, so far as irrigation is concerned—and that is a limitation, too—to conform to certain regulations. Since that time we have entered the field of municipal water, industrial water, water for generation of power, and even reclamation.

The cases now hold, and have held for a long time—and it is the claim of the Intermountain West, based upon absolute necessity recognized by the decisions of the Supreme Court and by a number of statutes which I can cite—that the States have the control of such waters. They not only have control of waters which have been put to beneficial use, and with respect to which a right to the use has been acquired; but the State actually owns the corpus of the water, and all the user gets is the right to use such waters.

That being the case, what is there to protect by this bill—the right of the State of Utah, for example, or the State of New Mexico, or the State of Oklahoma, to the water yet unappropriated and put to a beneficial use?

Mr. CASE of South Dakota. Now the Senator is making the argument I used in the conference to strike out the words "then existing."

Mr. WATKINS. In the citation from the House RECORD I never could find the answer to the question asked by Mr. ASPINALL. It is not in the document which the Senator showed me. It was evidently eliminated. He referred to "then existing" rights. He did not go into the future.

In some States a large quantity of water is owned by the State. That is our contention, and that is the principle on which our water laws are based. The State owns that water.

In my own State, time after time the Bureau of Reclamation, under the act referred to, has filed applications with the State Engineer of the State of Utah for water for this project, that project, and the other project. The same thing has been done in Oregon, Idaho, California, New Mexico, and other States, I assume, in which such projects are built. Why? Because they are asking for water not yet put to a beneficial use. They act as trustees for the sponsors of the project. The users will finally get the water which Uncle Sam makes available to them in reservoirs or diversion works.

Having made such applications, they recognize the ownership of the State in the water not yet appropriated. The constitutions of a number of States, including, I think, the State of Idaho, provide that the water belongs to the State. If we are to leave that right unprotected—and I believe this measure would leave it unprotected——

Mr. CASE of South Dakota. I do not know why the Senator from Utah should wish to weaken the case I have tried to make for the precise point he is endeavoring to establish.

Mr. WATKINS. Will the Senator answer this question——

Mr. CASE of South Dakota. Let me make a connected argument.

I believe that when the Congress passed the Reclamation Act of 1902 it was exercising its constitutional power under the commerce clause as far as the use of interstate water was concerned.

I believe that the Congress can exercise its constitutional power to deal with interstate commerce; and when it does so, that enactment becomes the law. I think it is effective. I would expect the Supreme Court to uphold acts of the States which were consistent with an act of Congress applying or exercising its constitutional power.

We specifically reaffirm the provisions of section 8 of the Reclamation Act of 1902. The Senator from Utah has said that the Bureau of Reclamation has undertaken to make appropriations of water which had not theretofore been used.

If the Senator had followed all the arguments here, he would have noted that when we were discussing the matter with the Senator from Wyoming, I recited the history of what had happened in the conference committee, because I wanted to make clear that in the conference we considered the question of whether the water must actually have been put to use or whether the right to the water was preserved.

The Senator from Oklahoma and the Senator from New Mexico, as well as several other Members of the Senate who are present, and who were at the conference, will recall that the basis of my objection to using the language in section 6 of the Flood Control Act of 1944, with particular reference to the "then existing lawful uses of such water" was that the words "then existing" could be used to defeat the upstream use of water if it had not actually been put to use before the downstream use was proposed.

At my suggestion and insistence, I may say, and with the cooperation of the chairman of the conference committee, the Senator from New Mexico and the Senator from Oklahoma, we struck out the words "then existing."

Mr. WATKINS. I believe the language was improved by doing that.

Mr. CASE of South Dakota. We used instead the words: "nor shall any storage provided under the provisions of this section be operated in such manner as to adversely affect the lawful uses of the water." In other words we do not require that they be then existing uses of water.

Mr. WATKINS. That is what I would like to know. Is it the Senator's answer that the language used in the bill does protect the States under the conditions I have named, to the right and to the ownership of the corpus of the water, and the right to license its citizens or others who come there to develop the country with respect to the right of the use of the water? If that situation is protected, I want to know it.

Mr. CASE of South Dakota. That was my intent in striking out the words "then existing," to insure that there would be protection for the lawful uses of the water.

Mr. WATKINS. What does the Senator think was the reason the Senator from Wyoming [Mr. O'MAHONEY] and former Senator Millikin did not go down the line and include power purposes as well as navigation, and industrial uses, and all the other uses with respect to the operations of the Army Engineers, if it was intended to protect all those uses? Why was it limited to navigation?

Mr. CASE of South Dakota. The junior Senator from South Dakota can only conjecture in that respect. However, as I have said earlier, I was more or less a party to the negotiations which were going on in the year 1944, because I was directly interested in the authorization for the comprehensive plan for the Missouri River, out of which grew the so-called O'Mahoney-Millikin amendment. It was necessitated by the questions which arose between the downstream users of water on the Missouri River and those upstream.

The Missouri River, as the Senator knows, is one of the longest rivers and, if its proper claim to the lower part of the river were allowed, the Missouri would be the longest river in the country. It runs through many States, from its confluence with the Mississippi up to Montana. There is involved on the Missouri River the whole subject of conflict between downstream and upstream States, and all of it was concentrated in the debate of the comprehensive plan for the Missouri River. The O'Mahoney-Millikin amendment was regarded as the very best the Congress could achieve at that time, following months and months of deliberations.

Mr. WATKINS. The Senator may have put his finger squarely on what I had in mind. It was the best protection we could get. I certainly congratulate Senator O'MAHONEY and former Senator Millikin, and I have always been grateful that they got that much. However, the Senator will remember that at that time the principal function of the Corps of Army Engineers was to take care of navigation. Since that time the corps has expanded into practically everything the Bureau of Reclamation does. I believe that most lawyers will agree, as will all authorities of the law, I am sure, that when specific language follows general language in a statute, the specific language controls.

Let us refer to the Reclamation Act, particularly section 8. Let me read that section, as follows:

> Nothing in this chapter shall be construed as affecting or intended to affect or to in any way interfere with the laws of any State or Territory relating to the control, appropriation, use, or distribution of water used in irrigation, or any vested right acquired thereunder, and the Secretary of the Interior, in carrying out the provisions of this chapter, shall proceed in conformity with such laws, and nothing herein shall in any way affect any right of any State or of the Federal Government or of any landowner, appropriator, or user of water in, to, or from any interstate stream or the waters thereof.

At that time, all that was being done in reclamation projects was the taking care of public lands and putting public waters in those States on those lands. Therefore, the provision was limited to irrigation.

We all know it has been extended far beyond that. This protects us with respect to irrigation; the other protects us with respect to navigation. If navigation conflicts, irrigation ranks superior to it, and it has a higher priority on the stream, and therefore protection is afforded. I am calling the Senator's attention to this great doctrine that is absolutely important to the West. If the Senator can say, with a degree of certainty, and can make it stick, that that is the intent of the language in the conference report, I will go along. If the Senator can make it stick, perhaps we have something that we had not expected to get.

DETROIT NEWSPAPERS AND YELLOW JOURNALISM

Mr. McNAMARA. Mr. President, will the Senator yield briefly?

Mr. CHAVEZ. I yield.

Mr. McNAMARA. I have some brief remarks.

Mr. CHAVEZ. I will yield to the Senator, provided I do not lose the floor.

The PRESIDING OFFICER. Without objection, the Senator from Michigan may proceed.

Mr. McNAMARA. Mr. President, in recent days the people of Detroit and Michigan have been afforded one of the most shocking exhibitions of news distortion in a long history of such practices by the Detroit newspapers.

I refer specifically to the unfair and deliberate, malicious attack on me which was launched following my dissenting report on the McClellan committee's activities, and has gained momentum with my withdrawal as a member of that committee.

The newspapers of Detroit have been lying about me for so many years, I am somewhat impervious to it. However, many of my friends and supporters are disturbed at this slander, and they have urged me to set the record straight.

There was a day when one could give some credence to the news columns of the Detroit newspapers while, of course, discounting the editorials as payoffs to the big advertisers. Unfortunately, the newspapers have become so morally corrupt that the distortion and lies have slopped over into the news columns and even these must be suspect.

The reason why this moral corruptness has become even more pronounced than in the past is obvious. The newspapers are wallowing in such deep frustration over the total eclipse of their repudiated Republican Party in Michigan that they are willing to sacrifice all vestiges of fairness and objectivity to strike out wildly at the peoples' chosen representatives.

At the moment, they are using me for this purpose. They have distorted, falsified, or omitted the statements and reasons I have given regarding my recent activities. The printed versions show that the editors have not bothered to read my statements, much less print them.

And, like the Russians, the newspapers have stooped to rewriting history to serve their purposes. One example of this is the editorial inference that I "resigned" from the Detroit Common Council. This is a deliberate slur when they know the fact is I served the full term to which I was elected by the people of Detroit.

I accept the newspapers' right to be against me politically in their editorials. I consider this something of a political asset. I do not agree, however, that they have the right to betray their readers with deliberate distortions and falsehoods in their editorials and news columns.

It is a sad day for the public—and for the newspaper profession—when this is permitted to happen. The Detroit newspapers have made a mockery of "freedom of the press." To them it is a license permitting them freedom to distort, freedom to malign, freedom to lie, and freedom to slander. By doing this they are jeopardizing the true meaning of this constitutional right.

I shall continue to do my very best to serve all the people of Michigan. But I will never stoop to serve the base political designs of the absentee owners of the Detroit newspapers.

In closing, I should like to list a number of items of which I am in favor of—and which the Detroit newspapers have almost consistently opposed.

These are Federal aid to education; a tax reduction for the low- and middle-

income groups; extension for 13 weeks in the benefit period and an increase in the amount of unemployment insurance; Federal aid to depressed areas, and other meaningful antirecession moves, including higher income for our farmers.

These are just a few of the pro-people measures with which the Detroit papers are unconcerned.

It is an honor for me to be opposed by these newspapers; and thus be put in my place, on the side of the people.

At a more appropriate time and place, I intend to have more to say on these splendid examples of yellow journalism.

CERTAIN PUBLIC WORKS ON RIVERS AND HARBORS—CONFERENCE REPORT

The Senate resumed the consideration of the reoprt of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 497), authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

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

Mr. CHAVEZ. I yield to the Senator from New Hampshire, a member of the committee.

Mr. COTTON. I thank the Senator from New Mexico. I shall merely ask him to yield to permit me to make one observation. I would never raise a point of order on such a matter. If I ever did, it would not be against the Senator from New Mexico, my chairman, who for 4 years has been most kind, generous, and courteous to all members of the committee.

I call the attention of Senators to the fact that some of us who are members not only of the Committee on Public Works, but also of the Subcommittee on Rivers and Harbors, have been sitting here since 1 o'clock this afternoon, waiting to make brief statements for the RECORD. Yet the control of the floor is such that we could go on and wait forever before having that opportunity. This is a practice which is continuing more and more.

I beg the Senator from New Mexico to understand that I am not criticizing him in the least. He is most courteous and generous always. I simply wish Senators would be more considerate and not compel other Members at some time to raise a point of order and demand that questions be asked. Some of us want the opportunity to speak briefly on the report, and to speak in our own right and on our own time as Senators representing our States.

I thank the Senator from New Mexico.

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

Mr. CHAVEZ. I yield.

Mr. HOLLAND. I am not a member of the Committee on Public Works, which is so ably headed by the distinguished Senator from New Mexico. But my State happens to have some projects in the bill, about which I am deeply concerned, and with which the Senator from New Mexico is fully familiar. I therefore wish to address some questions to him.

I was concerned in the beginning, I may say, when I noted that many projects had been added to the bill in the House, and appear in the conference report, which did not appear in the bill as passed by the Senate. I then recalled that it had been a year since the Senate voted upon the bill.

Going further, I find that apparently the whole list of 19 projects placed in the bill on the floor of the House were projects on which the Corps of Engineers had acted favorably, and as to which printed documents were available to the House at the time of the inclusion of those items. Is my understanding a correct interpretation of that situation?

Mr. CHAVEZ. The Senator is correct. The House did not act on the bill which the Senate passed a year ago in March until March of this year. So the House had time in which to get favorable reports from the Corps of Engineers and, in many instances, from the Bureau of the Budget, in order to enable them to include the projects in the bill, mainly projects relating to navigation.

Mr. HOLLAND. I am impressed by the fact that the amendments added on the floor of the House in every instance were based upon printed documents and upon the approving recommendations of the Corps of Engineers.

Mr. CHAVEZ. Yes.

Mr. HOLLAND. I knew that the House committee added a number of items. I am advised by the staff of the committee that in every instance but one the items added by the House committee were similar to the 19, which I have mentioned, which were added on the floor, in that Corps of Engineers reports had been received, and those reports were favorable to the project. Is that correct?

Mr. CHAVEZ. That is correct. One project was removed because it did not have a Budget report.

Mr. HOLLAND. I thank the Senator. My third question is this: I noted that five projects, totaling $79,410,000, which were in the Senate bill were eliminated by the Committee of Conference.

Mr. CHAVEZ. That is correct.

Mr. HOLLAND. I am advised by the staff of the Committee on Public Works that the reason for the elimination of those projects had nothing to do with their intrinsic merits; it was simply that the reports of the Corps of Engineers had not been received, and the projects were not in regular order for inclusion in the bill. Is that correct?

Mr. CHAVEZ. That is correct in a way. For instance, $75 million was deleted from the Senate version for the Mississippi River bank protection. The reason that item was stricken out was not that it was not justified, but, according to the information we received, that the money was not needed. So provision was not made for that authorization. We were advised that the appropriation could be obtained without an authorization.

The same is true of a project in Mississippi, and one, the Elm River, in South Dakota. In that instance also there was a question of appropriations.

The committee did not have the approval of the Bureau of the Budget for a project at Williamson, W. Va., which the committee very much desired to have included.

Mr. HOLLAND. I realize that many of the projects which have been eliminated may have great intrinsic worth. If so, I certainly hope it will be possible to obtain approving action for them by way of authorization, and later appropriation, when the regular course of study and approval has been completed.

I congratulate the distinguished chairman of the committee and the committee of conference upon following a course which, it seems to me, is much more nearly in accord with orderly procedure than that which was followed at the time of the passage of a river and harbor bill in the 84th Congress. I thank the Senator from New Mexico.

Mr. CHAVEZ. We were discussing a dam in the State of the Senator from West Virginia, so I shall yield to him.

Mr. REVERCOMB. Mr. President, the Senator from New Mexico has mentioned a flood control project at Williamson, W. Va. I do not know of any undertaking for the protection of people and of property which is more worthwhile and is more greatly needed than the project at Williamson, W. Va.

When the bill left the Senate, after a consideration of the many undertakings for flood control, the Williamson project was included. Why the House eliminated it has not been explained to me yet. I am very much disappointed in the action of the House of Representatives in striking out that project. It is very much deserved and needed. Year after year, Williamson has been damaged greatly by floods.

There are other good projects which affect not only my State but also other States and areas of the Nation, which will, of course, compel me to support the report; but I shall do so with a feeling that one very much deserved project has been taken out of the bill by the House of Representatives.

Mr. CHAVEZ. Let me say to the Senator from West Virginia that not only the committee but the Senate conferees themselves felt exactly as does the Senator from West Virginia. But the House conferees were adamant. The reason they gave for deleting the item is to be found on page 47 of House Report No. 1122, as follows:

> Williamson, W. Va.: The committee is in sympathy—

At least it was sympathetic——

Mr. REVERCOMB. But sympathy does not keep back the floodwaters.

Mr. CHAVEZ. That is correct.

The item which I began to read is, in full, as follows:

> Williamson, W. Va.: The committee is in sympathy with communities that have suffered flood damages and is most desirous of providing protective works when economically justified. However, in the case of this project, a report has not been prepared even by the district engineer of the Corps of Engineers, and the committee therefore has no basis for authorizing the improvements. For this reason the committee has been compelled to eliminate this item from the bill.

However, as soon as a survey report is received from the Chief of Engineers indicating the feasibility of the project, the committee will reconsider the matter.

Mr. REVERCOMB. Was that statement made by the House conferees?

Mr. CHAVEZ. Yes; that is the statement of the House conferees.

Mr. REVERCOMB. I am quite sure I can say to the able Senator from New Mexico, the chairman of the Public Works Committee, who has done such a splendid piece of work on the bill, that I have assurance that the engineers do approve this project. So it is my hope that at an early date an authorization will be provided for the construction of the project, because it is so much needed.

The statement by the House conferees about not having a report by the Engineers is, as I understand it, hardly a justifiable explanation, because in this measure are to be found provisions for some projects which do not have Engineer reports. Is not that so?

Mr. CHAVEZ. I think there were one or two.

Mr. REVERCOMB. I realize that the Senate conferees did everything possible to keep this project in this measure.

Mr. CHAVEZ. We did; we felt it was a worthy project, and deserved to be retained in the bill.

Mr. REVERCOMB. It is indeed a worthy project.

Mr. CHAVEZ. But we simply could not get it included.

Mr. REVERCOMB. Under the circumstances, now that the report has come from the conference committee, all we can do is to hope that in the future this project will be acceptable to the House of Representatives.

Mr. CHAVEZ. Let me say that the ones which are included, and which are in a position similar to that of the project at Williamson, W. Va., are as follows: one at Greenville Harbor, Miss., and one on the Gila River, in Arizona. Those are the two.

Mr. REVERCOMB. Well, it is not much balm to the Senator from West Virginia to see his project deleted by the House of Representatives without cause.

Mr. CHAVEZ. Mr. President, I assure the Senator from West Virginia that I did not like it at all. But we simply could not do anything else.

Mr. REVERCOMB. I hope that in the near future we can have these justified projects taken care of.

Mr. CHAVEZ. Yes.

Mr. CASE of South Dakota. Mr. President, if the Senator from New Mexico will yield to me, let me say that I share the disappointment of the Senator from West Virginia, because there was included a South Dakota project, but the engineers had not yet made a favorable report. But in view of the standards the conferees were adopting, I could not too strongly resist their elimination of that South Dakota project.

Mr. HOLLAND. Mr. President, will the Senator from New Mexico yield to me?

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). Does the Senator from New Mexico yield to the Senator from Florida?

Mr. CHAVEZ. I yield.

Mr. HOLLAND. Mr. President, I know something about the Williamson, W. Va., situation; and I hope the engineers will expedite their report. I shall aid my colleague to obtain speedy action, because I believe it is justified.

But I want the Senator to know that when I discovered that the earlier bill—in the 84th Congress—included provision for a Florida project which was urged as a reason for vetoing the bill, much as the project was justified, I urged my colleagues to delete that provision from the bill, rather than invite a veto.

Mr. REVERCOMB. Mr. President, I appreciate the views which have been expressed so ably by the distinguished chairman of the committee, the senior Senator from New Mexico [Mr. CHAVEZ]; by my friend the Senator from South Dakota [Mr. CASE]; and by my friend the Senator from Florida [Mr. HOLLAND]. It seems to me that the item was acceptable to the Senate, and the Senate voted for it. So in this case the fault for delaying the item lies squarely upon the House of Representatives.

Mr. LAUSCHE. Mr. President, will the Senator from New Mexico yield to me?

Mr. CHAVEZ. I yield.

Mr. LAUSCHE. I wish to refer to the CONGRESSIONAL RECORD for yesterday, at page 5954. In the third column on that page is set forth a list of projects embodied in this measure, and they entail a total cost of $349,908,300. According to my understanding, Representative McGREGOR has declared them to be either disapproved by the Bureau of the Budget or disapproved by the Corps of Army Engineers or disapproved by some other administrative agency. Am I correct in that understanding?

Mr. CHAVEZ. I believe the Senator from Ohio has made a correct interpretation.

Mr. LAUSCHE. Very well. In other words, Representative McGREGOR said there are still more than $349 million worth of projects which have not fully met the requirements of law under which the administrative agencies give their approval.

Mr. CHAVEZ. Mr. President, the list from which the Senator from Ohio has read, on page 5954 of the CONGRESSIONAL RECORD for yesterday, includes perhaps 19 or 20 projects.

Mr. CASE of South Dakota. Mr. President, on this point will the Senator from New Mexico yield to me?

Mr. CHAVEZ. I yield.

Mr. CASE of South Dakota. Mr. President, I appreciate the concern of the Senator from Ohio as regards these projects. However, I think the words he used were scarcely accurate. He stated that there is a requirement of law that the Bureau of the Budget, for example, must approve all these projects.

The requirement of law is actually a declaration of policy to the effect that projects will not be authorized until they have been reported upon by the Chief of the Corps of Army Engineers.

An expression of opinion by the Bureau of the Budget as to the fiscal wisdom of certain features is not a requirement of law; it is a matter of policy.

With respect to the list—and I am glad the Senator has brought up the question, because I had noted the list of projects totaling $349 million, which on yesterday was placed in the CONGRESSIONAL RECORD, in the House of Representatives, by Representative McGREGOR—let me say that I have examined the list; and I must say that the figures Representative McGREGOR used embrace the cost of some projects, portions of which are approved by the Corps of Army Engineers and by the Bureau of the Budget.

The figures I have as to the costs which are not wholly approved by the Bureau of the Budget total only $54 million, if we exclude $38 million worth of projects which relate to the so-called hurricane projects.

Mr. CHAVEZ. That is correct.

Mr. CASE of South Dakota. When the omnibus bill passed the Congress 2 years ago—it was House bill 12080, which was vetoed in 1956—there was a total authorization of $1.619 billion. Of the $1.619 billion, projects totaling $607 million were objected to by the Bureau of the Budget. The President's veto hung upon that fact, namely, that so large a proportion—more than one-third of the total covered by the bill—did not have approval by the Bureau of the Budget, and some did not have approval at that time by the Corps of Army Engineers.

But in the time between 1956 and today, the reports have been completed on hundreds of millions of dollars' worth of those projects.

The Bureau of the Budget has also cleared hundreds of millions of dollars' worth of projects since 1956, and provision for them is incorporated in the bill.

My figures—and I shall be glad to take them up, either individually by projects or by means of a table which will cover them, depending upon the wishes of the Senator in that regard——

Mr. LAUSCHE. Mr. President, let me inquire whether I am correct in understanding that the projects for which there has not been complete approval involve a cost of $349 million, but that does not mean that $349 million is the full amount from which the Federal Government would be freed, because a part of the $349 million would be contributed by the local governments? Is that correct?

Mr. CASE of South Dakota. A part of the cost of projects—and this is true of practically all projects—is contributed locally, one way or another, but the objection I would have to agreeing to the statement of the Senator from Ohio would apply more to the first half of his statement. $349 million is not the cost to which the Bureau of the Budget objects. The cost to which the Bureau of the Budget objects is $92 million, because a portion of many of these projects was approved by the Bureau of the Budget. $38 million of that amount is for so-called hurricane projects. They were not embraced in the 1958 act.

Mr. President, at this point I should like to have printed in the RECORD a tabulation showing monetary objections by the Bureau of the Budget.

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

Project:	Amount objected to by budget
Alton Small Boat Harbor, Ill	$39,000
Boeuf and Tensas Rivers, La	581,000
Bruces Eddy Dam, Idaho	1,200,000
Buchanan Reservoir, Calif	10,900,000
Des Moines River, Iowa	4,500,000
Gila River, Ariz	1,570,000
Greenville Harbor, Miss	2,530,000
Hidden Reservoir, Calif	12,500,000
Hull Creek, Va	269,800
LaQuinta Channel, Tex	954,000
Mohawk River, N. Y	240,000
Narragansett	16,180,000
New Bedford	15,490,000
Oahe Dam, S. Dak., damages	412,000
Pecos River, Carlsbad, N. Mex	275,000
Port Washington Harbor, Wis	364,000
Rio Grande, Socorro, N. Mex	50,000
Saline River, Ill	698,000
Texas City	6,166,000
Tombigbee River, Miss. and Ala	4,753,600
Water-hyacinth program	1,687,500
White River backwater, Arkansas	767,000
White River Basin, Ark	12,000,000
Total	92,926,900
Total of money in bill	1,577,000,000
Percent of total money in bill objected to by budget	5.9

Mr. CASE of South Dakota. Even though we have added several projects—or the House has added several projects—we took out of the bill projects so that the total authorizations in the bill were less than the total in the bill of 1956.

In 1956, 37.5 percent of the total money authorizations were objected to by the Bureau of the Budget. As the bill now stands, the portion objected to by the Bureau of the Budget comes to 5.9 percent. In other words, less than 6 percent of the total money authorizations carry an objection by the Bureau of the Budget, as compared to 37 percent in 1956.

Mr. LAUSCHE. Is it not a fact that the principle for which the administration has been contending—that there should be local participation—involves projects having a cost of $349 million? I do not mean by that the participation should be in the sum of $349 million, but it should be probably in the sum of $54 million which the Senator from South Dakota has mentioned?

Mr. CASE of South Dakota. Mr. President, in response to that question, I shall have to say again I fear the Senator is incorporating, in the $349 million figure, units or projects to which the Bureau of the Budget has indicated no objection; $109 million of the $349 million in the table to which the Senator has alluded is for the Red Ouachita River Basin, Arkansas and Oklahoma, and Milwood and alternatives. There were modifications proposed by the Corps of Engineers involving some $56 million. So I think, at the most, that the figure of $109 million would have to be cut in two, at least.

Mr. CHAVEZ. That is correct. There are 18 projects involved in the category the Senator has mentioned, costing $55 million.

Mr. CASE of South Dakota. That is true, and of the $54 or $55 million, $10,900,000 is for the Buchanan Reservoir in California, and $12,500,000 is for the Hidden Reservoir in California. In other words, $23 million of the $54 million is for the two California projects, on which there is some difference of opinion.

Mr. CHAVEZ. There are two projects for Massachusetts, made necessary because of a hurricane—projects at New Bedford, Fairhaven, Acushnet, and the Narragansett Bay area—involving a total of $31 million.

Mr. CASE of South Dakota. There is a project for Texas City, Tex., also in the amount of $6 million, which is in the same category, making a total of $38 million worth of hurricane projects.

Mr. LAUSCHE. According to the hearings held on S. 497, as reported on page 88, $53 million was allocated for the Milwood Reservoir in Oklahoma, although no reports were filed as of that time showing the project was ready to be acted on. There is an asterisk noted in the hearings in connection with that $53 million item, indicating that, in addition to the present authorization, a sum of $49 million was authorized when studies were not completed. So the $53 million and the $49 million constitute, I assume, the supposed figure of $109 million which Representative McGREGOR said is being appropriated for projects which have not been fully studied.

Mr. CASE of South Dakota. I have not had an opportunity to examine into all the projects contained on the table which was placed in the RECORD, but I do know the Port Austin, Mich., project was authorized in the amount of $164,000, which is rather small. That project is not in the table. So I know the column in the RECORD is not completely accurate. I am sure it was placed in the RECORD with good intentions, but the table is not complete.

Mr. LAUSCHE. I refer to page 5955 of the RECORD of yesterday. Representative McGREGOR said that the bill ought not to be passed, or at least he did not favor it, and he said:

> S. 497, as agreed to in conference, carries an amendment to Public Law 476, 83d Congress—Markham Ferry project in Oklahoma—to which the Department of Justice is very much opposed. The gentleman from Ohio [Mr. SCHERER], a member of the committee, spoke in opposition to this amendment when S. 497 was under consideration in the House on March 11, 1958.

Now, turning to the last column, Mr. SCHERER spoke and said the bill is attempting to amend the 1954 act, and contemplates releasing the Grand River Dam Authority from a covenant made by it under which it agreed to forgo a $6½ million claim against the Federal Government for damages supposedly resulting from the building of a Federal project. In the 1954 act the Grand River Authority agreed to forgo that $6½ million claim. Senate bill 497 releases the Grand River Authority from that covenant.

Is that a correct statement?

Mr. CASE of South Dakota. The Senator from South Dakota is not familiar with the details of that particular project, and I shall defer to other Senators, if they want to say something about it.

Mr. KERR. I should like to say to my good friend from Ohio that when the Congress enacted the law reauthorizing the Markham Ferry project, which had been previously authorized as a multipurpose project, to be built by Federal loan, and then in 1954 reauthorized it on the basis that the Federal Government would pay $6½ million to cover the cost of the flood control portions of the project, and let the project then be built by the Grand River Dam Authority of Oklahoma, the act provided that the $6½ million would be the extent of the liability of the Federal Government insofar as Markham's Ferry Dam was concerned.

The Justice Department takes the position that an appropriation and authorization limited to Markham Ferry Dam relieves the Federal Government of other claims aside from what is contained in the reauthorization act.

All the amendment in the bill under consideration would do is to state that the Markham Ferry reauthorization meant exactly what it said, that the $6½ million was the Federal Government's part in the dam, for the flood control portion, and did not constitute a settlement with the State of Oklahoma or the Grand River Dam Authority for any claim they might have against the Federal Government by reason of other things than the Markham Ferry Dam.

Mr. LAUSCHE. I am at a loss to understand. If the 1954 act was applicable only to the Grand River Dam Authority and was improperly being asserted as a defense to a $10 million lawsuit filed by the Grand River Dam Authority against the United States, what is the need for repealing it?

Mr. KERR. What is the need for repealing what?

Mr. LAUSCHE. The 1954 provision.

Mr. KERR. We are not repealing the 1954 provision. The act simply says that the 1954 reauthorization carried with it a provision of $6½ million to be authorized and appropriated by the Federal Government to pay for the flood control features of the reauthorized Markham Ferry Dam. It was not for any other purpose. The Grand River Dam Authority, I will say to my good friend from Ohio, has other jurisdictions than the Markham Ferry Dam. The Grand River Dam Authority has very great holdings and negotiations and business relations with the Federal Government, running into the tens of millions of dollars.

The controversy which exists is with reference to matters other than the reauthorizations of the Markham Ferry Dam.

I know my friend from Ohio would not want to take on the aspects of a Shylock.

Mr. LAUSCHE. No.

Mr. KERR. The Senator would not want to penalize the State of Oklahoma simply because the State was willing to

undertake the financing of all except $6½ million of a project which had been authorized for about $37 million by the Federal Government, when it was agreed by the Army Engineers that the $6½ million would cover the flood control portion of the Markham Ferry Dam. Such action of the State relieved the Federal Government of more than $30 million worth of appropriations and construction costs, some of which would have been reimbursable and some of which would not have been reimbursable. The Senator would not want to take action against the State of Oklahoma simply because the Justice Department says the State should give a further consideration to the Federal Government in the form of releasing the Federal Government from claims the State has against the Federal Government for matters other than the construction of Markham Ferry Dam.

Mr. LAUSCHE. I have in mind the statement:

> The Department of Justice has set up as a defense the waiver contained in the 1954 act. The purpose of the Edmondson amendment is to change the terms of that waiver in order that the Grand River Dam Authority can continue the prosecution of this $10 million lawsuit against the United States.

Mr. KERR. I wish to say to the Senator from Ohio that I do not assume the responsibility in such matters to back up the claims of the Justice Department in a lawsuit it may have against the Grand River Dam Authority in Oklahoma. I would not expect the Senator from Ohio, simply because the Justice Department made a claim, to take a position which would forfeit the right of his State to carry through to conclusion an action the State had against the Federal Government for $1 or $10,000,000, arising out of something other than the matter referred to and taken care of in the reauthorization of the Markham Ferry Dam and in the bill now before the Senate.

Mr. LAUSCHE. May I ask another question? Perhaps the Senator from Oklahoma can answer.

Mr. KERR. I would not be surprised but what I could.

Mr. LAUSCHE. Where was the provision to change the 1954 act inserted in the bill? Was that done in the Senate or in the House?

Mr. KERR. In answering the Senator's question, I do not accept the connotation of the total wordage of the question, but the amendment or the language which is now in the bill was inserted by the House.

Mr. LAUSCHE. Mr. President, I desire to propound a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. LAUSCHE. Can there be inserted into this appropriation bill——

Mr. CASE of South Dakota. This authorization bill.

Mr. KERR. This is not an appropriation bill.

Mr. LAUSCHE. That is correct. Then I shall withdraw my inquiry.

Mr. KERR. I wish to say to my good friend from Ohio that the Justice Department is even more mistaken in the position it takes than the Senator from Ohio is mistaken in his impression that we were considering an appropriation bill, and therefore the amendment would be subject to a point of order.

Mr. LAUSCHE. May I ask the Senator from Oklahoma another question? Does the administration approve the language which will change the provision of the 1954 act? I do not suppose the Senator can answer that question.

Mr. KERR. I believe the Senator has read the statement from somebody that the Justice Department did not approve of it. If the Senator thinks we should not put anything in the bill not approved by the Justice Department, he is perfectly entitled to his right to take that position and seek to maintain it and sustain it on the floor. The Senator from Oklahoma does not subscribe to that principle.

Mr. LAUSCHE. That is not my purpose. My concern is, if there was an agreement made in 1954 under which the Grand River Dam Authority waived a claim of $6½ million against the United States Government, we should not by passage of this bill modify such compact. That is the position I have taken.

Mr. KERR. Then I want to relieve my good friend from his burden of worry. There was no agreement in 1954 between the Grand River Dam Authority and the Justice Department. The Senator from Oklahoma has related the sequence of events. I shall do so again.

The Congress had authorized the Federal construction of a multipurpose project at Markham Ferry at an estimated cost of around $37½ million.

Mr. LAUSCHE. There is no need for reciting the story. I am merely trying to inquire whether there is now being made an attempt to modify a compact which was made in 1954. If there is no such effort, the question is answered.

Mr. KERR. I will say to the Senator there was no contract between the Grand River Dam Authority and the Justice Department. There was a reauthorization by the Congress. It was a unilateral action whereby the previous authorization was repealed. The project was deauthorized as a multipurpose Federal project, and a new authorization was passed by the Congress independent of the Justice Department or the Grand River Dam Authority, neither of which was a party to the legislation. The Federal Government authorized the payment of $6½ million as a payment on the cost of the flood-control features of the Markham Ferry multiple purpose project, which was to be built by the Grand River Dam Authority and by it financed to the tune of about $30 million on its part and $6½ million on the part of the Federal Government. There was no contract with the Justice Department or anyone else, as to the settlement of a claim or otherwise.

Mr. LAUSCHE. I thank the Senator.

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

Mr. CHAVEZ. I yield.

Mr. NEUBERGER. To begin with, I wish to compliment the chairman of our Public Works Committee, of which I am proud to be a member, and his fellow conferees, in connection with the excellent bill brought before the Senate. I should like to ask him a few brief questions about three particular projects.

During the year when the President vetoed the previous public works bill, there was some controversy over the Yaquina Bay and harbor project on the Oregon seacoast. I believe the controversy was unfair and unfounded, but I should like to ask several questions about that project.

It is my understanding that this project, which is listed on page 3 of the report, has a favorable benefit-cost ratio, according to the Corps of Engineers. Is that correct?

Mr. CHAVEZ. That is correct, and the project has been favorably reported by the Army Engineers.

Mr. NEUBERGER. The Corps of Engineers and the Bureau of the Budget have both approved the Yaquina Bay project on the Oregon seacoast. Is that accurate?

Mr. CHAVEZ. Yes. The ratio is 1.43.

Mr. NEUBERGER. In other words, a favorable benefit-cost ratio.

Mr. CHAVEZ. That is correct. The reports have been received with approval.

Mr. NEUBERGER. Then everything is in good order so far as the Yaquina Bay project is concerned?

Mr. CHAVEZ. That is correct.

Mr. NEUBERGER. I appreciate the answer of the chairman, and, of course, am very much gratified by it.

Mr. CHAVEZ. Possibly the Senator might be interested in the Bruces Eddy Dam.

Mr. NEUBERGER. That was the next question I was coming to. The able chairman of the committee anticipates my further line of inquiry.

Mr. CHAVEZ. This is what happened: The Senate bill provided for an authorization of $25 million, but that was completely eliminated. Provision was made for a planning authorization of $1,200,000 for a survey by the Army Engineers, but no construction authorization.

Mr. NEUBERGER. In other words, this is merely a planning fund authorization, which does not formally authorize construction of the project.

Mr. CHAVEZ. It does not. There still must be an authorization for the construction of the project.

Mr. NEUBERGER. I know that the distinguished chairman is aware of my longtime opposition to this project. I merely wish to enunciate one particular fact for the RECORD at this point. I assure the Senator and his colleagues that I have no intention of trying to strike this item from the bill.

However, on March 26 I had inserted in the RECORD, as appears on page 5353, a survey by the Idaho Fish and Game Department urging that the dams should not be built, and that the Clearwater River should not be violated with high dams because of their ruinous effects on migratory fish and big game. I wish to have that survey included in the RECORD by reference.

That is the only point I wish to make at this time. I wish to enunciate once

again my longtime opposition and hostility to the Bruces Eddy undertaking.

Mr. President, I have one or two further questions. I should like to invite the attention of the able Senator from South Dakota [Mr. CASE], a ranking minority member of the conference, to the next question which I have to ask.

The third question in my series refers to a project in the Missouri River Basin. I shall explain the reason for my question in just a moment.

On page 16 of the report there is a certain proviso. I know that the able Senator from Minnesota is likewise interested in this matter, although perhaps from a somewhat different aspect. I wish to read this proviso and then ask about it. This is what it says with respect to the Missouri River Basin:

Provided, That with respect to any power attributable to any dam in such plan to be constructed by the Corps of Engineers, the construction of which has not been started, a reasonable amount of such power as may be determined by the Secretary of the Interior, or such portions thereof as may be required from time to time to meet loads under contract made within this reservation, shall be made available for use in the State where such dam is constructed.

That is the language of the proviso on page 16. I wish to explain the basis for my question about this particular portion of the report.

In the Pacific Northwest, where I come from, there has been a prolonged controversy over the distribution of energy from the Federal dams in the Columbia River power system. In my State there has been the widespread feeling that Oregon is not receiving its fair share of energy and power from the Government dams on the Columbia and its tributaries. There has been a great deal of public feeling to the effect that a reservation should be made for the State of Oregon in that particular respect.

What I wish to ask the distinguished Senator from South Dakota is this: How would this proviso operate? Would it establish a precedent which would justify a somewhat similar reservation for the State of Oregon, perhaps, in the Columbia River Basin? Does the public power preference clause govern the sale of energy in the Missouri River Basin?

Mr. CASE of South Dakota. It does.

Mr. NEUBERGER. I presumed it did. It does in nearly every Federal power undertaking.

How would this proviso operate within the State in which such dam is constructed?

Mr. CASE of South Dakota. It would operate within that State.

Mr. NEUBERGER. How would loads be drawn into the State where the dam is being constructed, vis-a-vis other States in the Missouri River Basin? The operation of this particular clause is what I seek to have explained.

Mr. CASE of South Dakota. Let me say to the distinguished Senator from Oregon that I was moved to work for this kind of reservation because of the precedent established in connection with the Priest Rapids Dam on the Columbia River, as well as the precedent established in connection with the Hungry Horse Dam in Montana.

Mr. NEUBERGER. They are two different kinds of projects. The Priest Rapids Dam is a so-called partnership project, with a public-utility district, whereas Hungry Horse is a dam constructed wholly by the Federal Government. Is that correct?

Mr. CASE of South Dakota. Even so, with respect to both of them, as well as with regard to the Hoover Dam, Niagara, and others, Congress has seen fit to try to initiate an equitable distribution of the power. In the 1954 act authorizing the construction of the Priest Rapids Dam on the Columbia River by a public power district, the relevant portion of the statute provided that—

To assure that there shall be no discrimination between States in the area served by the project, such license shall provide that the licensee shall offer a reasonable portion of the power capacity and a reasonable portion of the power output of the project for sale within the economic market area in neighboring States and shall cooperate with agencies in such States to insure compliance with this requirement: *Provided*, That in the event of disagreement between the licensee and the power marketing agencies (public or private) in any of the other States within the economic market area, the Federal Power Commission may determine and fix the applicable portion of power capacity and power output to be made available hereunder and the terms applicable thereto.

The objective, as reported by the House Committee on Public Works on May 12, 1954, was to provide the States of Washington and Oregon, as well as neighboring States, with an equitable share of such power if the project were developed in accordance with the provisions of the bill.

With respect to the Hungry Horse Dam, in 1944, when the Congress authorized the construction of the Hungry Horse Dam in western Montana, it provided for the reservation of some of the power benefits for the State of Montana, regardless of the preference clause. The act passed by Congress provided, in section 1:

That, for the purpose of irrigation and reclamation of arid land, for controlling floods, improving navigation, regulating the flow of the South Fork of the Flathead River, for the generation of electric energy, and for other beneficial uses primarily in the State of Montana, but also in downstream areas, the Secretary of the Interior is authorized and directed to proceed as soon as practicable with the construction, operation, and maintenance of the proposed Hungry Horse Dam.

Secretary of the Interior Wilbur and Northcutt Ely in their work on The Hoover Dam Documents pointed out that the objective of the Department of the Interior in making the original allocations was, in addition to insuring financial feasibility of the project, to insure broad regional development. They said:

It was recognized, also, that it was desirable that as broad a regional benefit be obtained from this power as was consistent with financial soundness. The dam would rest on the border between Arizona and Nevada, and it was desired to give them an opportunity to use its energy; but neither of them was in a position to make a firm contract for the use of any power within its borders. The California applicants included agencies serving cities, great rural areas, and the Metropolitan Water District, which proposed to construct an aqueduct from the Colorado River to the coastal plain. It was recognized that the water needs of this area were the great motive force behind the financing of the dam.

In the original distribution, about 64 percent of the power went to California users and 18 percent each to Arizona and Nevada. Actually, under the contracts as executed, Arizona got 17.6 percent, Nevada 17.6 percent, the Metropolitan Water District of Southern California 35 percent, other California cities 22 percent, privately owned electric companies about 7 percent. Some of these allottees have not been able to use all the energy available and as a result they have sold energy to other allottees.

Mr. NEUBERGER. I am aware of the example which has been cited in connection with some of the other projects under this kind of proviso. I still should like to ask a few specific questions about the operation of this particular provision. Let us get down to specifics. Let us say that a dam has been constructed in the State of South Dakota. What would be the relative positions under the proviso of a private utility in the State of South Dakota seeking to purchase energy from the Missouri River project over a public power preference customer in a nearby State? Let us say, for example, the nearby State is Minnesota, ably represented, in part, by the junior Senator from Minnesota [Mr. HUMPHREY], who is in the Chamber. Let us assume that the State of Minnesota would ask for some of the energy.

This question looms very large to us in the Pacific Northwest, and I wish to have some answers to these questions, so that we may be guided as to what we should do in the Northwest. What would be the situation with respect to the rival bids in the competition for power between those two entities—the private-utility customer in the State wherein the dam is constructed and the public-power preference customer in a neighboring State?

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

Mr. NEUBERGER. I do not have the floor. However, if it is agreeable to the Senator from South Dakota, I shall be glad to have the Senator from Nebraska clarify the situation.

Mr. CASE of South Dakota. Let me say, first of all, that the proviso grows out of a situation which exists. I wonder whether the Senator would object, before I answered his question, if I stated the situation in South Dakota with reference to these dams. The Missouri River from Nebraska on the south to North Dakota on the north is being converted into a chain of great lakes. A half million acres of land in South Dakota are being devoted to those lakes. They are being created primarily for flood control. That is the justification for them in the Flood Control Act of 1944. The purpose is flood control.

From Yankton, S. Dak., on the border between South Dakota and Nebraska, southward, the land is to be free from flood, so far as the Missouri River is concerned, because of that great chain of lakes. That will take land throughout the heart of South Dakota.

The State of Iowa and the State of Nebraska, and the State of Kansas, and the State of Missouri, and all the States downstream will receive great benefits in the years to come because the flood waters are being parked in the State of South Dakota for all time to come.

The State of Nebraska is now able to advertise that it has cities like Omaha which are flood free, and have a flood free waterfront on the river. It is so advertised to attract industry.

The State of Nebraska is a 100-percent public-power State. The dams on the Missouri River in South Dakota number four. Two of them have been constructed, one is under construction, and one remains to be built. Randall Dam was the first dam built. That has a power capacity of about 320,000 kilowatts.

Below that is Gavin's Point Reservoir. It has also been completed. That will also augment some of the power that can be created from the Randall Reservoir. Those are close to the State of Nebraska. In fact, one side of Gavin's Point Reservoir is in Nebraska. About midway in the State of South Dakota the Oahe Dam is being constructed. It will have a generating capacity of about 480,000 kilowatts. The only dam remaining to be constructed is the so-called Big Bend Dam. That is a relatively small dam. It may generate 110,000 kilowatts, or it may be larger, depending upon one or two sites which are under consideration.

Mr. NEUBERGER. Still, it is a relatively small project.

Mr. CASE of South Dakota. Yes; about 10 percent of the total power generated in the dams of South Dakota will be generated at the Big Bend Dam. Of the total, approximately one billion kilowatt capacity will operate without the proviso or the restriction proposed in the proviso; that is, Oahe, with a half billion capacity and Randall and Gavin's Point, with another half billion together, will operate without regard to this proviso.

The State of South Dakota has felt that we ought to be able to have some of that power used in South Dakota. We were sold the idea that we should provide the parking space for the floodwaters of the Missouri River for all time to come, year in and year out, and we were told that South Dakota would be afforded some power opportunity, some of which would be available for use by industry, and that our towns and cities and our REA's would be able to obtain cheap power. In fact, I spoke at the ground breaking ceremonies at the Randall Dam, the first of those dams. At that time I pointed out that the greatest potential benefit to South Dakota was the possibility of getting some power so that our farms could be electrified.

At that time we were 47th among the States of the Union in the electrification of farms. I also expressed the hope that the people who lived in towns and cities would also get some of that power.

However, under the operation of the so-called preference clause, when our preference customers are satisfied, the preference customers in other States would get preference. The State of Nebraska is a 100 percent public-power State. It is getting complete flood protection on the Missouri River. In addition to the flood protection, it would get power after our preference customers in the State of South Dakota were satisfied.

The State of Minnesota, to the left, which does not provide one acre of ground for the parking of the water, could come forward with its preference customers and ask for power. It is getting it, and so is Nebraska, as a matter of fact.

Our REA's have been told that their demands will be satisfied when Big Bend is completed. They will not be able to get one kilowatt of power from Big Bend Dam because when Big Bend is completed, under the preference law, without some reservation of power for South Dakota, it will be built entirely to produce power for export outside the State of South Dakota. The State of Nebraska and the State of Minnesota could take all that power. This proposal is that we have a reasonable amount of power reserved for use in South Dakota.

The answer to the Senator's question is that a private utility in the State of South Dakota would have an opportunity to buy this power within a reasonable amount, as determined by the Secretary of the Interior, ahead of preference customers outside the State of South Dakota.

Mr. NEUBERGER. I wish to thank the distinguished Senator from South Dakota for clarifying this point. I shall be glad to yield to the able Senator from Minnesota and the able Senator from Nebraska, who have a more local regional interest with respect to this question.

Mr. CURTIS. Mr. President, who has the floor?

Mr. CHAVEZ. I have the floor.

Mr. CASE of South Dakota. There was a second question implied in the question of the Senator, and that is, what would be the position of the preference customer in South Dakota? When the preference customers in South Dakota—the REA's and municipalities—have an increased demand, they can exercise their right and take power from the nonpreference customers within the State of South Dakota.

Mr. NEUBERGER. That is one of the important points that I wish to make. I should like to explain why I raised the point. We have quite a similar situation, to some degree, in the Pacific Northwest. The vast preponderance of energy from the so-called Bonneville system, which includes all the Federal dams in the Columbia River Basin, is going to the State of Washington. As the Senator from South Dakota knows, with his great experience in this subject, the State of Washington has far more public-power agencies than has the State of Oregon, which is served by private utilities. Therefore, under the operation of the preference clause, the bulk of the power has been going to the State of Washington.

I wish to again ask the Senator from South Dakota, whenever any preference agency in South Dakota—a rural electric cooperative or a municipal system—has a demand for power, can it exact that demand as against a private power customer in South Dakota and, in a reasonable time, take away power from that customer within the preference clause and get it for the customers of a public agency?

Mr. CASE of South Dakota. I think that is correct. One point I brought up in the conference was that the REA will be able, as of today, to contract for the power it can use. Power from the Oahe Dam is being contracted for today. The Department of the Interior said that the REA's are able to contract for only a little additional growth; they cannot afford to contract for their growth in the next 10 or 15 years.

Mr. NEUBERGER. It ought to be advanced.

Mr. CASE of South Dakota. It ought to be advanced. But with this provision for power, after a reasonable amount of power is reserved for use in the State which has furnished the land for all these dams, the rest will be reserved for use in other States. The preference law will apply inside that area.

Mr. NEUBERGER. Even now, a preference customer has a right to exact its request for power as against a private power company. However, I am sponsoring an amendment to the Columbia River system preference clause which would insure a new preference and priority—not for public agencies but for industrial customers, because of our need for new payrolls. That is our greatest beneficial use of power today, for industries providing jobs.

Mr. CHAVEZ. I yield now to the Senator from Nebraska, the State which gets the most power.

Mr. CURTIS. We do not get very much. We cannot unless we have a power line to transport it; and this controversy prevents us from getting power lines. There should be no misunderstanding about it. I call this to the attention of the distinguished Senator from Oregon.

This proviso modifies the power preference clause. That is its purpose; that is what it does. If the power preference clause is to be adopted, that is all right. I think it should be brought in the front door and debated as such, and all the equities weighed.

In addition to modifying the existing law, it does so in a very inapt way. It provides, for instance, that as to a project where the dam is located in a certain State, that State shall have a preference on the power.

Certainly, if it is proposed to give a reward to someone furnishing land for the reservoir, the reward should relate to the reservoir land, but it does not. It is conceivable that a dam might be constructed in one State, but the land taken for the reservoir would be in another State. The provision here is that the State where the dam is located shall be given a preference.

The bill modifies the Federal preference law. That law is not wholly necessary. It can be amended, just as any other law can be. But I say bring the amendment in the front door, with all the facts, and debate it.

The bill modifies the Federal preference law. It takes the power from preference customers and gives it to nonpreference customers.

Nebraska's power situation has not changed since construction started. I have lived with the problem for a long time. I was a member of the committee of conference on the part of the House when the 1944 Flood Control Act was passed. This is a major modification. But, as I say, even if it is proposed to modify it, it should be debated, and certainly more apt language should be used. If it is proposed to give something extra to someone who furnishes the land for a reservoir, we ought to say, "reservoir."

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. CASE of South Dakota. The entire reservoir area created by the Big Bend Dam will be in South Dakota—in the very heart of South Dakota. It will be just as near the heart of South Dakota as it could possibly be. The State capital is at the very center of South Dakota. The Big Bend Dam will be a little below and will back up water almost to the doorstep.

Mr. CURTIS. That is true; but we have to live under the law as it is proposed here.

Mr. CASE of South Dakota. So far as concerns the language in the omnibus flood-control bill which was passed in 1956, approved by both the House and the Senate, it has come in the front door. The language was in the bill at that time. It was in the bill which was passed by the Senate a year ago. The only change in the language was made in conference. Does the Senator know what the change was? There was a suggestion that we might get a little more apt language. The only change was to change the words "equitable portion" to "a reasonable amount."

I myself could not discern any difference in meaning between "equitable portion" and "a reasonable amount." There were some who asked, "Why not spell this out in terms of percentage?" I said I would have no objection to that.

Language was proposed in the 1956 act, with respect to Bruces Eddy Dam, that 50 percent of the power should be reserved for the State in which the reservoir was located.

In the Niagara Falls legislation passed last year, provision was made for what amounted to 80 percent of the power to be reserved for the use of the people of the State of New York. But no one wanted to take the responsibility of saying just what the percentage should be. I suggested that 50 percent might be all right. A similar suggestion had been made for Bruces Eddy. That would be less than 5 percent of the power produced in the State by its dams, but I did not try to spell it out too closely.

Someone asked originally, "Why not 'equitable portion'?"

I said that sounded all right to me. I was certain we would not want an inequitable portion.

The other day, when we were discussing "equitable portion" versus "reasonable amount," I said "Reasonable amount sounds all right to me. I am a reasonable man. I am not asking for an unreasonable amount to be allocated to South Dakota."

This is not a modification of the preference law in the sense of creating a permanent or a vested right for private utilities. If there is any application of the preference law, it is this: It insures that the true preference customers in South Dakota will have an opportunity 5 or 10 years from now to protect their growth demands.

Mr. CURTIS. I add that it is a modification of the preference law. This time it is modified by the location of the dam. To say the least, it lacks uniformity. If we are to have a preference law, it should apply the same all over, in every State, and to all the people.

This proposal establishes a precedent. It will follow that the next time preference will be given to the State in which the dam is located, or so many miles from it.

Although the hour is late, I call to the attention of the Senate the fact that we are approving a modification of the preference clause with respect to federally financed hydroelectric projects.

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

Mr. CHAVEZ. I yield.

Mr HUMPHREY. I thank the Senator for his courtesy in yielding to me, so that I might discuss this subject with the Senator from South Dakota and other Senators. I commend the Senator from South Dakota for his spirited defense of a special privilege within his State, a special privilege paid for by Federal revenues on a federally owned project, managed by the Bureau of Reclamation in the Department of the Interior of the Federal Government.

It is perfectly true that the reservoirs are in South Dakota. It is also true that they are on land paid for with Federal funds. It is also true that the program is authorized by the Federal Flood Control Act.

This one is not like the Niagara development. The Niagara power bill, which the Congress passed, merely permitted the State of New York, through a bond issue in that State, to develop the power resources on a river which has international implications and international complexities, and therefore is under Federal jurisdiction.

All these rivers are Federal, in the sense that they are to be governed under the terms of the Federal Constitution because they are navigable streams.

Let me add that it is a poor argument to say that merely because in the instance of Hungry Horse, Montana was permitted to have a disproportionate amount of power—primarily on the basis that, inasmuch as Hungry Horse was at the eastern end of the transmission system, it was very difficult to transmit the power—therefore the exemption should be spread to other projects.

I see on the floor the two Senators from North Dakota. I wonder when they will insist that a reasonable amount of the power developed at Garrison Dam be reserved for North Dakota; or are we to assume that North Dakota is not to get a reasonable amount of that power?

The population of North Dakota is about the same as the population of South Dakota; and Garrison Dam is a fundamental part of the Missouri River system. It is a fundamental part of the Oahe-Big Bend-Gavins Point program. I am familiar with them, too. The people in the western area are taxpayers, as are the people of Minnesota. Minnesota is a part of the Missouri Basin, but Minnesota is denied adequate power.

I am not going to stand idly by and see my good friend, the Senator from South Dakota, who is doing a fine job, try to rig a law so that South Dakota will get the benefit—at the expense of whom?

Mr. CASE of South Dakota. Mr. President, I am not trying to rig the law. The distinguished Senator from Minnesota was born in South Dakota, near Huron. But today Huron is denied an opportunity to share in the power obtained from the Missouri River, unless it will kick out the Northwest Power Co. and go to public ownership. Similarly, the cities of Minnesota are denied an opportunity to get the power. So are the cities of South Dakota. Even if this item is approved, so that the cities of South Dakota will be able to get a share of the power, they will stand to lose it when the number of preference customers of South Dakota becomes large enough so that they can ask for the 5 percent.

Did the Senator from Minnesota vote for the Hells Canyon Dam bill, which was introduced by the Senator from Oregon [Mr. MORSE]?

Mr. HUMPHREY. I imagine I did.

Mr. CASE of South Dakota. Did the Senator from Minnesota know that that bill carried a reservation for Idaho of 500,000 kilowatt-hours of generator-capacity power?

Mr. HUMPHREY. I did not.

I support the preference clause now, as I have heretofore. I supported the preference clause in the Niagara River bill.

Mr. CASE of South Dakota. How can the Senator from Minnesota justify voting for that, but refusing to vote for this for the State of his birth?

Mr. HUMPHREY. Mr. President, I do not attempt to justify one mistake by making another one.

Let me say to my good friend, who has indulged in the sentimental argument about the State of my birth—and it is the State where my mother now lives, and where we own some property—that I want to see that State prosper and become filled with all the good things of life, and I take the same view regarding the distinguished junior Senator from South Dakota.

But I am not satisfied when a Senator argues that the so-called preference customers in his State will get a preference over the private utilities in his State and also a preference over the preference customers in the regional river valley.

These rivers involve systems; they do not flow only through one State. The Missouri River belongs to the people of the United States. The funds for the

Missouri River development are not taken only from the people of the State of South Dakota; they are taken from all the people of the 48 States.

Mr. CASE of South Dakota. But as a result of construction of the reservoirs, the taxes on 500,000 acres of land have been lost.

Mr. HUMPHREY. But I trust that everyone affected was well compensated. If the Senator from South Dakota was as diligent in seeking compensation for the owners of that land as he is now in trying to modify the preference clause, those owners were certainly compensated well; and I want to commend him for it.

But I will not consent to a modification of the preference clause merely because the Senator from South Dakota happens to be on the committee. It is true that he is very able and very persuasive.

Mr. YOUNG. Mr. President, will the Senator from New Mexico yield to me?

Mr. CHAVEZ. I yield.

Mr. YOUNG. Mr. President, I noted the comments by the Senator from Minnesota about States such as North Dakota and South Dakota and about how they were compensated for the land taken for the reservoirs.

Mr. HUMPHREY. I did not say that. I said I hoped North Dakota was going to receive the same kind of treatment that South Dakota is receiving. My heart goes out to North Dakota. After all, the Garrison Dam is located in North Dakota. I visited that dam, and I know that much good land was used for the construction of the dam and the reservoir. I am familiar with the reservoir. Perhaps the farmers there were not well compensated, and perhaps those in South Dakota were not well compensated.

Let me inquire whether the Senator from North Dakota succeeded in having written into the Garrison Dam bill a provision similar to the one which would be included in the case of the Big Bend Dam. If he did not, I think we should look over this whole thing, because all these projects are on the same river.

Mr. CASE of South Dakota. Mr. President, that was not done for Oahe and for Gavins Point and for Fort Randall. But Big Bend is just the last small dam, involving less than 10 percent of the total power; and we get only a reasonable proportion of the 10 percent of the power.

Mr. CHAVEZ. Mr. President, if the Senator from North Dakota did not get into the picture, he should have. [Laughter.]

Mr. YOUNG. Mr. President, will the Senator from New Mexico yield to me?

Mr. CHAVEZ. I yield.

Mr. YOUNG. I have said all along, ever since Garrison Dam was begun, that if North Dakota did not get some irrigation out of the Pick-Sloan plan, the Garrison Dam would be a net loss to North Dakota. North Dakota lost 450,000 acres of land, some of the best land in the State. If our water rights are not protected for the future, North Dakota will lose badly, as a result of the location of Garrison Dam within the State.

I always have believed that there should be a distribution of the power in the area. I voted for the construction of transmission lines into Minnesota; and I am perfectly willing to have the power divided among the States in the area.

But I believe we are treading on dangerous ground when, by means of a conference report, it is sought to change the division of the water rights among the various States.

Mr. SYMINGTON. Mr. President, will the Senator from New Mexico yield to me?

Mr. CHAVEZ. I yield.

Mr. SYMINGTON. First, I should like to associate myself with the statement made by the Senator from Nebraska [Mr. CURTIS]. This proposal would be a change in the preference clause, regardless of how we consider it.

Second, I do not see how the situation with respect to the Hungry Horse Dam is applicable, because it was authorized by a separate act, not by the Flood Control Act of 1944.

In regard to Niagara, in the Niagara picture no Federal money was involved; it was all State money.

I should like to say to my good friend, the Senator from South Dakota, that the people of my State are very much worried about this matter because they believe it is the beginning of a leak in the dike of the preference clause; and in our State we purchase a great deal of power from other States.

Mr. HUMPHREY. Mr. President, the only other point I wish to make is that I have supported the Missouri River program, and I wish to continue to support it. We need votes for this program. It has been highly contested in the Senate. But if Senators start to play around with the preference clause in the case of these flood-control projects—and the Missouri River program is under the Flood Control Act—they will run into difficulties in the case of the appropriations, because it is rather difficult for some of us from areas outside the immediate vicinity to justify projects when there will be discrimination in terms of the availability of power.

The reclamation part is in South Dakota; I know it comes rather close to Miller and Huron, S. Dak., and the James River Valley. The money for it is being paid from the Federal Treasury.

Mr. CASE of South Dakota. But not 1 acre there has been irrigated yet.

Mr. HUMPHREY. But there will be irrigation there.

Mr. CASE of South Dakota. Perhaps 25 or 50 years from now there will be; but that remains to be seen, because the Bureau has not yet produced a favorable report saying that irrigation is feasible.

Mr. HUMPHREY. But one of the reasons why the program was instituted was to develop irrigation, reclamation, and power. It is fair to say that the navigation possibilities on the Missouri River are slightly remote. But irrigation possibilities in western South Dakota are part of the project.

Let me say that I was born in South Dakota, and I lived there 25 years; and my mother and my father before me lived there; and I am in favor of South Dakota, 100 percent. But I am not in favor of permitting those who benefit under the preference clause to benefit in a case of this sort.

As the Senator from Nebraska said, if Senators wish to argue the preference clause, let us begin to argue it.

I do not accuse the Senator of coming through the back door. It is true that this was authorized in the 1956 act. But since that happened, some persons have been alerted to this matter. That shows the importance of studying this legislation.

Again I say that I realize the Senator is under pressure in his State to have adequate electric power made available.

I think the whole program for the Missouri River Valley could have been greatly improved, in terms of development, under the Missouri River Valley Administration. The Pick-Sloan plan at best was a halfhearted effort. I think we should have increased the power capacity. But I do not think it is fair to alter the preference clause system, because if that is going to be done for one State then another State will want it done. The Senator from Oregon said, "What about it for Oregon?" What about it for Idaho? What about it for other States? We have no public power districts in Minnesota. We have REA's, but they are preferred users under the preference law. I do not see why one REA in one State should get preference over an REA in another State by an exemption or a proviso in the law.

Mr. CARLSON. Mr. President, will the Senator from New Mexico yield to me?

Mr. CHAVEZ. I yield to the Senator from Kansas.

Mr. CARLSON. I regret very much the controversy over the Missouri River Basin. I have great sympathy with the problem confronting the junior Senator from South Dakota. In my opinion, the language creates a change in the preference clause that can have far-reaching consequences. The Missouri River Basin is under the control of the Missouri River Basin Agency. The entire Missouri River area units have representatives on that agency. The Corps of Engineers has representatives on it. The Bureau of Reclamation has representatives on it. The Federal Power Commission has representatives on it. The Department of Agriculture has representatives on it.

This has been a very delicate subject for many years—it is not new—in the Missouri River Basin Agency. The project referred to is an integral part of the whole program. The Senator has stated that only a small project is involved. If we open the door, the next thing will be a request to keep the water back and use it to develop electric power inside the one State when the water is for the use of the entire Missouri River Basin. I think if we open a hole in the dike, our action can have far-reaching import in future years.

I did not want to have the report agreed to without expressing my opposition to that portion of it.

Mr. KERR. Mr. President, will the Senator from New Mexico yield?

Mr. CHAVEZ. I yield to the Senator from Oklahoma.

Mr. KERR. I have listened to the discussion with great interest and, frankly, with great amazement. I do not think the provisions in the bill justify the reaction which distinguished Members have indicated. I am in entire sympathy with any Senator who wants to protect the preference clause and retain laws under which REA's, municipal consumers, and other public agencies, are entitled to preferred position in the matter of securing electricity from federally constructed hydroelectric projects.

Statements have been made that rivers go through more than one State, that they are interstate in character, and therefore that the rights with reference to them go to more than one State. That is true. I believe Senators recognize that South Dakota is such a State. Certainly, the State of Nebraska, great, marvelous, wonderful State that it is, has its rights. The State of Minnesota has its rights. The State of Oregon has its rights. The State of Missouri has its rights.

When Senators undertake to refer to States where certain persons were born, I wish to point out my father was born in Missouri. Certainly, if Missouri needed any defense in the Senate, which I do not feel she does, I would be among the first to do anything within my power to defend the rights of the fine people of the State of Missouri.

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

Mr. KERR. I yield to the Senator from Minnesota.

Mr. THYE. As I read the language at the top of page 16 of the conference report, there is specific reference to a change in language, or there is a proposal to change the language. I read from the report:

> *Provided*, That with respect to any power attributable to any dam in such plan to be constructed by the Corps of Engineers, the construction of which has not been started, a reasonable amount of such power as may be determined by the Secretary of the Interior * * * shall be made available for use in the State where such dam is constructed.

I serve notice now on the Secretary of the Interior that what he may deem to be reasonable should also be reasonable for Minnesota, and should be reasonable for any other State that may be served by transmission lines. I do not want that language in the conference report to stand. However, the Senate must either reject or accept the report as it is. If the Senate should accept the conference report, I want to be on record, as my colleague is on record, as not approving of any change at all with respect to the existing preference clause.

In the State of Minnesota we have endeavored to have transmission lines constructed to wheel or convey electricity from installations, whether they be at Garrison, N. Dak., or in South Dakota, so there will be a circuit that will permit electricity to flow from hydroelectric installations into areas of Minnesota, just as the Dakotas or other States may be served. Unless that situation remains, there is no justification whatever for developments on the rivers.

The Missouri River Valley was developed for flood control. Incidental to flood control, water is impounded. Once water is impounded, there exists the possibility of developing power, and the power is developed. It is the taxpayers of the United States who have made such installations possible.

It is true that there has been a loss of land in North Dakota and South Dakota as a result of flooding of valleys. Some of the most fertile and productive land in those States has been lost. However, once the installation is made and current flows therefrom, the maximum possible amount of power must be wheeled or transmitted for preference customers such as municipalities and REA's. They are corporate structures from which no small or particular groups of persons can derive great benefit. That is why the municipalities and REA's are given preference.

It is unfortunate this language was written into the conference report, since it raises such a question. I want to be on record as one who would never recognize that any State should have a preference other than the commonsense one that might be involved because of a possible loss of electricity by reason the distance the current would have to be wheeled. That is the only factor that should govern such an arrangement.

I thank my distinguished friend from Oklahoma for being generous enough to permit me to make this statement.

Mr. KERR. Let me say to the distinguished Senator from Minnesota that I agree with much he has said. If he has grave doubts as to the reasonableness of the Secretary of the Interior, I do not share them. I want to say to my good friend from Nebraska I think one of the ablest men in the President's Cabinet is the Secretary of the Interior. He comes from the State of Nebraska. There may be something about him that the Senator from Nebraska and the Senator from Minnesota know that I do not know; but I want to say to them I am indulging an assumption as to his integrity and reasonableness which I am just wondering if the distinguished Senators share.

Mr. THYE and Mr. CURTIS addressed the Chair.

Mr. KERR. When I have finished I shall yield to the Senator from Minnesota to complete his statement. I would now like to complete my statement, if I may be permitted to do so.

Mr. CURTIS. Mr. President, I should like to say a few words later.

Mr. KERR. The Senator from Minnesota said he thought the power should be available to be wheeled as far as it could be wheeled from the reservoir. I think some of it should, but I do not think this project should be operated in such a way that the power should be wheeled as far away from the generating facility as it could be wheeled.

I do not think it is unreasonable, Mr. President, to indulge in the presumption that some of the power might be used in the environs, or in the vicinity of the generating facility, as well as having some of it used in areas as far away from the facility as it can be wheeled.

The distinguished Senator from Minnesota said that the preference clause is for the benefit of the States of the Union. I presume that includes the State of South Dakota. I hope that will not be considered a presumption so violent as to be contested.

The Senator says that the people who owned the reservoir sites were paid. That is true. The Senator said those people were paid by the taxpayers of the United States. I presume there are taxpayers in South Dakota. I presume some of the taxpayers who paid for the reservoir site and the project might even reside in the State of South Dakota, as well as in the States of Minnesota and Oklahoma. I think that would be a reasonable inference.

Mr. President, I think the people of Minnesota should have a reasonable part of this power, and they are not precluded from obtaining it by such a provision in the bill. The provision in the bill merely says that a reasonable amount of the power shall be made available for use in the State where the dam is constructed.

I am sure the distinguished Senator from Nebraska [Mr. CURTIS] and the distinguished Senator from Minnesota [Mr. THYE] would not feel that the Secretary of the Interior should be unreasonable in the allocation of a portion of power to the residents of the State in which the reservoir is located. I say, Mr. President, in my judgment, there is far more agitation than is justified by a simple provision in the bill which says that the people of the State in which the project is constructed shall have a reasonable part of the power.

Mr. THYE and Mr. NEUBERGER addressed the Chair.

Mr. KERR. It occurs to me that reasonable men having regard for the rights of all the States in the Union and of all the people of the United States would certainly not be shocked by the provision the Senator from South Dakota sponsored.

I wish to say that the Senator from Oklahoma supported the provision, because he felt it was equitable. The Senator from Oklahoma felt the provision was just.

I say that, in my judgment, the provision in no wise violates the preference clause.

There is one thing further I should like to say. So far as I know no Member of the Senate has fought harder for the integrity of the preference clause than has the Senator from South Dakota.

Mr. THYE and Mr. NEUBERGER addressed the Chair.

Mr. KERR. I must yield to the Senator from Minnesota, if I may be permitted so to do, because while I referred to the Senator in a complimentary manner, I did refer to him.

The PRESIDING OFFICER. The Chair would like to inquire whether the Senator from New Mexico has yielded the floor.

Mr. KERR. Mr. President, the Senator from New Mexico yielded to me for this purpose. If there is objection I shall not yield to the Senator from Minnesota.

Mr. CHAVEZ. Mr. President, I yield to the Senator from Oklahoma.

Mr. KERR. If there is objection, of course I cannot proceed.

Mr. THYE. Mr. President, will the Senator yield to me?

Mr. CHAVEZ. I yield.

Mr. THYE. I should like to make a reference to this particular discussion.

The language which concerns me is the following:

or such portions thereof as may be required from time to time to meet loads under contract made within this reservation, shall be made available for use in the State where such dam is constructed.

That perhaps is language which could be interpreted to mean a change of some specific previous statute. That is what gives me concern. I want to be positive that we are not in any sense amending or reflecting some proposed change in any existing statute. That is my concern.

The existing statute which governs the entire public power question is pretty well defined.

Another point I wanted to comment on was one which came up at the time I asked to be recognized. The Secretary of the Interior, Mr. Seaton, is one of the most able and honorable men I know.

Mr. KERR. Even a reasonable man.

Mr. THYE. He is a most reasonable man.

Mr. KERR. Then I submit, Mr. President, we have nothing to fear from this provision.

Mr. THYE. But this provision, if enacted into law, may remain as a part of the law for much longer than any one Secretary may serve as Secretary of the Interior. We may have a future Secretary who may not be Mr. Seaton.

Mr. KERR. I would say that is a reasonable assumption, but would the Senator, by reason of that fact, imply he would be an unreasonable Secretary?

Mr. THYE. No, I would not.

Mr. KERR. Then, Mr. President, let us not flee from ills we know not of and which exist only in our fertile imaginations.

Mr. CURTIS. Mr. President, will the distinguished Senator yield?

Mr. KERR. The Senator from New Mexico has the floor.

Mr. THYE. If I may comment on the question relative to the existing Secretary of the Interior, the particular language in the report under discussion could be construed to mean some specific change in the existing statutes which govern such questions.

Mr. NEUBERGER. Mr. President, will the Senator yield to me so that I may ask the Senator from Oklahoma a question?

Mr. CHAVEZ. I yield for that purpose.

Mr. NEUBERGER. I should like to make inquiry of the Senator from Oklahoma, since I am very much torn on this question.

As the Senator from Oklahoma knows, I am a very ardent advocate of the public power preference clause, as I think the Senator also is. However, I have great sympathy with the Senator from South Dakota. I should like to have the attention of the Senator from South Dakota [Mr. CASE], if I may. May I have the attention of the Senator from South Dakota?

Mr. CASE of South Dakota. Yes.

Mr. NEUBERGER. I have a certain sympathy with the Senator from South Dakota, because I think he is substantially correct when he says that to some degree, the public-power preference clause has been modified by reservations set aside for Hungry Horse, and perhaps even in the Hells Canyon bill which, while it is not law—which I regret—did pass the Senate last year.

The question I should like to put to the distinguished Senator from Oklahoma, the very able chairman of the Subcommittee on Rivers and Harbors, is: Does the Senator think if the bill should become a law with the provision in it that we have recently been discussing, it might possibly furnish a precedent for including a similar clause in legislation dealing with the Columbia River Basin?

Mr. KERR. I will say to my good friend, this is not the first provision passed by the Congress which has the significance this provision has. If the provision is adopted it will not be binding on any future Congress. Any future Congress could initiate and pass such a provision as this, if this provision were stricken from this bill, or if the conference report were rejected.

Therefore, I say our action would have no controlling effect on any subsequent Congress. The brief experience I have here, I will say to my good friend from Oregon, convinces me that constructive legislation by one Congress does not insure a continuation of such legislation by future Congresses, because if that were true in its entirety I think we would have been able to enact the Hells Canyon bill into law years ago.

Mr. NEUBERGER. I thank the Senator for his observations. I believe the whole colloquy today may have a bearing on future legislation for the Columbia River Basin and the other great river valleys.

Mr. CURTIS. Mr. President, will the distinguished Senator yield briefly?

Mr. CHAVEZ. I yield.

Mr. CURTIS. The hour is late and I do not wish to prolong the discussion. However, I do not want the record to be closed with any insinuation that I doubt the fairness of the Secretary of the Interior, or his ability to deal equitably with the problem in carrying out whatever law the Congress passes.

I do contend that such a modification of the preference clause, confined to the Missouri River Basin, is quite a major change. It affects one-sixth of the area of the United States.

Mr. CASE of South Dakota. It is not retroactive. It does not apply to all the dams to be built, or those under construction.

Mr. CURTIS. It applies to all the dams to be built later.

Mr. CASE of South Dakota. This is the last dam to be built by the Corps of Engineers on the Missouri River.

Mr. CURTIS. Oh, no. Under the Missouri River Basin plan the authorization covers all the tributaries. It involves the States of Wyoming, Colorado, Montana, Missouri, and Nebraska.

Mr. CASE of South Dakota. It involves projects to be constructed by the Corps of Engineers. Dams on the tributaries are built by the Bureau of Reclamation.

Mr. CURTIS. Not all of them.

Mr. CASE of South Dakota. All under this authorization.

Mr. KERR. Construction of which has not started.

Mr. COTTON rose.

Mr. CHAVEZ. Mr. President, does the Senator from New Hampshire wish me to yield to him?

Mr. COTTON. Mr. President, I have not requested the Senator to yield, and I shall not request the Senator to yield. I have waited since 2 o'clock for an opportunity to address the Chair, and I shall wait until 2 o'clock tomorrow, if necessary. I do not expect to ask any Senator to yield to me.

Mr. CHAVEZ. Mr. President, I am ready to vote now.

Mr. COOPER. Mr. President, I wish to return for just a moment to section 205 (b). As I understand this section, it would authorize the Corps of Engineers to provide additional storage capacity for low flow needs downstream. My question is this: Up to this time, as I understand, the Corps of Engineers could take into account only benefits derived from navigation, flood control, and power development incident to navigation and flood control. Does this section mean that in computing the cost-benefit ratio, the benefit which could be derived from low flow downstream could be computed as a part of the benefits?

I may say that I have discussed this question with the Corps of Engineers. They tell me that that is true; that if this bill becomes a law, henceforth such benefits as would accrue from the provision of additional water downstream could be counted as benefits. Of course, that would obviously have the effect of making more projects eligible under the cost-benefit ratio. I hope that is true.

Mr. KERR. Let me say to the Senator that he enumerated some of the elements which can be considered in computing the economic feasibility of a project. I believe he named navigation, flood control, and power. There are other elements which the engineers can recognize and take into account, and include as elements of economic feasibility.

This provision sets up the specifications for a new element of economic feasibility, as specified in the section. It provides that the economic benefits which could be certified or verified under this section might amount to as much as 30 percent of the economic feasibility required to justify authorization of the project.

Mr. COOPER. And they are not reimbursable from private sources or from the State?

Mr. KERR. Most of the 30 percent is reimbursable. It is very specifically provided that there is included storage capacity for municipal and industrial water, for which there may be future demands; and it is specified how reimbursement shall be made, the interest to be paid, and so forth.

Mr. COOPER. I understand that is provided in subsection (c). I am referring to subsection (b), which covers benefits which are widespread, general, and nonexclusive.

Mr. KERR. With respect to low-flow benefits, this section provides that they may include capacity for the purpose of increasing low flows downstream from reservoirs, for widespread, general, and nonexclusive benefits. When such capacity is provided there shall be a nonreimbursable allocation of costs to those purposes.

Mr. COOPER. I wanted that statement to be in the RECORD.

Secondly, the benefits which would be derived from the low flow downstream would be computed in ascertaining the economic feasibility.

Mr. KERR. They are made eligible for inclusion.

Mr. COOPER. Under the cost-benefit ratio.

Mr. KERR. That is correct.

Mr. COOPER. The reasonable effect, then, would be to make eligible some projects which under the old formula would not be eligible.

Mr. KERR. That is correct.

Mr. COOPER. I am very happy to have that explanation.

Mr. CASE of South Dakota. Mr. President, inasmuch as we have returned to section 205, and its interpretation, supplementing what the Senator from Kentucky has brought out, is it not correct to say that it is not the intention of the section to permit nonreimbursable allocations where there are identifiable beneficiaries?

Mr. KERR. The Senator is correct.

Mr. CASE of South Dakota. If there is a town or community which is receiving a specific benefit, and proposes to use the water for city water, or something like that, it is expected that there will be a contract for repayment.

Mr. KERR. The Senator is correct.

Mr. CASE of South Dakota. Is it not also true that the conference intends that the purpose shall be carried out with respect to existing dams, where the characteristics of the dam are such that capacity allocations can be made for municipal and industrial water supplies?

Mr. KERR. It is the intention of the conference that where possible, without interference with the principal purpose of existing plans, or projects under construction, the agencies should approve capacity allocations for municipal and industrial water supplies.

Mr. CASE of South Dakota. I have one further question.

Where contracts have not been entered into, or where the use of water has not begun, is it intended that the same principles shall govern when the use of the water has not begun as would apply in the case of a new dam?

Mr. KERR. It is intended that contracts may be made in such situations, or modified in accordance with the provisions of this section. The only significant limitation is contained, I believe, in subsection (e) on page 22, which provides:

(e) Modifications of a reservoir project heretofore authorized, surveyed, planned, or constructed to include storage as provided in subsections (b) and (c), which would seriously affect the purposes for which the project was authorized, surveyed, planned, or constructed, or which would involve major structural or operational changes shall be made only upon the approval of Congress as now provided by law.

However, with reference to other projects, already completed, it is the intention of this section to make it possible for the agencies to make contracts, where they have not been entered into, so that the applying municipalities or industrial users may obtain the benefit and the use of the water.

Mr. CASE of South Dakota. And where contracts may have been made, but where the use has not begun, would it not also follow that interest charges should commence within 10 years of the reservation of the storage, but that capital reimbursement should begin with the use of the water, in accordance with the terms provided by the language of the act?

Mr. KERR. That is true; and while interest charges should commence within 10 years of the reservation of storage, if the use of the water has begun earlier, the interest charges are due to be started, as is the reimbursement or payment for the water.

Mr. CASE of South Dakota. And the total capital reimbursement should be within the life of the project.

Mr. KERR. The Senator is correct.

Mr. CASE of South Dakota. I thank the Senator from Oklahoma.

Mr. COOPER. Mr. President, a few moments ago the Senator from South Dakota——

Mr. COTTON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. COTTON. Who has the floor?

The PRESIDING OFFICER. The Senator from New Mexico [Mr. CHAVEZ] had the floor, but he has left the Chamber. The Senator from New Hampshire is recognized.

Mr. COTTON. Mr. President, we have been listening to a very interesting and careful description of the trees in this bill. As a member of the Committee on Public Works, I should like to take a very few minutes—probably not more than 5—to look at the forest in the bill.

The bill would authorize, roughly, 150 new projects, and would give the green light for surveys with respect to about 60 more. The cost of such projects would be approximately $1,500,000,000.

It is true that 22 of these projects have not been approved by the Corps of Engineers or the Bureau of the Budget. These projects approximate $93 million; but I do not consider that as the most significant point involved in the bill. I am not predicating my opposition to the bill, and my intention to vote against the bill, on that particular feature.

I wish to have the RECORD show, so that the Senate and the country may read, that we already have some 400 public-works projects which have been started and which have not been completed.

We have some 450 more projects which have been authorized by the Congress through the succeeding years, in rivers and harbors bills, so-called. They have been authorized, but not even started.

There are 850 projects, Mr. President. At the rate we have been constructing public works, it would take some 16 years to complete the public works which have been already authorized. The approximate cost of completing those which have already been authorized but not completed would be in the vicinity of $8 billion.

The pending bill would add 150 more authorized projects to the backlog.

There are four brief points which I should like to make, and I want to say about 1 sentence on each point. These points should be considered before we have a yea-and-nay vote on the conference report.

First, this is not in any sense an antirecession bill. It has nothing more to do with the so-called recession we have been talking about and hearing about so much for the past few weeks than the flowers that bloom in the spring. With the possible exception of 12 projects which represent uncompleted developments of river basins, of the 150 projects not one of them has had any engineering work done on them, or any of the preliminary work. Therefore, it would be utterly impossible, even if the Committee on Appropriations were to approve recommendations for them, and even if the 850 projects were leapfrogged, to get to work on them and thereby provide any stimulation for the economy of this country.

So, Mr. President, let there be no misunderstanding. I do not know that anyone yet has claimed that this is an antirecession measure. However, in case there should be some skillful afterthoughts tomorrow or the next day or next week, let there be no misunderstanding on the part of anyone in the country that this is an antirecession measure. It is merely one of those good, old-fashioned pork-barrel measures.

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

Mr. COTTON. I would be glad to yield, but, having waited since 2 o'clock, while the Senate floor was controlled and doled out to Senators to make speeches on other subjects, and not feeling very good about it, I shall treat every Senator the way I would like to be treated. I should like to finish quickly. However, if the Senator wishes to ask me a question, I shall be very glad to yield for that purpose, but not for a speech.

Mr. THYE. The question is this: Is my distinguished friend familiar with the projects in the bill which relate to Minnesota?

Mr. COTTON. The answer to that is that I have general knowledge of the projects. If the Senator will wait a minute, I will make it plain that I do not question that there may be many meritorious projects in the bill. I have not said there were not such projects in the bill. There may be a few very vital and meritorious projects. However, I make the assertion without fear of successful contradicton, that if there are a few meritorious emergency projects in the bill, they are bringing with them all of their relatives and their wives' relatives in the form of many other projects. The

bill is so weighted down with unnecessary and superfluous projects that it is entirely inadvisable to legislate upon them.

I admire the Senator from Minnesota [Mr. THYE], because he always fights for his great State and in behalf of projects in his State. However, let there be no misunderstanding about this measure. Members of Congress who are very young and very vigorous will never live to see even a third of the projects authorized in the bill reach fruition.

If the Senator's question was designed to raise a point about some of the projects in his State, knowing him as I do, I am sure they are good ones. I am sorry to say that I will have to vote against them, because I do not like to see the backlog increased so much. I am looking at it from the national viewpoint.

My first point is that this is not an antirecession bill.

The second point is that the bill raises false hopes in the breast of many people throughout the country. There are projects in the bill for almost every State of the Union. I assume that Senators and Representatives are human beings. I know that most of us have the frailties of human beings. After the bill becomes law, if it becomes law—and I hope it will be vetoed—all the Members and Senators from the various districts and States will immediately telegraph home that they secured this and that project for their district or State. The good people will read those telegrams and they will expect to look out their windows the next morning and see the bulldozers at work. They have forgotten about the 850 backlogged projects which have been authorized during the past years, which would take 16 years to build and involve the expenditure of $8 billion before even one of the projects authorized by this bill could be started.

My third point is that the practice of authorizing these multifarious and multitudinous projects is passing the responsibility and placing the power in, and delegating it to, the Committees on Appropriations of the Senate and of the House of Representatives. We authorize and authorize and authorize, until this great backlog has been built up. Then the pressure is put upon the Committees on Appropriations to provide appropriations for these projects.

My fourth objection to this measure is the most vital objection of them all. What happens is that every Member of the Senate and every Member of the House of Representatives, who is fighting for his State or for his district—and I admire them for it—proceeds to do his best to get a start made, and to get enough money, by inveigling the Committee on Appropriations in some way, to dig a little hole and to start the project. Then they have the ironclad argument which it is so difficult to answer; namely, "We have started a project and invested the taxpayers' money in it. Having put our hand to the plow, the project must be completed."

Most of the projects cost more and more each year, if we consider the amount necessary to bring them to completion. The cost of the starts is comparatively small.

I have some vivid recollections of the years when I was privileged to serve on the House Committee on Appropriations. Some of the projects were started with a half million dollars or a few thousand dollars. Then, in another year, so that the investment would not be lost, it was necessary to appropriate more money. Then the appropriations snowballed.

The vicious thing about the practice and about bills of this kind is that they lead to the making of starts which take the country down the high road to ever-increasing and pyramiding expenditures in the years which lie ahead.

It is easy to be a hero when one does not have much at stake. Nothing I have to say is any reflection upon any Senator who is manfully working for the bill and feels that he must vote for it because of the vital projects which are needed, at least in his own State.

Perhaps if there were any real big projects in my State, I would not be so fearless and so statesmanlike. I can read the minds of some of my good friends who are in the Chamber now. But it will take a tremendously big project to make me vote for the bill. Consistently, year after year, instead of trying to select projects which are vital to the protection of the lives of our citizens, we try to spread out the good things. We try to spread the gravy. That is only human nature. I am not attributing any improper motives or wrongful intent. I am simply saying that the bill incorporates something for almost everyone.

That is why since the bill went from the Senate to the House, it has even gained a few projects. Last year, when I opposed the bill on the floor, as I did in the committee, I had this to say. It is very brief; I simply want to remind the Senate of it:

This bill authorizes 109 new projects.

It has now grown to 150.

It gives the green light for Army Engineers to plan 47 more.

The number has now grown to 60.

It carriers some famous names in the history of political pork—the Tombigbee River and, of course, the Mississippi, which is named 12 times in the bill. It would allow a cool million a year for 5 years to control water hyacinth and alligator weeds in navigable streams of the South. (That's picking water lillies on a grand scale.)

It approved work on the Root River (Minn.), the Bad River (Wis.), the Grand River (Mich.), the White River (Ark.), the Red River, the Lost River, the Clearwater River and the Feather River. This is no featherweight bill, however, for it carries a load of a billion and a half dollars.

Mr. President, I am most grateful that, at least, I had the opportunity to place in the RECORD, briefly, the reasons why, when the rivers and harbors bill was considered by the Committee on Public Works a year ago, I felt compelled to vote against it; why I opposed the bill on the floor of the Senate last year; and why I am opposed to the conference report.

If it were possible to defeat the bill and then to report a bill containing only a few of the vital projects, vital enough to justify a leapfrogging of the projects which have been authorized and have been placed in the backlog over the years, I would be glad to vote for it, so as to help some Senators to secure their pet projects.

Let us not deceive ourselves. This is the psychological time to send to the country the word that after passing a $1,500,000,000 housing bill and after passing a great highway bill, Congress has now passed a great rivers and harbors bill. If we stopped right there, the public would think that Congress had done something to help the economy today.

But I am speaking in the interest of the fiscal solvency of the Government in future years. In the bill are some projects for which Congress is accepting the very minimum of contributions by the States and local subdivisions, and is agreeing to have the Federal Government make the maximum contributions. This creates another dangerous precedent.

I wish Congress would say at this time, "No; we will not let down the bars. We will not open the floodgates. We will not authorize projects which will go on and on and on into infinity. We will adopt a new system, a system of weighing each project, and choosing only those which are not only desirable, but are absolutely necessary." If only Congress would follow that course, it would be doing good to the people of future generations.

Mr. THYE. Mr. President, will the Senator yield now for a question?

Mr. COTTON. Certainly.

Mr. THYE. Does the Senator from New Hampshire realize that the reason why the Mississippi River is mentioned so many times in the bill is that it is the father of all rivers, the father of all waters?

Mr. COTTON. I do; and I recognize that this bill is the father of all bills to authorize spending, and that in the number of projects and the amount of money it authorizes, the future potentialities for spending are great.

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

Mr. COTTON. I yield.

Mr. THYE. The bill embodies many flood-control projects. If anyone has witnessed the devastation which the Mississippi River has visited upon communities, or what the Minnesota River has wrought in devastation to communities, or the damage which the Clearwater has caused, then the Senator from New Hampshire would realize that probably a dime spent for flood control might very well save hundreds of thousands of people from complete ruin.

That is why I support the bill. That is why I say the bill is not a pork-barrel bill. The flood control provisions in the bill make it a relief bill.

It is easy to call it a pork-barrel bill. That makes interesting reading for those who may read the RECORD of the remarks of the Senator from New Hampshire. But it is not a pork-barrel bill, as will be attested by men and women who have seen their buildings

washed out by floods on the Minnesota River or the Mississippi River. To them it is not a pork-barrel bill. It will be an act of Congress intended to safeguard them.

Mr. COTTON. If that is a question, let me try to answer it. I assure the Senator from Minnesota that I pay him complete tribute and admire him for his position. I certainly would not want to do anything which would place any of the people of the country in danger of death from floods. But the Senator has mentioned the Mississippi River. What I shall say is a fact. I did not intend to mention it, but since the Senator from Minnesota made his rather fervid and eloquent statement I shall do so.

When the Committee on Public Works reached the time when it was ready to report the gigantic bill last year, even the most ardent spenders on that great committee, which certainly has a record for spending, found themselves somewhat appalled by the total sum when the figures were added up. What happened? I am simply an innocent person from a section of the country where we are not accustomed to big pieces of pork; we do well if we get a little piece of rind.

But what happened? Some members of the committee—some of the senior members who have been through this mill year after year, and who know the ropes—said, "Just a minute; in this bill there is authorization for really more money than can be spent on these Mississippi projects for several years. We can cut it in half, and that will not hold up a single project for at least 2 or 3 years, and it will make the aggregate look a little bit better."

Mr. President, I know the utter and complete sincerity of the Senator who has questioned me. No one knows that better than I do, and not one Senator on this floor is more completely sincere.

But, Mr. President, I am reaching the point where I am not too much impressed when someone holds a gun to my head and says to me, "If you do not vote to spend every cent we want, someone will be drowned." I sat in the committee, and I heard Senators—skillful, able statesmen—all of whom are very sincere about this; and they want to have this money provided because they believe heart and soul in this public-work program. I do not question that—but I heard them say, "Wait a minute; in the bill last year, this amount of money was provided for the projects in Mississippi because the people there want to know that the projects will be built. But it is not vital or necessary to provide all that money now; so we shall cut the amount in half, and that will not slow up the work." And the amount was cut in half.

After having had the benefit of that big lesson, and, in the innocence of my youth, not realizing how these things were done, I must be forgiven if I do not respond too readily to these great appeals for every cent proposed by means of this measure.

Furthermore, Mr. President, I repeat that we cannot tell where all the floods will occur. But if we continue to have floods until the works authorized by this bill are completed, then we had better start to build an ark, because there will be plenty of floods. [Laughter.]

Mr. WATKINS. Mr. President, will the Senator from New Hampshire yield to me?

The PRESIDING OFFICER (Mr. SCOTT in the chair). Does the Senator from New Hampshire yield to the Senator from Utah?

Mr. COTTON. I yield for a question.

Mr. WATKINS. I should like to ask 2 or 3 questions about matters on which I am trying to obtain some light.

I have been very much impressed by what the Senator from New Hampshire has said about the amount of money to be spent under the bill. Perhaps he can tell me—since he is a member of the committee—how much money would be spent under subsection (b) of section 205, on page 21 of the report, which reads as follows:

> In prosecuting plans and projects for navigation, flood control, and allied purposes—

Mr. President, before reading further, will the Senator from New Hampshire tell me what an allied purpose is, in the case of the flood-control and navigation program?

Mr. COTTON. No; that is one of the things about which I should like to have the Senator from Utah inform me.

Mr. WATKINS. I have not been able to find that out, and probably I never shall.

At any rate, I read further from the subsection:

> heretofore or hereafter authorized, storage may be included in any reservoir project constructed or to be constructed by the Corps of Engineers without reimbursement—

That means that Uncle Sam will pick up the entire check, and never will be paid back—

> to increase low flows downstream to the extent warranted at that time, or anticipated to be warranted at that time, or anticipated to be warranted during the economic life of the project, by widespread general, and nonexclusive benefits from such increases in low flow.

But they did not stop there; they also took in reclamation, as follows:

> Storage may likewise be included for the same purpose and under the same conditions in any reservoir constructed by the Secretary of the Interior under the Federal Reclamation laws (act of June 17, 1902 (32 Stat. 388), and acts amendatory thereof and supplementary thereto).

That includes everything of that sort done in the past 50 years.

Can the Senator from New Hampshire tell me whether the evidence received indicated how much money those two authorizations would call for?

Mr. COTTON. No; I cannot tell the Senator from Utah how much money could be spent ultimately under that provision; and that is one of the many provisions of this measure that—strive though one may—will remain forever, as Winston Churchill once said, a mystery wrapped up inside an enigma.

Mr. President, that is one of the reasons why I am afraid of this bill. I believe that it just opens wide the gates. I do not believe that any of the Members of this body have a sufficient gift of understanding to be able to know how far the bill will go.

At any rate I, for one, after struggling for weeks and weeks, and after listening most carefully in the Committee on Public Works, believe that if I cast my vote for the bill, I shall not know what I am committing the country to.

The question the Senator from Utah has asked has brought out that point much more skillfully and eloquently than I possibly could have done.

Mr. WATKINS. I should like to read further; the provision we have just referred to is not the only one. I read now from subsection (c):

> In carrying out the policy set forth in this section, it is hereby provided that storage may also be included in any reservoir project surveyed, planned, constructed or to be planned, surveyed, and/or constructed—

That takes in everything—everything past, everything present, and everything in the future—

> by the Corps of Engineers or the Bureau of Reclamation to impound water for present or anticipated future demand or need for municipal or industrial water, and the reasonable value thereof may be taken into account in estimating the economic value of the entire project.

There follows a long proviso which I shall not read at this time.

But let me ask this question: Did the committee take any evidence in regard to how much money that authorization would cost if the Bureau of Reclamation and the Corps of Army Engineers should go ahead with all the projects, all those begun in the past, all those now being constructed, and all those to be constructed in the future, or all those which now are authorized to develop water for municipal or industrial use?

Mr. COTTON. Mr. President, I shall not make the sweeping assertion that the committee took no evidence of that sort. Perhaps some evidence was taken in regard to some aspects of it. But I do not hesitate to say that no evidence taken before the committee could possibly give us an idea of the limits of the expenditures which could be made under that provision.

Mr. WATKINS. Does the Senator from New Hampshire remember whether any evidence was taken in regard to how much the Bureau of Reclamation, of the Department of the Interior, could spend under this authorization—an authorization to increase the height of any dam in order to insure a low flow desirable in the future, and also in the past, and also for all the projects which ever have been built up to now and also for all the projects to be built in the future?

Mr. COTTON. As a matter of fact, the distinguished Senator from Utah—who is a member of the great Committee on Interior and Insular Affairs—probably knows that the Committee on Public Works dealt rather sketchily with the projects involving reclamation. Although some evidence was taken, I believe I am correct in stating to the Senator from Utah that, in general, none of the evidence taken before our committee would give us a clear-cut idea—and I doubt that any evidence could give us a clear-cut idea—of the

potentialities and possibilities of those provisions.

Mr. WATKINS. Of course they also include everything that might be done in the future. No one knows how many dams, reservoirs, flood-control projects, and other types of structures for the development of municipal and industrial water will be built in the future. But whatever the total number may be, the language I have just read would authorize the inclusion of all these features.

Mr. COTTON. That is correct.

Mr. WATKINS. Mr. President, let me say that I had made a rough estimate in regard to what these two authorizations might possibly call for in the way of expenditures, if there were only a reasonable development during the next 15 or 20 years. The estimate runs as high as $8 billion.

I thank the Senator from New Hampshire for yielding, and also for whatever information he gave me in respect to these large expenditures.

Mr. COTTON. The information was very meager.

Mr. President, the fact that my information is so meager, even after long and careful attention, is one reason why I cannot vote for the bill.

Mr. President, I yield the floor.

Mr. LANGER. Mr. President, I move that the Senate take a recess until tomorrow, at 12 o'clock noon.

Mr. WATKINS. Mr. President, will the Senator agree to an amendment to his motion, so as to provide that the recess be taken until tomorrow at 10 a. m.?

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

Mr. O'MAHONEY. 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 motion of the Senator from North Dakota, which is not debatable.

Mr. MANSFIELD. Mr. President, the Senator from Utah wanted to make a speech. He is now present.

Mr. WATKINS. Mr. President——

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from North Dakota.

The motion was rejected.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

Mr. WATKINS. Mr. President——

Mr. BRIDGES. Mr. President, did the Senate vote on some question?

Mr. LANGER. Mr. President, I make a motion that the Senate take a recess.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry. What was the vote on?

The PRESIDING OFFICER. The question was on agreeing to the motion that the Senate take a recess until 12 o'clock noon tomorrow. The motion was not agreed to. The Senator from Utah has the floor.

Mr. WATKINS. Mr. President, the conference report on S. 497 now before the Senate recommends that the Senate recede from a proviso that we adopted in the Senate bill a year ago, requiring that the vastly-expanded water storage construction authorized in this measure be undertaken only in compliance with applicable State laws and interstate compacts.

For nearly 100 years, the Congress has been incorporating such a proviso in legislation pertaining to irrigation and other water uses in the 17 Western States. This legislation affects water use in all 48 States, and I do not think that the conferees or anyone else has come forward with adequate justification for abandoning that old policy or establishing a new policy involving the century-old legal and property rights in the semi-arid West.

In fact, I feel so strongly about the matter that I believe action on the report should be deferred until after the Easter recess, so that we shall be able to give the Western States an opportunity to consider this legislation and what it means to their future, and the future of other States which have adopted or are considering the need for water appropriation laws. Certainly this matter is important enough to warrant a delay of a few days for such deserved study and analysis by the States and water-using organizations directly affected.

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

Mr. WATKINS. I yield.

Mr. BARRETT. I think the Senator from Utah has made a good point. Does he know whether any notice has been served on governors or engineers in the Western States that section 205 was to be inserted in the bill?

Mr. WATKINS. I do not know of any. Of course, the Senator from Wyoming knows that section 205 is an attempt to amend the reclamation law as well, by expanding the powers of the Secretary of the Interior to proceed to build reclamation projects and expand existing reclamation projects to take care of low-flow situations.

Mr. BARRETT. Does the Senator know whether the Secretary of the Interior favors or opposes such a proviso?

Mr. WATKINS. I do not know whether the Secretary has been consulted as to that matter. I doubt if there has been a report on it.

Mr. BARRETT. I doubt it, also.

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

Mr. WATKINS. I yield.

Mr. LANGER. Does the distinguished Senator believe we should postpone action on the conference report until after the Easter recess?

Mr. WATKINS. I think that should be done. I believe we would gain time. I have a strong belief, after hearing the speech of the Senator from New Hampshire, that the conference report if agreed to, will be vetoed. I do not see how any reasonable person could go along with it, after the Senator finished explaining the authorizations, and what it will mean to the Treasury of the United States, as well as how long it would take before anything could be constructed.

The proviso I am referring to specifically is found in subsection (a) of section 205 of the Senate-approved bill. It is inserted as a proviso after the far-reaching, open-end authorization of nonreimbursable low-flow storage, and states:

> *Provided*, That such storage be constructed and used in compliance with applicable State laws and interstate compacts.

As I recall, that language was provided in an amendment offered by the distinguished Senator from Wyoming [Mr. BARRETT]. It was accepted by the Senate. I am quite certain in my own mind quite a number of Senators decided to vote for the bill after such language had been placed in the measure.

Now, this is not a very difficult qualification for anyone to comply with in a proposed water resource development program. In 50 years of water development in the semiarid West, we have lived under a comparable restriction in the Reclamation Act of 1902. Section 8 of this act prescribes:

> Nothing in this chapter shall be construed as affecting or intended to affect or to in any way interfere with the laws of any State or Territory relating to the control, appropriation, use, or distribution of water used in irrigation, or any vested right acquired thereunder, and the Secretary of the Interior, in carrying out the provisions of this chapter, shall proceed in conformity with such laws, and nothing herein shall in any way affect any right of any State or of the Federal Government or of any landowner, appropriator, or user of water in, to, or from any interstate stream or the waters thereof.

Similar action was taken by the Congress in preserving State water rights in public land acts of 1866, 1870, and 1877. These old provisos are very clear and specific.

The Senate report on the Barrett bill—Senate Report No. 2587 of the 84th Congress—cited 16 specific instances where the Congress had taken direct action to protect State water rights by inserting special provisos in major legislation. I hereby request unanimous consent to have this summary printed in the RECORD at this point in my remarks.

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

PROVISIONS OF FEDERAL STATUTES IN RECOGNITION OF STATE LAW AS GOVERNING WATER RIGHTS

1. The act of July 26, 1866 (14 Stat. 253): "Whenever, by priority of possession, rights to the use of water for mining, agricultural, manufacturing, or other purposes have vested and accrued, and the same are recognized and acknowledged by the local customs, laws, and the decisions of courts, the possessors and owners of such vested rights shall be maintained and protected in the same; and the right-of-way for the construction of ditches and canals for the purposes herein specified is acknowledged and confirmed; but whenever any person, in the construction of any ditch or canal, injures, or damages the possession of any settler on the public domain, the party committing such injury or damage shall be liable to the party injured for such injury or damage (R. S. sec. 2339" (30 U. S. C. A. sec. 51)).

2. The act of July 9, 1870 (16 Stat. 218):

"Whenever, by priority of possession, rights to the use of water for mining, agricultural, manufacturing, or other purposes, have vested and accrued, and the same are recognized and acknowledged by the local customs, laws, and the decisions of courts, the possessors and owners of such vested rights shall be maintained and protected in the same; and the right-of-way for the construction of ditches and canals for the purposes herein specified is acknowledged and confirmed; but whenever any person, in the construction of any ditch or canal, injures or damages the possession of any settler on the public domain, the party committing such injury or damage shall be liable to the party injured for such injury or damage.

"All patents granted, or preemption or homestead allowed, shall be subject to any vested and accrued water rights, or rights to ditches and reservoirs used in connection with such water rights, as may have been acquired under or recognized by this section (R. S. secs. 2339, 2340)" (43 U. S. C. A. sec. 661).

3. The Desert Land Act of March 3, 1877 (19 Stat. 377):

"It shall be lawful for any citizen of the United States, or any person of requisite age 'who may be entitled to become a citizen, and who has filed his declaration to become such' and upon payment of 25 cents per acre—to file a declaration under oath with the register (and the receiver) of the land district in which any desert land is situated, that he intends to reclaim a tract of desert land not exceeding one-half section, by conducting water upon the same, within the period of 3 years thereafter: *Provided, however,* That the right to the use of water by the person so conducting the same, on or to any tract of desert land of 320 acres shall depend upon bona fide prior appropriation; and such right shall not exceed the amount of water actually appropriated, and necessarily used for the purpose of irrigation and reclamation; and all surplus water over and above such actual appropriation and use, together with the water of all lakes, rivers, and other sources of water supply upon the public lands and not navigable, shall remain and be held free for the appropriation and use of the public for irrigation, mining, and manufacturing purposes subject to existing rights. Said declaration shall describe particularly said one-half section of land if surveyed, and, if unsurveyed, shall describe the same as nearly as possible without a survey. At any time within the period of 3 years after filing said declaration, upon making satisfactory proof to the register (and receiver) of the reclamation of said tract of land in the manner aforesaid, and upon the payment to the receiver of the additional sum of $1 per acre for a tract of land not exceeding 320 acres to any 1 person, a patent for the same shall be issued to him: *Provided,* That no person shall be permitted to enter more than 1 tract of land and not to exceed 320 acres which shall be in compact form (Mar. 3, 1877, c. 107, sec. 1, 19 Stat. 377; Mar. 3, 1891, c. 561, sec. 2, 26 Stat. 1096)," (43 U. S. C. A. § 321).

4. Section 8 of the Reclamation Act of 1902 (32 Stat. 390):

"Nothing in this chapter shall be construed as affecting or intended to affect or to in any way interfere with the laws of any State or Territory relating to the control, appropriation, use, or distribution of water used in irrigation, or any vested right acquired thereunder, and the Secretary of the Interior, in carrying out the provisions of this chapter, shall proceed in conformity with such laws, and nothing herein shall in any way affect any right of any State or of the Federal Government or of any landowner, appropriator, or user of water in, to, or from any interstate stream or the waters thereof (June 17, 1902, c. 1093, sec. 8, 32 Stat. 390)" (43 U. S. C. A. 383).

5. Sections 9 (b) and 27 of the Federal Power Act of 1920 (41 Stat. 1077):

"(b) Satisfactory evidence that the applicant has complied with the requirements of the laws of the State or States within which the proposed project is to be located with respect to bed and banks and to the appropriation, diversion, and use of water for power purposes and with respect to the right to engage in the business of developing, transmitting, and distributing power, and in any other business necessary to effect the purposes of a license under this chapter" (16 U. S. C. A. sec. 802 (b)).

"Nothing contained in this chapter shall be construed as affecting or intending to affect or in any way to interfere with the laws of the respective States relating to the control, appropriation, use, or distribution of water used in irrigation or for municipal or other uses, or any vested right acquired therein (June 10, 1920, c. 285, sec. 27, 41 Stat. 1077)" (16 U. S. C. A. sec. 821).

6. Section 18 of the Boulder Canyon Project Act of December 21, 1928 (45 Stat. 1057):

"Nothing herein shall be construed as interfering with such rights as the States now have either to the waters within their borders or to adopt such policies and enact such laws as they may deem necessary with respect to the appropriation, control, and use of waters within their borders, except as modified by the Colorado River compact or other interstate agreement."

7. Section 3 of the Taylor Grazing Act of 1934 (48 Stat. 1269):

"*Provided further,* That nothing in this chapter shall be construed or administered in any way to diminish or impair any right to the possession and use of water for mining, agriculture, manufacture, or other purposes which has heretofore vested or accrued under existing law validly affecting the public lands or which may be hereafter initiated or acquired and maintained in accordance with such law" (43 U. S. C. A. 315b).

8. The Great Plains Water Conservation and Utilization Projects Act of October 14, 1940 (54 Stat. 1119):

"As a condition to extending benefits under sections 590r–590x of this title to any lands not owned or controlled by the United States or any of its agencies, the Secretary of Agriculture may, insofar as he may deem necessary for the purposes of sections 590r–590x of this title, require—

"(1) The enactment of State and local laws providing for soil conserving land uses and practices, and the storage, conservation, and equitable utilization of waters;

"(2) Agreements or covenants in regard to the maintenance and permanent use of such water, facilities, or lands benefited by such facilities;

"(3) Contributions in money, services, materials, or otherwise to any operations conferring such benefits (Aug. 28, 1937, c. 870, sec. 4, 50 Stat. 870)" (16 U. S. C. A. sec. 590u).

9. The Water Conservation Act of 1939 (53 Stat. 1419):

"(2) the Secretary has found (i) that water rights adequate for the purposes of the project have been acquired with titles and at prices satisfactory to him, or have been initiated and can be perfected in conformity with State law and any applicable interstate agreements and in a manner satisfactory to him; and (ii) that such water rights can be utilized for the purposes of the project in conformity with State law and any applicable interstate agreements and in a manner satisfactory to him (Aug. 11, 1939, c. 717, sec. 3, 53 Stat. 1419; Oct. 14, 1940, c. 861, 54 Stat. 1120)" (16 U. S. C. A. sec. 590z–1 (b) (2)).

10. Section 1 of the Flood Control Act of December 22, 1944 (58 Stat. 887):

"In connection with the exercise of jurisdiction over the rivers of the Nation through the construction of works of improvement, for navigation or flood control, as herein authorized, it is declared to be the policy of the Congress to recognize the interests and rights of the States in determining the development of the watersheds within their borders and likewise their interests and rights in water utilization and control, as herein authorized to preserve and protect to the fullest possible extent established and potential uses, for all purposes, of the waters of the Nation's rivers; to facilitate the consideration of projects on a basis of comprehensive and coordinated development; and to limit the authorization and construction of navigation works to those in which a substantial benefit to navigation will be realized therefrom and which can be operated consistently with appropriate and economic use of the waters of such rivers by other users.

"In conformity with this policy:

"(a) Plans, proposals, or reports of the Chief of Engineers, Department of the Army, for any works of improvement for navigation or flood control not heretofore or herein authorized, shall be submitted to the Congress only upon compliance with the provisions of this paragraph (a). Investigations which form the basis of any such plans, proposals, or reports shall be conducted in such a manner as to give to the affected State or States, during the course of the investigations, information developed by the investigations and also opportunity for consultation regarding plans and proposals, and, to the extent deemed practicable by the Chief of Engineers, opportunity to cooperate in the investigations. If such investigations in whole or in part are concerned with the use or control of waters arising west of the 97th meridian, the Chief of Engineers shall give to the Secretary of the Interior, during the course of the investigations, information developed by the investigations and also opportunity for consultation regarding plans and proposals, and to the extent deemed practicable by the Chief of Engineers, opportunity to cooperate in the investigations. The relations of the Chief of Engineers with any State under this paragraph shall be with the governor of the State or such official or agency of the State as the governor may designate. The term 'affected State or States' shall include those in which the works or any part thereof are proposed to be located; those which in whole or in part are both within the drainage basin involved and situated in a State lying wholly or in part west of the 98th meridian; and such of those which are east of the 98th meridian as, in the judgment of the Chief of Engineers, will be substantially affected. Such plans, proposals, or reports and related investigations shall be made to the end, among other things, of facilitating the coordination of plans for the construction and operation of the proposed works with other plans involving the waters which would be used or controlled by such proposed works. Each report submitting any such plans or proposals to the Congress shall set out therein, among other things, the relationship between the plans, if any, submitted by the affected States and by the Secretary of the Interior. The Chief of Engineers shall transmit a copy of his proposed report to each affected State, and, in case the plans or proposals covered by the report are concerned with the use or control of waters which rise in whole or in part west of the 97th meridian, to the Secretary of the Interior. Within 90 days from the date of receipt of said proposed report, the written views, and recommendations of each affected State and of the Secretary of the Interior may be submitted to the Chief of Engineers. The Secretary of the Army shall transmit to the Congress, with such comments and recommendations as he deems appropriate, the proposed report together with the submitted views and recommendations of affected States and of the Secretary of the Interior. The Secretary of the Army may

prepare and make said transmittal any time following said 90-day period. The letter of transmittal and its attachments shall be printed as a House or Senate document.

"(b) The use for navigation, in connection with the operation and maintenance of such works herein authorized for construction, of waters arising in States lying wholly or partly west of the 98th meridian shall be only such use as does not conflict with any beneficial consumptive use, present or future, in States lying wholly or partly west of the 98th meridian, of such waters for domestic, municipal, stock water, irrigation, mining, or industrial purposes.

"(c) The Secretary of the Interior, in making investigations of and reports on works for irrigation and purposes incidental thereto shall, in relation to an affected State or States (as defined in paragraph (a) of this section), and to the Secretary of the Army, be subject to the same provisions regarding investigations, plans, proposals, and reports as prescribed in paragraph (a) of this section for the Chief of Engineers and the Secretary of the Army. In the event a submission of views and recommendations, made by an affected State or by the Secretary of the Army pursuant to said provisions, sets forth objections to the plans or proposals covered by the report of the Secretary of the Interior the proposed works shall not be deemed authorized except upon approval by an act of Congress; and section 485h of title 43 and section 590z-1 of title 16 are amended accordingly (Dec. 22, 1944, ch. 665, sec. 1, 58 Stat. 887, amended July 26, 1947, ch. 343, sec. 205 (a), 61 Stat. 501)" (33 U. S. C. A. 701-1).

11. Reservation (c) to the Mexican Water Treaty, United States Treaty Serial No. 994 (59 Stat. 1219 (1945)):

"(c) That nothing contained in the treaty or protocol shall be construed as authorizing the Secretary of State of the United States, the Commissioner of the United States Section of the International Boundary and Water Commission, or the United States Section of said Commission, directly or indirectly to alter or control the distribution of water to users within the territorial limits of any of the individual States."

12. The National Parks Act of 1946 (60 Stat. 885):

"Investigation and establishment of water rights in accordance with local custom, laws, and decisions of courts, including the acquisition of water rights or of lands or interests in lands or rights-of-way for use and protection of water rights necessary or beneficial in the administration and public use of the national parks and monuments" (16 U. S. C. A., sec. 17j-2 (g)).

13. Section 208 of the act of July 10, 1952, authorizing suits against the United States in State courts for the adjudication of water rights (66 Stat. 560):

"Consent is given to join the United States as a defendant in any suit (1) for the adjudication of rights to the use of water of a river system or other source, or (2) for the administration of such rights, where it appears that the United States is the owner of or is in the process of acquiring water rights by appropriation under State law, by purchase, by exchange, or otherwise, and the United States is a necessary party to such suit. The United States, when a party to any such suit, shall (1) be deemed to have waived any right to plead that the State laws are inapplicable or that the United States is not amenable thereto by reason of its sovereignty, and (2) shall be subject to the judgments, orders, and decrees of the court having jurisdiction, and may obtain review thereof, in the same manner and to the same extent as a private individual under like circumstances: *Provided*, That no judgment for costs shall be entered against the United States in any such suit" (43 U. S. C. A., sec. 666 (a)).

"Nothing in this section shall be construed as authorizing the joinder of the United States in any suit or controversy in the Supreme Court of the United States involving the right of States to the use of the water of any interstate stream" (43 U. S. C. A., sec. 666 (c)).

14. Subsection 3 (e) of the Submerged Lands Act of May 22, 1953 (67 Stat. 31):

"Nothing in this chapter shall be construed as affecting or intended to affect or in any way interfere with or modify the laws of the States which lie wholly or in part westward of the 98th meridian, relating to the ownership and control of ground and surface waters; and the control, appropriation, use, and distribution of such waters shall continue to be in accordance with the laws of such States (May 22, 1953, ch. 65, title II, sec. 3, 67 Stat. 30)" (43 U. S. C. A., sec. 1311 (e)).

15. Subsection 3 (c) of the act of July 28, 1954, to authorize the Secretary of the Interior to construct facilities for the Santa Margarita River project, California (68 Stat. 577):

"For the purposes of this act, the basis, measure, and limit of all rights of the United States of America pertaining to the use of water shall be the laws of the State of California: *Provided*, That nothing in this act shall be construed as a grant or a relinquishment by the United States of America of any of its rights to the use of water which it acquired according to the laws of the State of California either as a result of its acquisition of the lands comprising Camp Joseph H. Pendleton and adjoining naval installations, and the rights to the use of water as a part of said acquisition, or through actual use or prescription or both since the date of that acquisition, if any, or to create any legal obligation to store any water in De Luz Reservoir, to the use of which it has such rights, or to require the division under this act of water to which it has such rights."

16. The act of July 23, 1955 (being sec. 4 (b) of Public Law 167, 84th Cong.), the act providing for multiple use of the surface of tracts of public land (69 Stat. 368): "*Provided further*, That nothing in sections 601, 603, and 611-615 of this title shall be construed as affecting or intended to affect or in any way interfere with or modify the laws of the States which lie wholly or in part westward of the 98th meridian relating to the ownership, control, appropriation, use, and distribution of ground or surface waters within any unpatented mining claim" (30 U. S. C. A., sec. 612 (b)).

Mr. WATKINS. Mr. President, in spite of this background, and in spite of the known fact that 9 out of the 17 Western States have constitutional declarations of control over the appropriation of water and the remaining 8 have done so by statute, the 85th Congress is now on the verge of abandoning the protective proviso we felt was essential only a year ago.

Let us look at the record on this matter, with respect to the legislation, before us:

Part of the present section 205—that relating to low-flow storage—was incorporated in the omnibus flood-control bill of 1956, which was ultimately vetoed by the President. This bill carried no State-rights proviso pertaining to this section.

When the omnibus bill was reintroduced in the 85th Congress, it was broadened to include authorization of reimbursable storage for future municipal and industrial water needs. Once again, the State-rights proviso was completely lacking.

This lack was noted by the Senate Public Works Committee prior to floor consideration, and when the bill came to the floor, the Senator from South Dakota [Mr. CASE] announced a committee amendment, which I believe was further amplified by the Senator from Wyoming [Mr. BARRETT]. These provisos carried in the Senate, and the Senate bill included this language, heretofore lacking from the far-reaching water-policy features of the omnibus bill:

Provided, That such storage be constructed and used in compliance with applicable State laws and interstate compacts: *Provided, further*, That nothing herein shall be construed to amend, modify, or limit the applicability of section 8 of the Reclamation Act of 1902.

The proviso was all inclusive, because it went so far as to take care of not only irrigation water and the State rights which are protected in section 8, but it also took in all uses of all water in the Western States. It went further than the amendment known as the Millikin-O'Mahoney amendment in the Flood Control Act of 1944, which reads as follows:

The use for navigation, in connection with the operation and maintenance of such works herein authorized for construction, of waters arising in States lying wholly or partly west of the 98th meridian shall be only such use as does not conflict with any beneficial consumptive use, present, or future, in States lying wholly or partly west of the 98th meridian, of such waters for domestic, municipal, stock water, irrigation, mining, or industrial purposes.

The language only protected the rights of the Western States as against navigation on Army Engineer projects. It gave no protection whatever for projects constructed by the Army Engineers for irrigation, for electric-power generation, for industrial uses, or for municipal uses.

This is what the Senate decreed—in line with 75 years of Congressional policy—was needed in this legislation to amply protect the water rights of the Western States in this legislation. This was one of the key provisions of this measure which the Senate conferees took into conference with them. We in the Senate, and the officials of the 17 Western States, are amply justified in insisting on good and sufficient reasons why the States rights proviso of the Senate-approved amendment was dropped from the conference bill.

In reviewing the hearings records and reports on this legislation, I found little reference to the problem of how the far-reaching section 205 would affect water rights in the Western States. Hence, I wrote the chairmen of the Senate and House Public Works Committees letters a few days ago, requesting copies of letters from the States or citations to committee records dealing with section 205. Replies to these letters have not been received, so I am unable to provide at this time a complete record of committee action on this vital matter.

I am, however, able to provide the Senate with some communications on this subject, inspired by the House committee acting in eliminating the States rights proviso.

Gov. George D. Clyde, of my State of Utah, a nationally known irrigation en-

gineer and authority on water and soil conservation, wired me on March 14, as follows:

I am greatly concerned over recent amendment to the omnibus flood-control bill, S. 497, which grants the Corps of Engineers right to operate without regard to State water laws. I urge you to have conferees amend the bill to provide that storage authorized under subsection 205 (d) must be established in compliance with applicable State water laws and interstate compacts.

I also request unanimous consent to have printed a news article on this subject which appeared in the Official News Letter of the American Farm Bureau Federation of March 17, 1958.

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

DOES CONGRESS RECOGNIZE STATE WATER LEGISLATION

The validity of State water laws—and the rights of individuals to use water established under such State laws—were not enhanced and may have been further jeopardized as a result of Congressional action last week on S. 497, the Flood Control Act of 1957.

This matter is not of interest only in the Western States. A number of the Federal statutes designed to protect State water law and individual water rights are applicable to all areas of the United States.

Users of water in the Eastern States are in general using this water pursuant to State water law of some kind. This law is usually founded on common law, as interpreted by a series of judicial decisions, and as modified by State statutes.

The right to use water which may be established under State riparian doctrine in the Eastern States is no less a property right than the right to use water established by appropriative doctrine in the Western States, even though the character of the right may be less definitive.

Users of water in the Eastern States—whether individuals, industries, or municipalities—have water rights which are property rights under State law in the same manner as water rights acquired by appropriation in the West.

On at least 13 separate occasions Congress has enacted legislation to provide for the recognition of State water law and to recognize the validity of private rights under the State law.

Apparently the first Congressional policy on this matter was laid down in the act of July 29, 1866 (14 Stat. 251). This act dealt with the rights of individuals in public lands. One provision of the act states, "Whenever, by priority of possession, rights to the use of water for mining, agriculture, manufacturing, or other purposes have vested and accrued, and for the same are recognized and acknowledged by the local customs, laws, and the decisions of the courts, the possessors and owners of such vested rights shall be maintained and protected in the same."

Identical language was incorporated in the act of July 9, 1870 (16 Stat. 217) which contained extensive amendments of the act of 1866.

In a statute providing for disposition of publicly owned desert land in 1877 (19 Stat. 377) Congress recognized that the water available to tracts disposed of under the act was subject to appropriation under State law.

In the enactment of the Reclamation Act of 1902 (32 Stat. 388)—an act which was applicable at that time to 16 Western States—Congress recognized the existing situation by providing in section 8 that nothing in this chapter shall be construed as affecting or intended to affect or to in any way interfere with the laws of any State or Territory relating to the control, appropriation, use, or distribution of water used in irrigation, or any vested right acquired thereunder.

Section 27 of the Federal Power Act of 1920 (41 Stat. 1077), a statute applicable to all States, provides that nothing contained in the chapter shall be construed as affecting or intending to affect in any way or to interfere with the laws of the respective States relating to the control, appropriation, use, or distribution of water used in irrigation or for municipal or other uses or any vested right acquired therein.

In almost identical language the Boulder Canyon Project Act of 1928 and the Taylor Grazing Act of 1934 recognized the supremacy of State water law and private rights acquired under it.

Section 1 of the Flood Control Act of 1944 (58 Stat. 887), applicable to all States, provides that "in connection with the exercise of jurisdiction over the rivers of the Nation through the construction of works of improvement, for navigation or flood control, as herein authorized, it is declared to be the policy of the Congress to recognize the interest and rights of the States in determining the development of the watersheds within their borders and likewise their interests and rights in water utilization and control."

The National Parks Act of 1946, broadening the authorization of the National Parks Service, provided the Service might acquire water rights "in accordance with local customs, laws, and decisions of courts."

In the Appropriation Act for the Department of Justice in 1952 (66 Stat. 560), applicable to all States, the Congress authorized Federal agencies to participate in State court cases relating to water utilization, and specifically provided that the United States as a party to the suit shall "* * * be deemed to have waived any right to plead that State laws are inapplicable."

Some of the recent statutes such as the Submerged Lands Act of 1953 (66 Stat. 31) and the Mining Laws Amendments of 1955 (69 Stat. 368) have specifically recognized the water laws of the Western States, without modifying other statutes applicable to all States.

Despite this long series of statutes reflecting Congressional intent, the question of the validity of State water law, and rights established thereunder, is not definitely established—even in the Western States.

The issue was involved again in Congressional consideration of the Flood Control Act of 1957. This statute (S. 497) adds a long list of Corps of Engineers projects to the previously authorized backlog of projects.

S. 497, as approved by the Senate, contained a provision broadly expanding the authority of the Corps of Engineers and the Bureau of Reclamation to add to any project—heretofore or hereafter authorized—water storage for the purpose of regulating river flow or providing for municipal or industrial water supply. This is in effect a blank check to add water storage without specific Congressional authorization. With respect to the new authority to the Interior Department, the bill said "that such storage be constructed and used in compliance with applicable State laws and interstate compacts." This provision was not made applicable to Corps of Engineers projects.

The bill reported by the House Public Works Committee struck out the authority for the Bureau of Reclamation to add water storage to existing or future projects, including, of course, the proviso that the Bureau had to comply with State water law.

The House Public Works Committee, in its report to the House of Representatives on the bill, said "the committee has also removed the proviso concerning compliance with State laws and interstate compacts, since this is not considered to be necessary for projects constructed by the Corps of Engineers. On this matter the committee believes that the construction of Federal projects for flood control navigation, hydroelectric power development, and other related uses has been successfully carried on for many years without any question of interference with State laws or interstate compacts. The committee believes that any specific proviso of this nature would either be unnecessary in some cases or unworkable in others. The committee notes that the Department of Justice agrees with this view."

This report would seem to be in conflict with the bill (S. 497) itself, which says: "The provisions of this section shall not be construed to modify the provisions of section I of the Flood Control Act of 1944." (See language of this statute above.) The committee report in effect is saying that section I of the Flood Control Act of 1944 does not mean what it seems to mean.

A committee report is not law, and in itself does not constitute an amendment of previous statutes. But there is no doubt that the committee report will be seized upon as a basis for administrative action and for legal argument in specific cases as to the present intention of Congress and a Congressional interpretation of previous statutes.

Approval by the Congress of S. 497, with the committee report before it containing the above quoted language, will be argued to have legal significance and in view of present judicial tendencies toward Federal preemption may have weight with the courts.

The committee report supports and reinforces the views of the Justice Department, the litigating agency for the United States Government. The Justice Department has long held, despite the many expressions of law to the contrary, that the right of the Federal Government to regulate the use of water may supersede State laws and private rights. Thus, a witness for the Justice Department in a recent appearance before the Senate Interior Committee summarized the Justice Department's concept of the present law in these words:

"The courts have taken the position that Congress says it wants this project built for the good of the country, and that the Federal Government has the power within its proper sphere to provide for the project to be built, and that no State can stand in the way of that, because of the Constitution."

The following dialogue in the Senate committee illustrates the extent to which the Justice Department would carry this interpretation:

Senator KUCHEL (Republican, California): "Is it then the position of the Department of Justice, that under Supreme Court interpretation, the exercise of navigational servitude which may deny to a landowner all his water right is not subject to any payment by the Government to him because he took that water right originally subject to that servitude?"

Witness: "That is the position of the Supreme Court."

Senator BARRETT (Republican, Wyoming): "Even though the State law recognizes his water right?"

Witness: "Yes."

In consideration of S. 497 in the House it was argued that the whole issue is unimportant because all Corps of Engineer projects must be cleared by the appropriate State authority, which is therefore in position to protect the integrity of State law. But this argument fails to note that most conflicts between State and Federal law arise in the administration and operation of a project rather than in its planning or construction stage. Further, many State authorities, anxious to obtain approval of a Federal project desired by many interests in

the State, may fail to give adequate consideration to the protection of water rights of all water users.

The question of Corps of Engineers compliance with State water law is given increased emphasis by the new and broad authorization to the corps to add water storage facilities to water projects without specific Congressional authorization. Such water storage projects may seriously impair the rights of individual water users.

During House consideration of the bill an amendment—originally offered by Representative JOHN F. BALDWIN (Republican) of California to again restate that the bill did not intend to modify the provisions of sections 1 and 8 of the Flood Control Act of 1944—was approved, after several Congressmen asked and were assured that this would protect State water laws. But other Congressmen questioned that it actually accomplishes this purpose.

Two different amendments by Representatives HAMER BUDGE Republican of Idaho, and E. KEITH THOMPSON, Republican of Wyoming, stating more specifically that the bill did not affect State law relating to the control of water in the Western States, were defeated.

Another amendment, offered by Representative WAYNE ASPINALL, Democrat of Colorado, which would have clearly provided for compliance with State law, was also defeated.

As a result of the action of Congress on S. 497 it appears that the doctrine of supremacy of Federal law, where a conflict between State and Federal law develops, has been strengthened in some measure. Whether or not this turns out to be the case—and the extent to which State law and private rights thereunder have been eroded—will only be determined by experience and through subsequent interpretation by Federal agencies and the judiciary.

Irrespective of the action of Congress on S. 497, it is clear that State law relating to the utilization of water and the validity of private rights which have been established under the authority of State law are jeopardized. And there is little likelihood they may be repaired except by the enactment of legislation such as S. 863, by Senator BARRETT.

The key section of Senator BARRETT's bill is that "no Federal agency or employee of the Federal Government shall interfere with the exercise of any right to use of water for beneficial purposes heretofore acquired under and recognized by State custom or law except when expressly authorized by law and upon payment of just compensation therefor."

The Barrett bill would apply only to the Western States where the current problem is most acute. If enacted into law, however, the precedent established would be of significance in the future development of the relationship between Federal and State law in the more complicated and varied situation existing in the Eastern States.

Mr. WATKINS. Mr. President, the Senate must keep in mind that the construction and reconstruction authority granted in section 205 of this bill represents one of the most extensive grants of authority for multiple-purpose water storage construction ever considered by the Congress. The section is, in fact, so general in scope, that no one on the committees or in the agencies involved has defined specifically what it would do or what it could conceivably cost the Federal Government.

Under the authorization for nonreimbursable storage construction to supplement the low flows of streams and rivers throughout the country, it is conceivable that this section grants authority for construction of large storage dams in Nebraska, the Dakotas, Wyoming, and Montana—not for the purpose of providing needed irrigation, municipal, and industrial water in those semiarid States—but specifically to increase the low flow of the Mississippi River clear down to New Orleans. Furthermore, this storage construction will be financed entirely by the Federal Government; hence funds for these low flow projects could go breezing through on an omnibus appropriations bill, while reimbursable water development projects for those areas languish under critical committee study here in the Congress, and the people in the States where this water originates may feel themselves helpless to protect their rights.

Now, let me make it clear that I am not opposed to the construction of storage for maintaining the low flow of the Mississippi, or of any of our streams and rivers that demand this type of development. As I indicated a year ago, I am in favor of such legislation in principle. What I am insisting on, however, is that before any multiple-use storage is authorized in the semiarid West, the proposal should be subjected to a State-participating study and made subservient to applicable State laws and interstate compacts—policies regularly applied in authorizing reclamation projects in the Western States.

On the House side, the contention was made that incorporating references to the applicability of sections 1 and 8 of the Flood Control Act of 1944 would amply protect States rights. Apparently the Senate conferees did not agree with this position, because they tacked on to section 205 (d) this thought-provoking proviso: "nor shall any storage provided under the provisions of this section be operated in such manner as to adversely affect the lawful uses of this water."

Well, none of us have had time to thoroughly study this legislation to see how effective the alleged protection is, nor to refer it to water experts and officials in our States, but there are a few questions which should be considered by the Senate and by the States themselves, during a reasonably adequate period of study before we should be expected to take final action on this conference report.

First. Why was the vague proviso in subsection 205 (d), "nor shall any storage provided under the provisions of this section be operated in such manner as to adversely affect the lawful uses of this water," adopted in lieu of the clear and simple proviso in the Senate-approved bill? Do the conferees feel that it accomplishes the same purpose?

Second. What is the answer of the Senate conferees to the question on this subject asked on the House floor yesterday by Representative ASPINALL, CONGRESSIONAL RECORD, page 5954, and left unanswered in the House RECORD?

Mr. ASPINALL. Mr. Speaker, I would like to ask one of the members of the conference committee this question. I note that the conference committee has inserted language in subsection (d) of 205 which states that the storage authorized for municipal and industrial water and for increasing low flows shall not be operated in such manner as to adversely affect the lawful uses of the water. I am pleased to see that language included and I interpret this language as protecting all uses of water for which rights have been initiated or perfected under the laws of the several States. I would like to ask some member of the conference committee if my interpretation of this language is correct.

Third. Section 1 of the Flood Control Act of 1944 does not apply to navigation and flood control projects authorized in 1944 or prior thereto. Can the conferees tell us how many existing authorized projects approved prior to 1944 would not be subject to the reporting and consultation procedures required by section 1 (a) of the Flood Control Act of 1944?

Are there any major water rights problems involved in existing authorized projects that would be so excluded?

I could go on at much greater length along this line, because there are many questions on this and other features of this bill left unanswered by the bill, the conference report, and the legislative history we have been making on this measure.

However, I will stop here and let others interested raise questions which trouble them. But I do so with a strong injunction that the Senate conferees and the Senate leadership defer final action on this matter until we have had time to submit this legislation to officials and interested organizations in all the 48 States. This can be done very expediously by the Members of the Congress during the Easter recess, and I feel sure that this additional study and the very slight delay are amply warranted in view of the great importance of this subject to at least two-thirds of the geographic area of this great country of ours.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

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

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the role.

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 conference report. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Nevada [Mr. BIBLE], the Senator from Virginia [Mr. BYRD], the Senator from Pennsylvania [Mr. CLARK], the Senator from Mississippi [Mr. EASTLAND], the Senator from Delaware [Mr. FREAR], the Senator from Texas [Mr. JOHNSON], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Louisiana [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], the Senator from Oregon [Mr. MORSE], the Senator from Montana [Mr. MURRAY], the Senator from Rhode Island [Mr. PASTORE], the Senator from Virginia [Mr. ROBERTSON], and the Senator from Georgia [Mr. RUSSELL] are absent on official business.

The Senator from Washington [Mr. JACKSON] is absent because of illness in his family.

The Senator from Oklahoma [Mr. MONRONEY] is absent on official business attending the interparliamentary conference as a delegate for the Senate.

The Senator from Mississippi [Mr. STENNIS] is absent because of a death in his family.

I further announce that if present and voting, the Senator from New Mexico [Mr. ANDERSON], the Senator from Nevada [Mr. BIBLE], the Senator from Pennsylvania [Mr. CLARK], the Senator from Mississippi [Mr. EASTLAND], the Senator from Washington [Mr. JACKSON], the Senator from Texas [Mr. JOHNSON], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Louisiana [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], the Senator from Montana [Mr. MURRAY], the Senator from Georgia [Mr. RUSSELL], and the Senator from Mississippi [Mr. STENNIS] would each vote "yea."

I also announce, on this vote, the Senator from Virginia [Mr. BYRD], is paired with the Senator from Rhode Island [Mr. PASTORE]. If present and voting, the Senator from Virginia would vote "nay" and the Senator from Rhode Island would vote "yea."

The Senator from Oregon [Mr. MORSE] is paired with the Senator from Virginia [Mr. ROBERTSON]. If present and voting, the Senator from Oregon would vote "yea," and the Senator from Virginia would vote "nay."

On this vote, the Senator from Washington [Mr. MAGNUSON] has a general pair with the Senator from Ohio [Mr. BRICKER].

Mr. DIRKSEN. I announce that the Senators from Maryland [Mr. BEALL and Mr. BUTLER], the Senator from Utah [Mr. BENNETT], the Senator from Ohio [Mr. BRICKER], the Senator from Iowa [Mr. HICKENLOOPER], the Senators from New York [Mr. IVES and Mr. JAVITS], the Senator from Pennsylvania [Mr. MARTIN], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from Delaware [Mr. WILLIAMS], and the Senator from Indiana [Mr. JENNER] are necessarily absent.

The Senator from Indiana [Mr. CAPEHART] is absent because of illness.

The Senator from Nebraska [Mr. HRUSKA] and the Senator from Kansas [Mr. SCHOEPPEL], are absent on official business.

The Senator from New Jersey [Mr. SMITH], is detained on official business.

On this vote the Senator from Ohio [Mr. BRICKER], has a general pair with the Senator from Washington [Mr. MAGNUSON].

On this vote, the Senator from Maryland [Mr. BEALL], is paired with the Senator from Utah [Mr. BENNETT]. If present and voting, the Senator from Maryland would vote "yea," and the Senator from Utah would vote "nay."

The Senator from Maryland [Mr. BUTLER], is paired with the Senator from New York [Mr. JAVITS]. If present and voting, the Senator from Maryland would vote "yea," and the Senator from New York would vote "nay."

The Senator from New York [Mr. IVES], is paired with the Senator from Delaware [Mr. WILLIAMS]. If present and voting, the Senator from New York would vote "yea," and the Senator from Delaware would vote "nay."

The Senator from Nebraska [Mr. HRUSKA], is paired with the Senator from Kansas [Mr. SCHOEPPEL]. If present and voting the Senator from Nebraska would vote "yea," and the Senator from Kansas would vote "nay."

The Senator from Pennsylvania [Mr. MARTIN] is paired with the Senator from New Jersey [Mr. SMITH]. If present and voting, the Senator from Pennsylvania would vote "yea," and the Senator from New Jersey would vote "nay."

The result was announced—yeas, 52; nays, 11, as follows:

YEAS—52

Aiken	Hennings	O'Mahoney
Allott	Hill	Potter
Bush	Hoblitzell	Proxmire
Carlson	Holland	Purtell
Carroll	Humphrey	Revercomb
Case, S. Dak.	Johnston, S. C.	Scott
Chavez	Kefauver	Smathers
Church	Kerr	Smith, Maine
Cooper	Knowland	Sparkman
Dirksen	Kuchel	Symington
Dworshak	Langer	Talmadge
Ellender	Malone	Thurmond
Ervin	Mansfield	Thye
Flanders	Martin, Iowa	Wiley
Fulbright	McClellan	Yarborough
Gore	McNamara	Young
Green	Mundt	
Hayden	Neuberger	

NAYS—11

Barrett	Curtis	Morton
Bridges	Douglas	Payne
Case, N. J.	Goldwater	Watkins
Cotton	Lausche	

NOT VOTING—33

Anderson	Hickenlooper	Monroney
Beall	Hruska	Morse
Bennett	Ives	Murray
Bible	Jackson	Pastore
Bricker	Javits	Robertson
Butler	Jenner	Russell
Byrd	Johnson, Tex.	Saltonstall
Capehart	Kennedy	Schoeppel
Clark	Long	Smith, N. J.
Eastland	Magnuson	Stennis
Frear	Martin, Pa.	Williams

So the report was agreed to.

Mr. MANSFIELD. Mr. President, I move that the vote by which the conference report was agreed to be reconsidered.

Mr. KERR. I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Oklahoma to lay on the table the motion of the Senator from Montana.

The motion to lay on the table was agreed to.

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 consider executive business.

CIRCUIT COURT JUDGE, TERRITORY OF HAWAII

Mr. MANSFIELD. Mr. President, I ask that the Senate consider the nomination passed over on the Executive Calendar.

The PRESIDING OFFICER. The clerk will state the nomination.

The Chief Clerk read the nomination of John F. Dyer, of Hawaii, to be seventh judge of the first circuit, circuit courts, Territory of Hawaii, term of 6 years.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask that the President be immediately notified of the confirmation of the nomination.

The PRESIDING OFFICER. The President will be notified forthwith of the confirmation of the nomination.

LEGISLATIVE SESSION

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

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

ORDER FOR ADJOURNMENT UNTIL TOMORROW

Mr. MANSFIELD. Mr. President, I move that when the Senate concludes its business tonight, it adjourn until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

PROPOSED REDUCTION IN NATIONAL GUARD

Mr. BARRETT. Mr. President, I rise today to voice my opposition to the proposed plan to materially reduce our National Guard strength. I was sorry to learn that the Secretary of the Army had determined to reduce the overall strength from 400,000 to 360,000 men by the elimination of six National Guard divisions. Down through the years our country has depended to a large extent on a civilian army in every war of our history. All but a very small fraction of our immense military force in the last world war consisted of citizen-soldiers. They constitute our first line of defense. There are National Guard units in every State in the Union.

To my way of thinking, Mr. President, the reduction in strength of this splendid volunteer group is a mistake of the first order. I am constrained to say that the National Guard will suffer a loss of the first magnitude as a result of the ill-advised cut. I fail to see how guard units in many of our small towns will be able to weather the storm in the face of such drastic action. It has taken many years to build up the guard. Guard morale has been high. The National Guard is made up of countless thousands of dedicated and patriotic citizens.

The promulgation of this order will strike a mortal blow at the morale and spirit of this great institution. I am sure the governors of every State in the Union will vigorously protest the decision to weaken this great and faithful military organization.

I am unalterably opposed to the proposed reduction. I believe the guard

can and will modernize its forces in every way desired. The guard will cooperate, as it always has, with the regular establishment.

I venture the statement that if the opportunity were afforded. Congress would almost unanimously vote against the unfortunate decision to reduce the strength of our National Guard.

Mr. President, I yield the floor.

CONVEYANCE OF CERTAIN LAND TO THE CITY OF SALEM, OREG.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar 1430, S. 2318.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 2318) to provide for the conveyance of certain land of the United States to the city of Salem, Oreg.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Interior and Insular Affairs with amendments.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

ADDITIONAL BILL INTRODUCED

Mr. LANGER, by unanimous consent, introduced a bill (S. 3599) to amend section 313 of the Veterans' Benefits Act of 1957 concerning presumptions relating to certain diseases, which was read twice by its title, and referred to the Committee on Finance.

STUDY OF LAW ADMINISTERED BY VETERANS' ADMINISTRATION

Mr. LANGER. Mr. President, I submit a resolution providing for the Committee on Government Operations to make a complete investigation and study of all laws administered by the Veterans' Administration in order to determine how and to what extent Congressional intent has been circumvented by the operation of the new disability rating schedule the administration has put into effect.

Mr. President, what prompts me to offer this resolution is the press release recently put out by the Veterans' Administration. Until I received this release, I had known conditions were bad for the veterans undergoing this review, but I had not known just how bad they really were. According to the administration's own figures, as of December 31, 1957, 691,000 cases have been what they call "completed" and what I call "purged." Of that number, 22,586 veterans have had their small pensions cut down and another 29,146 have been taken off the rolls entirely.

I know it is quite possible for a veteran's physical condition to improve. I also know that under certain conditions, he may even make a complete recovery. Medicine science today is making wonderful progress in discoveries of new drugs, new surgical techniques, and other methods of treatment.

What I do not believe in is miracles—wholesale miracles. So when the Veterans' Administration tells me in print as evidenced by this press release, that 51,732 veterans, almost overnight, have gotten completely well or else have improved so much that their pensions should be cut, I want it clearly understood that I am not gullible enough to believe it.

Mr. President, the only bright spot in this press release is the Veterans' Administration statement that out of the 691,000 cases reviewed, 6,186 cases were found to deserve increases for what they term "a worsened degree of disability." It is not clear to me, whether these veterans with "worsened degrees of disability" are deceased and the Veterans Administration is making this determination posthumously or whether these veterans are still living.

If these veterans are still living, I can only say I am glad I am not in their shoes, because if the Veterans' Administration is awarding them a higher pension for their "worsened degrees of disability" I feel very sure these poor veterans must be bedridden and probably in a state of coma.

Mr. President, the final statement on this press release says that as of December 31, 1957, 1,700,000 cases are identified for review. This practice must not be permitted to continue. Before irreparable harm has been done the American veterans, I hope early action will be taken on this resolution. I ask unanimous consent that the Veterans' Administration press release be printed in full as a part of my remarks.

The PRESIDING OFFICER. The resolution will be received and appropriately referred; and, without objection, the press release will be printed in the RECORD.

The resolution (S. Res. 286) was referred to the Committee on Government Operations, as follows:

Resolved, That the Committee on Government Operations, or any duly authorized subcommittee thereof, is authorized and directed under section 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 examine, investigate, and make a complete study of all laws administered by the Veterans' Administration relating to the adoption and application of a schedule of ratings of reductions in earning capacity from specific injuries or combination of injuries to determine whether such laws are being properly administered.

SEC. 2. For the purposes of this resolution the committee, from the date on which this resolution is agreed to to January 31, 1959, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants; and (3) with the prior consent of the heads of the departments or agencies concerned and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1959.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $50,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

The press release presented by Mr. LANGER is as follows:

A new quarterly report on the Veterans' Administration review of compensation and pension cases added to the rolls after World War II shows 57,918 claims required readjustments, or 8.4 percent of the 691,000 cases completed through December 31, 1957.

VA said the readjustments included 6,186 increases in monthly payments for a worsened degree of disability, 23,586 payment decreases for improvements in disabilities, and 29,146 payment terminations.

The terminations included 18,777 because of improvement in disability to zero level and 10,369 because of "clear and unmistakable error" in associating the disability with the period of military service.

Except for a few cases, VA said, service connection has been confirmed in the 18,777 terminations. These veterans may be returned to the rolls if their ailments again become disabling compensatorily.

Veterans involved in adverse changes may appeal the findings to the Board of Veterans Appeals, VA added.

As of December 31, a second review had been ordered for an estimated 125,000 cases in order to confirm their accuracy and protect both the veteran and the Government. Many of these are included in the 691,000 completed cases, VA said.

Being conducted on a "time available" basis, the review was started in 1954 and is designed to cover all cases of World War II or peacetime veterans under age 55 who are receiving compensation for service-connected disabilities, and all veterans under 55 who are receiving pensions for non-service-connected disabilities.

Identified for review, as of December 31, were more than 1,700,000 cases, VA said.

DETERMINATION BY COURT OF CLAIMS OF COMPENSATION TO CERTAIN INDEPENDENT ORE PRODUCERS—AMENDMENT

Mr. O'MAHONEY (for himself, Mr. ANDERSON, and Mr. CARROLL) submitted an amendment, intended to be proposed by him to the bill (S. 984) conferring jurisdiction on the Court of Claims to make certain findings with respect to the amount of compensation to which certain independent ore producers are equitably entitled for uranium supplied by them to the United States during the period May 1, 1943, to August 5, 1945, and to provide for payment of the amounts so determined, which was ordered to lie on the table, and to be printed.

PRINTING OF INTERIM REPORT ON BLACKSTONE RIVER BASIN, LOWER WOONSOCKET, R. I. (S. DOC. NO. 87)

Mr. CHAVEZ. Mr. President, I present a letter from the Secretary of the Army, transmitting a report dated Feb-

ruary 3, 1958, from the Chief of Engineers, Department of the Army, together with accompanying papers and illustrations, on an interim report on Blackstone River Basin, Lower Woonsocket, R. I., requested by a resolution of the Committee on Public Works, adopted September 14, 1955. I ask unanimous consent that the report be printed as a Senate document, with illustrations, and referred to the Committee on Public Works.

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

ADDITIONAL RECORD MATTERS

By Mr. CARROLL:

Statement prepared by him on the slogan "The Right To Work."

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, April 2, 1958, he presented to the President of the United States the following enrolled bills:

S. 1562. An act for the relief of Winifred C. Lydick;

S. 1877. An act for the relief of Louis G. Whitcomb; and

S. 2132. An act for the relief of Leonard C. Fink.

ADJOURNMENT

Mr. MANSFIELD. Mr. President, under the order previously entered, I move that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 8 o'clock and 53 minutes p. m.) the Senate adjourned, the adjournment being, under the order previously entered, until tomorrow, Thursday, April 3, 1958, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate April 2, 1958:

UNITED NATIONS

Kingsley Davis, of New York, to be the representative of the United States of America on the Population Commission of the Economic and Social Council of the United Nations.

Dr. Althea K. Hottel, of Pennsylvania, to be the representative of the United States of America on the Social Commission of the Economic and Social Council of the United Nations.

UNITED STATES ATTORNEY

Thomas Ramage Ethridge, of Mississippi, to be United States attorney for the northern district of Mississippi for the term of 4 years. He is now serving in this office under an appointment which expired March 17, 1958.

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

Mary E. Williams, Grand Bay, Ala., in place of J. N. Cooper, retired.

ARIZONA

Mary E. Paul, Inspiration, Ariz., in place of N. C. Sawyer, deceased.

Jessie C. Cox, Pinetop, Ariz., in place of C. M. Halbe, deceased.

John H. Roll, Jr., Roll, Ariz., in place of J. M. Roll, retired.

CALIFORNIA

Clarence W. Hatheway, Desert Hot Springs, Calif., in place of H. C. Brown, resigned.

Emma G. Henderson, Liberty Farms, Calif. in place of J. C. Kennedy, resigned.

Medford C. Eggleston, Westwood, Calif., in place of F. A. Lauer, retired.

COLORADO

Robert Hayes Wardwell, Colorado Springs, Colo., in place of Darius Allen, retired.

Walter W. Winegar, Cortez, Colo., in place of F. C. Bradfield, resigned.

CONNECTICUT

Mildred W. Gould, East Berlin, Conn., in place of A. A. Lawrence, retired.

Grace A. Getchell, Pine Meadow, Conn., in place of A. N. Goetz, retired.

Arthur W. Valentine, Pomfret Center, Conn., in place of W. G. Davis, retired.

GEORGIA

Vernon W. Hartley, Sr., Alamo, Ga., in place of C. C. Hartley, retired.

IDAHO

John Harold Toolson, Bancroft, Idaho, in place of C. E. Ruger, transferred.

Ernest L. Petterson, Irwin, Idaho, in place of W. K. Kimble, resigned.

ILLINOIS

William F. James, Spring Valley, Ill., in place of J. B. Casassa, retired.

Walter W. Dimmick, West Frankfort, Ill., in place of H. B. Wilconson, removed.

INDIANA

Harold E. Stroud, Keystone, Ind., in place of L. P. Erick, retired.

Elmer J. Glick, Shipshewana, Ind., in place of J. J. Hostetler, deceased.

IOWA

Dallas V. Smith, Hedrick, Iowa, in place of P. H. Hedges, transferred.

Dallas V. Madland, Inwood, Iowa, in place of R. K. Henrickson, transferred.

Forest Raney, Reinbeck, Iowa, in place of R. M. Emmett, retired.

KANSAS

Jack M. Crain, Oxford, Kans., in place of C. C. Scott, retired.

KENTUCKY

James S. Little, Jackson, Ky., in place of J. S. Hollan, retired.

T. Y. Tabor, Munfordville, Ky., in place of H. Q. Kennady, transferred.

Robert W. Quinn, Prospect, Ky., in place of T. M. Murray, removed.

James D. Young, White Plains, Ky., in place of Sanna Bowling, retired.

John O. Boarman, Jr., Whitesville, Ky., in place of B. M. Matheus, retired.

LOUISIANA

Harry B. Manning, De Ridder, La., in place of W. S. Lewis, retired.

Paul E. Carreras, Rosedale, La., in place of J. H. Clark, retired.

MAINE

John C. Callahan, Farmington, Maine, in place of C. A. Matthieu, deceased.

William R. Jordan, Fryeburg, Maine, in place of J. E. Sargent, deceased.

Almon H. Barker, Naples, Maine, in place of L. R. Pitts, resigned.

Daniel H. McGraw, Surry, Maine, in place of F. L. Whitney, deceased.

Milton L. Daney, Waterboro, Maine, in place of C. T. Carll, retired.

MARYLAND

Ella May Renner, Mount Wilson, Md., in place of M. W. Corkran, retired.

MASSACHUSETTS

Robert W. Loud, North Reading, Mass., in place of M. J. Walsh, retired.

Thomas B. Ervin, Wilbraham, Mass., in place of R. F. Gurney, retired.

MICHIGAN

James Evans, Mackinaw City, Mich., in place of M. D. Wagner, removed.

MINNESOTA

William D. Cook, Farmington, Minn., in place of E. C. Feely, deceased.

Fay F. Smullen, Le Center, Minn., in place of Theodore Zimmerman, retired.

Hans Millard Magelssen, Park Rapids, Minn., in place of D. W. McNeil, resigned.

MISSOURI

Herald E. Keltner, Carrollton, Mo., in place of Lee Dickson, retired.

Wilburn W. Manford, Clarence, Mo., in place of F. D. Griswold, Jr., resigned.

Gertrude K. Wilkins, Oronogo, Mo., in place of C. J. Shaw, retired.

Rex B. Sloop, Queen City, Mo., in place of M. E. Schmid, transferred.

Dorris G. Hammond, Weaubleau, Mo., in place of F. B. Swicegood, retired.

NEBRASKA

Leona A. O'Brien, Alda, Nebr., in place of B. E. Steele, retired.

Edward J. Lawyer, Sutherland, Nebr., in place of A. O. Jones, deceased.

NEW HAMPSHIRE

Carl D. Floyd, Derry, N. H., in place of A. J. Picard, retired.

Arthur P. Stewart, Durham, N. H., in place of J. A. Gorman, retired.

Oliver L. Carter, Seabrook, N. H., in place of S. J. Foote, retired.

NEW JERSEY

LeRoy J. Gilsinan, Englewood, N. J., in place of E. F. McKeever, retired.

Carl F. Vanderwall, Linden, N. J., in place of Herbert Schulhafer, deceased.

NEW MEXICO

Geronimo B. Fajardo, Hatch, N. Mex., in place of K. L. Hall, retired.

Earl M. Jacobi, State College, N. Mex., in place of J. P. Jolly, resigned.

NEW YORK

LaVerne D. Larson, Lakewood, N. Y., in place of E. A. Guertin, retired.

NORTH CAROLINA

Leland L. Allsbrook, Scotland Neck, N. C., in place of H. H. Leggett, retired.

NORTH DAKOTA

Marie E. Checkley, Forest River, N. Dak., in place of A. O. Fosness, retired.

Darrell A. Wischer, Gardner, N. Dak., in place of E. P. Kulseth, retired.

Leo J. Lesmeister, Halliday, N. Dak., in place of F. M. Law, retired.

William R. Hope, New Rockford, N. Dak., in place of L. J. Allmaras, deceased.

Orlando A. Lebacken, Reynolds, N. Dak., in place of J. A. Scholand, transferred.

OHIO

William M. Corbin, Barnesville, Ohio, in place of P. R. Boyd, transferred.

Howard E. Hochmann, Lisbon, Ohio, in place of E. D. Richardson, retired.

OKLAHOMA

Ray L. Pape, Adair, Okla., in place of M. A. Cumming, retired.

Frank H. Hawkins, Blair, Okla., in place of H. D. Francis, resigned.

Omer Lee Wauhob, Fargo, Okla., in place of H. W. Hendren, resigned.

Lorene P. Ricks, Manchester, Okla., in place of A. V. Koehler, resigned.

Edward E. Easton, Muskogee, Okla., in place of Harold Cartwright, resigned.

Beulah G. Wallace, Wilburton, Okla., in place of L. M. Pace, deceased.

PENNSYLVANIA

Peter W. Longstreth, Jr., Oakdale, Pa., in place of M. A. Moore, retired.

Robert F. Tredway, Stewartstown, Pa., in place of S. C. Zellers, retired.

Elizabeth M. Gaitens, Sturgeon, Pa., in place of E. A. Rank, deceased.

SOUTH DAKOTA

Sander K. Sletto, Presho, S. Dak., in place of A. M. Schultz, resigned.

Stephen Robert Pearson, Webster, S. Dak., in place of T. J. Delaney, retired.

James D. Nielsen, Wilmot, S. Dak., in place of T. R. Mickelson, retired.

TEXAS

Walter Teal Adkins, Beeville, Tex., in place of C. C. Pagel, transferred.

Thurmon O. Storey, Deport, Tex., in place of C. H. Nobles, retired.

Billy Ray Wright, Electra, Tex., in place of W. P. Slaton, retired.

Lucy M. Matthews, Wickett, Tex., in place of S. M. Peacock, resigned.

VIRGINIA

Robert D. Swecker, Blue Grass, Va., in place of H. B. Marshall, deceased.

Robert M. Taylor, Meredithville, Va., in place of J. W. Roberts, removed.

Mary F. Drummond, Pungoteague, Va., in place of W. H. Hopkins, retired.

Needham James Boddie, Jr., South Hill, Va., in place of R. W. Garris, deceased.

WEST VIRGINIA

Macie K. Phares, Circleville, W. Va., in place of C. A. Warner, retired.

Laura G. Arens, Power, W. Va., in place of J. T. Bradley, retired.

Philip B. Cooper, Webster Springs, W. Va., in place of J. M. Herold, retired.

WISCONSIN

Richard H. Waldum, Black River Falls, Wis., in place of P. W. Dickey, retired.

Clarence A. Hopmann, Downing, Wis., in place of G. C. Smith, transferred.

Raymond M. Weber, Elmwood, Wis., in place of L. M. Ginsbach, retired.

Herbert J. Frigge, Hubertus, Wis., in place of G. A. Schickert, transferred.

Genevieve M. Wendt, Lowell, Wis., in place of L. D. Witt, retired.

Joseph N. Gowin, Ridgeland, Wis., in place of G. H. Geisler, transferred.

William R. Schaid, Walworth, Wis., in place of Ruth Bertolini, retired.

Everett C. Jones, Wild Rose, Wis., in place of R. R. Williams, transferred.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 2, 1958:

CIRCUIT COURTS, TERRITORY OF HAWAII

John F. Dyer, of Hawaii, to be the seventh judge of the first circuit, circuit courts, Territory of Hawaii, term of 6 years.

UNITED NATIONS

Henry J. Heinz II, of Pennsylvania, to be representative of the United States of America to the 13th session of the Economic Commission for Europe of the Economic and Social Council of the United Nations.

DEPARTMENT OF LABOR

Newell Brown, of New Hampshire, to be an Assistant Secretary of Labor.

NATIONAL LABOR RELATIONS BOARD

John Harold Fanning, of Rhode Island, to be a member of the National Labor Relations Board for the term of 5 years expiring December 16, 1962.

PUBLIC HEALTH SERVICE

The following candidates for appointment in the Regular Corps of the Public Health Service, subject to qualifications therefor as provided by law and regulations:

To be senior assistant surgeons

Pindaros R. Vagelos
John C. Bailar III
Martha Vaughan
Edwin L. Child
George H. Longenbaugh
Melvin A. Nimer
Robert C. Colvin
Nathan J. Clifford
William E. Morton
William W. Lee
William J. Maier
Robert E. Streicher
George W. Gaffney
Walter E. Williamson, Jr.
James E. Wesley
Morton L. Kurland
Charles L. Donaldson
Gerhard H. Hoffman
Donald A. Nagel
James W. Ruddell
Ralph Ten Have
John P. McGowan
Marvin W. Rosenzweig
William L. Lages
Eugene Braunwald
James E. Darnell, Jr.
William F. Ossenfort, Jr.
Clarence G. Wheeler
Joseph L. Rauh
Edward J. Leonard
Frank J. Nuckols
George M. Northrup
John R. McDonough
Charles G. Lewallen
Paul J. Schmidt
Leonard Laster
Frederick A. Fox
Phillip E. Morgan
Peter J. T. Beeton
Robert I. Fraser
Stanley Graber
Franklin T. Evans
Bernard J. Collopy
Jean R. L. Herdt
Bernard W. Agranoff
Milton Alter
William P. Thompson
Johnny Fruge
Ned Feder
Paul H. Blachly
Hugo C. Pribor
Arnold L. Nielsen
George G. Glenner
Walter G. Dukstein
Daniel C. Beittel
Guy E. Faget
R. Gerald Suskind
Robert W. Weiger
James H. Shindel
Robert Collier
George G. Browning
Jack Cooper
Leo J. Castiglioni
Lewis R. Thompson, Jr.
Robert S. Turner
Roy D. Hoke
Floyd L. Templeton
Gero Diels

To be assistant surgeons

Paul P. Carbone
Donald C. Loos
Jack P. Clark
Richard L. Pentecost
Arthur B. Sundberg
James D. Bremner
Ray L. Zeigler
Marvin Rowe
Dean F. Tirador
Norbert L. Dugan, Jr.
Vernon O. Larson

To be senior assistant dental surgeons

Thomas H. McQueen
William E. Willoughby
Charles W. Switzer
Ernest C. Leatherwood, Jr.
Robert A. Kennedy

To be assistant dental surgeons

Edward M. Campbell
John F. Dyar
Clement K. Schmitt

To be senior assistant sanitary engineers

David G. Stephan
Hugh H. Connolly
Francis L. Nelson
Ian K. Burgess

To be assistant sanitary engineers

Donald J. Baumgartner
Richard Anderson
Paul A. Kenline

To be senior assistant pharmacists

Peter L. Bogarosh
Kenneth E. Hanson

To be senior assistant scientists

Harry T. Miles, Jr.
Norman A. Clarke
Antonio H. Romano
Maxwell J. Wilcomb, Jr.

To be assistant scientist

Norman Cliff

To be senior assistant nurse officers

Rudolph P. Zalesak
Elizabeth A. Zacha
Florence M. Seidler

POSTMASTERS

CALIFORNIA

Muriel A. Graham, Bayside.
Ellis H. Litynsky, Campbell.
Beulah M. Clark, Hercules.
Philip W. Holmes, Littleriver.
Wilbur H. Hartwell, Loyalton.
Grace E. Shilling, Planada.
Freda H. Burgess, Rio Dell.
Jack O. Starnes, Romoland.
Alice E. Kitselman, Running Springs.
Marion R. Hobbs, Soquel.
Silas A. Schellenger, Sutter.

DELAWARE

Elsie H. Hatfield, Bear.

FLORIDA

J. B. Benson, Chipley.

IDAHO

Melvin J. Snook, Orofino.

ILLINOIS

William F. Dettmers, Bethalto.
Gerald A. Marquardt, Bristol.
Walter W. Steinmann, Hamel.
Forest D. Slick, Kent.
Homer C. Lynn, Oakford.
William L. Early, Penfield.
Arthur L. Erickson, St. Charles.
Delbert Hood, Jr., South Elgin.
John A. Theodore, Urbana.
William R. Lashmet, Winchester.

IOWA

Paul E. Sanderson, Beaman.
Thelma C. Voss, Marne.

KANSAS

Melvin H. Besancon, Lancaster.

KENTUCKY

Lissa H. Tarter, Campbellsville.
Jacob H. Weller, Owensboro.

MAINE

Frances C. Sands, Bar Mills.
Eleanor B. Foster, China.
Ralph A. MacDonald, South Windham.

MARYLAND

Hester S. Duff, Earleville.
Reba C. Warner, Lisbon.

MASSACHUSETTS

Althea M. F. Staples, Brant Rock.
Margaret T. Baader, North Bellingham.

MINNESOTA

Dorothy R. Johnson, Gheen.
Delmer J. Larson, Hills.

MISSISSIPPI

Fred D. Rogers, Nettleton.

MISSOURI

Russell E. Ray, Adrian.
Stanley H. Jarvis, Belgrade.
Bernice W. Holloway, Bragg City.
James R. McKnight, Calhoun.
Charles A. Barron, Clarksville.
Donnell E. Carey, Dawn.
Don M. Anderson, Dixon.
Everette A. Westfall, Higbee.
Robert L. Moseley, Rothville.
Genoa E. Williams, Seligman.
Harry H. Forman, Shelbyville.
Sylvester H. Brinker, Villa Ridge.
Hobert W. Hunt, Wheatland.

MONTANA

Amelia E. Gerdts, Garrison.

NEBRASKA

Ralph E. Skillman, Ainsworth.
John A. Dueker, Bayard.
Donald C. Gillham, Sidney.

NEW HAMPSHIRE

Josephine B. Larson, Newbury.
William F. Haskell, Wilmot Flat.

NEW JERSEY

George M. Durso, Fort Lee.
Leslie J. Sherwood, Haworth.

NEW YORK

Clifford S. Kloos, Crown Point.
Wallace M. Whitley, Ellisburg.
Ella B. Siemerling, Granite Springs.
Lillian E. Call, Great Bend.
Harriet M. Cole, Hurleyville.
Ronald T. Murphy, Napanoch.
Florence R. Buckley, Rosendale.
Nina B. Dickerson, Shelter Island.

NORTH CAROLINA

William B. Mayhew, Davidson.
Clemmie E. Norris, East Spencer.
Ruth T. Smith, Havelock.
William Oliver Keller, Lake Lure.
Benjamin Franklin Shannon, Manteo.
Robert Kelly Montague, Newport.

NORTH DAKOTA

Isaac J. Iverson, Fairdale.
Brownell H. Cole, Valley City.

OKLAHOMA

George L. Wood, Union.

SOUTH CAROLINA

Sallie M. Hollins, Beaufort.
James B. Miles, Coward.
Robert W. Rutland, Rion.

TEXAS

Walter K. Wood, Albany.
Gwynn A. Boswell, Athens.
William M. Petmecky, Fredericksburg.
Jane R. Davis, Fritch.
Lloyd V. Keller, Lacoste.
Janet F. Young, Mabank.
Coleete O. Brown, Notrees.
Helen R. Biggerstaff, Pierce.
Carl F. Baumgartner, Refugio.
William A. Farek, Schulenburg.
Dollie O. Ryon, Seadrift.
Jake R. Demere, Sierra Blanca.
Herman S. Gray, Somerset.
Vivian L. McElligott, Terminal.
Thomas N. Fair, Walnut Springs.

VERMONT

James M. McCabe, Arlington.

WEST VIRGINIA

Anna Jean Duncan, Cannelton.
Emil E. Frye, Chapmanville.
Alva O. Bailes, Clay.
Fred L. Byrnside, Danville.
Jesse J. Martin, Ethel.
Gordon W. Spessard, Glen Jean.
Frederick F. Murphy, War.
Elner F. Stutler, West Union.
John J. Miller, Winona.

WISCONSIN

Lars J. Peterson, Durand.
Alice R. Pietrykowski, Eden.
Harry E. Koch, Kewaskum.

IN THE ARMY

Maj. Gen. John Honeycutt Hinrichs, O17174, Army of the United States (brigadier general, U. S. Army), to be Chief of Ordnance, United States Army, and as major general in the Regular Army of the United States, under the provisions of title 10, United States Code, section 3036.

For appointment in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3306:

Brig. Gen. Clement Franklin St. John, O18258, Army of the United States (colonel, MC, U. S. Army), to be brigadier general, Medical Corps.

For temporary appointment in the Army of the United States to the grade indicated under the provisions of title 10, United States Code, sections 3442 and 3447:

Brig. Gen. Charles Edward Beauchamp, O18238, Army of the United States (colonel, U. S. Army), to be major general.

For appointment as a Reserve commissioned officer of the Army under the provisions of title 10, United States Code, section 593 (a):

Brig. Gen. William Henry Abendroth, O245799, National Guard of the United States, to be major general.

To be placed on the retired list in the grade indicated under the provisions of title 10, United States Code, section 3962.

Lt. Gen. Thomas Francis Hickey, O10362, Army of the United States (major general, U. S. Army), to be lieutenant general.

Under the provisions of title 10, United States Code, section 3066, to be assigned to positions of importance and responsibility designated by the President under subsection (a) of section 3066, in rank as follows:

To have the rank of lieutenant general

Maj. Gen. Herbert Butler Powell, O16684, United States Army.

Maj. Gen. Clark Louis Ruffner, O15968, United States Army.

PROMOTIONS IN THE REGULAR ARMY

The nominations of John A. Anderson, and 639 other officers for promotion in the Regular Army, which were received by the Senate on March 14, 1958, and which were confirmed today, may be found in full in the Senate Proceedings of the CONGRESSIONAL RECORD for that date under the caption "Nominations," beginning with the name of John A. Anderson shown on page 4487, and ending with the name of Grace A. Rhinehart, which appears on page 4490.

IN THE REGULAR AIR FORCE

To be assigned to positions of importance and responsibility designated by the President in the rank indicated under the provisions of section 8066, title 10, of the United States Code.

To have the rank of lieutenant general

Maj. Gen. Robert W. Burns, 527A, Regular Air Force.

Maj. Gen. Roscoe C. Wilson, 360A, Regular Air Force.

Maj. Gen. Roy H. Lynn, 492A, Regular Air Force.

Maj. Gen. Robert M. Lee, 590A, Regular Air Force.

To be placed on the retired list in the grade indicated under the provisions of section 8962, title 10, of the United States Code.

To have the rank of lieutenant general

Lt. Gen. Charles T. Myers, 37A (major general, Regular Air Force), USAF.

Lt. Gen. Joseph Smith, 84A (major general, Regular Air Force), USAF.

Lt. Gen. Donald L. Putt, 494A (major general, Regular Air Force), USAF.

Promotions in the Regular Air Force

The nominations of James S. Kelly, and 425 other officers for promotion in the Regular Air Force, which were received by the Senate on March 13, 1958, were confirmed today, and may be found in full in the Senate proceedings of the CONGRESSIONAL RECORD for that date under the caption, "Nominations," beginning with the name of James S. Kelly, which appears on page 4308, and ending with the name of William R. Desmond, which is shown on page 4310.

HOUSE OF REPRESENTATIVES

WEDNESDAY, APRIL 2, 1958

The House met at 12 o'clock noon.

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

I Timothy 1: 15: *This is a faithful saying, and worthy of all acceptation, that Christ Jesus came into the world to save sinners.*

Almighty God, whose amazing love we cannot fathom, we thank Thee that when there was no eye to pity and no hand to help, then, in the fullness of time, Thou didst send the Christ to be our Saviour.

We rejoice that He gave Himself a ransom for all and became the propitiation for our sins and not for ours only, but also for the sins of the whole world.

Inspire us to share in His glorious mission of releasing the hidden splendor of humanity and redeeming it from everything that defiles and degrades the image of God in which man has been created.

Hear us in the name of our blessed Lord. Amen.

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

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and joint resolutions of the House of the following titles:

On March 6, 1958:

H. J. Res. 417. Joint resolution for the relief of Edward H. Turri and Mario Guiffre;

H. J. Res. 429. Joint resolution to facilitate the admission into the United States of certain aliens;

H. J. Res. 435. Joint resolution for the relief of certain aliens;

H. J. Res. 436. Joint resolution to facilitate the admission into the United States of certain aliens; and

H. J. Res. 437. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

On March 15, 1958:

H. R. 1692. An act for the relief of Mrs. Margot M. Draughon;

H. R. 2901. An act for the relief of Ralph H. Weeks;

H. R. 4541. An act for the relief of Leslie A. Batdorf;

H. R. 5163. An act for the relief of Forest H. Byroade;

H. R. 5809. An act to authorize construction of a U. S. S. *Arizona* Memorial at Pearl Harbor; and

H. R. 8795. An act to amend section 507 and subsection 602 (a) of the Federal Property and Administrative Services Act of 1949, as amended.

On March 17, 1958:

H. R. 6182. An act to provide for the conveyance of certain real property of the United States to the former owners thereof;

H. R. 6623. An act to provide for the conveyance of certain real property of the United States in Massachusetts to the Woods Hole Yacht Club;

H. R. 6710. An act relating to Canal Zone money orders which remain unpaid;

H. R. 6744. An act to amend Public Law 472, 81st Congress, as amended, relative to the attendance of professional personnel of the National Advisory Committee for Aeronautics in graduate schools;

H. R. 7912. An act to authorize, in case of the death of a member of the uniformed services, certain transportation expenses for his dependents;

H. R. 8139. An act for the relief of Mrs. Catherine Pochon Dike; and

H. R. 10021. An act to provide that the 1955 formula for taxing income of life insurance companies shall also apply to taxable years beginning in 1957.

On March 28, 1958:

H. R. 3486. An act to provide that the Uniform Simultaneous Death Act shall apply in the District of Columbia;

H. R. 7226. An act to clarify the application of navigation rules for the Great Lakes and their connecting and tributary waters, and for other purposes;

H. R. 7696. An act to authorize certain persons to wear the uniform of a reserve officers' training corps;

H. R. 8250. An act to authorize the establishment of the Petrified Forest National Park in the State of Arizona, and for other purposes;

H. R. 9271. An act to authorize the National Society of the Sons of the American Revolution to use certain real estate in the District of Columbia as the national headquarters of such society;

H. R. 9653. An act to provide that the Fort Gaines lock and dam on the Chattahoochee River shall hereafter be known and designated as the Walter F. George lock and dam;

H. R. 10242. An act to permit articles imported from foreign countries for the purpose of exhibition at the Chicago International Fair and Exposition, to be held in July 1959 at Chicago, Ill., to be admitted without payment of tariff, and for other purposes;

H. R. 10881. An act making supplemental appropriations for the fiscal year ending June 30, 1958, and for other purposes;

H. R. 11085. An act making appropriations for the Treasury and Post Office Departments and the Tax Court of the United States for the fiscal year ending June 30, 1959, and for other purposes;

H. J. Res. 439. Joint resolution to permit articles imported from foreign countries for the purpose of exhibition at the Washington State Seventh International Trade Fair, Seattle, Wash., to be admitted without payment of tariff, and for other purposes;

H. J. Res. 483. Joint resolution to amend the act of August 20, 1954, establishing a commission for the celebration of the 200th anniversary of the birth of Alexander Hamilton; *and*

H. J. Res. 509. Joint resolution authorizing the President to invite the States of the Union and foreign countries to participate in the Second Annual United States World Trade Fair to be held in New York City, N. Y., from May 7 to May 17, 1958.

WE DEPLORE THE VIOLENCE AT NASHVILLE

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

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

There was no objection.

Mr. HEMPHILL. Mr. Speaker, on yesterday, April 1, 1958, my distinguished and able friend and colleague, Hon. CARLTON LOSER, of Tennessee, introduced H. R. 11806, a bill to prohibit certain acts involving the importation, transportation, possession, or use of explosives, and for other purposes. This is an excellent piece of legislation, and I hope it passes.

I am certain this bill arose out of his desire to prevent repetition of the deplorable bombing attacks in Nashville. The Nation was shocked at this violence, and I hope the culprits will be caught and punished.

The Jewish-Americans who were the targets of this sneak attack were and are loyal Americans. Like other Americans, they contribute daily to the community life of their city, pay taxes, trade with their fellow man, worship without interfering with the worship of others, and strive, like all of us, to be good citizens.

There is no justification for such an attack on them. They have a right to the same respect as every other citizen.

I am glad this was an isolated incident. This attack was strange to our Southland, for we do not feel that way. This attack and a similar one in Miami are not expressive of our part of the country.

We deplore this violence. I commend Congressman LOSER for his stand. I intend to support his bill.

REDUCING DEFENSE COSTS

Mr. THOMPSON of Texas. 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 Texas?

There was no objection.

Mr. THOMPSON of Texas. Mr. Speaker, in the light of recommendations from the White House concerning changes in the Defense Department, it is timely that we consider recommendations from some of our own experts on the subject of national defense.

There are no greater names in the history of sound defense legislation than VINSON, KILDAY, and ARENDS, the gentlemen from Georgia, Texas, and Illinois, respectively. I take this opportunity to associate myself with the purposes of these colleagues of ours, who recently introduced a bill vital to our national security. Together they placed before the Congress a measure which is designed to strengthen our defense.

I want to join with them in their effort to cut down waste and duplication in the Pentagon, while at the same time increasing efficiency and doing away with impediments to progress and decision while reducing defense cost.

A major question confronting our Nation today, one on which we must come to a decision, deals with our national-defense forces, their composition and organization.

This duty was placed upon the Congress by the Constitution, and on Congress this responsibility rests. I applaud the gentlemen who introduced this bill, which I sincerely consider to be a most sound and valid proposition. Their proposals would assure the necessary steps so as to provide military forces and organization of maximum strength.

This bill takes essential steps in several areas in which I believe action is required.

The reduction in the number of deputies, assistants, deputies to deputies and assistants, and assistants to deputies and assistants will be an essential move to clear a straight path for direction and decision through the administrative maze which now exists in the Pentagon.

But this is not enough. Merely to reduce the number of the superiors in the Pentagon is not sufficient. The vast number of employees, concentrated in the Department of Defense in the last few years, must also be reduced. Otherwise, the purpose to increase efficiency will be thwarted as effectively as it is now. The Vinson-Arends-Kilday bill places a realistic maximum, 600, on the number of such employees.

Once this reduction in the number of Assistant Secretaries and employees is effected we will remove a hindrance to progress and will facilitate decision. This organization now delves into and interferes with the military services in the performance of their respective missions. In the reduced organization, the mass of trivia now forced upon the Secretary of Defense will be largely done away with. Instead, the Secretary of Defense will be able to devote his time and attention to matters appropriate to his position and responsibility. At the same time the military departments will be freed of harassment to devote their time to defending our country, with the military departments administered as the law presently provides, and this for the first time in years.

The Joint Chiefs of Staff will have their control over our unified forces strengthened—leaving no question as to authority in this matter. A provision facilitating and emphasizing the delegation of administrative duties is included in this bill, assuring the Joint Chiefs adequate assistance in the performance of their duties.

Of great importance, I believe, is the provision restoring the Comptroller of the Department of Defense to the position intended in the law. Under this bill there should be no doubt that the Comptroller's interest is in fiscal and financial management areas, not strategic and military operational areas. This would clear another block to progress and decision.

I am proud to associate myself with the purposes and provisions of this bill. It shows the keen understanding which we all know these gentlemen possess, particularly in military and naval matters. This bill represents the type of constructive legislative leadership which is to the everlasting credit of our legislative and governmental system.

I particularly commend this bill to the attention of my colleagues—it builds upon a firm foundation which is tested. It strengthens the sound portions and cuts away the weak areas. I urge everyone to give particular consideration to this proposal.

STORY OF FREE ENTERPRISE

Mr. ALGER. 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 Texas?

There was no objection.

Mr. ALGER. Mr. Speaker, at my house, if we are to spend more than we earn, I know I will have to borrow the difference. I know, too, that this cannot go on indefinitely for my credit rating will get shakier as my debts mount.

Mr. Bernard Baruch told us yesterday that precisely the same principles apply to our Government. "A tax cut," he said, "will increase the deficit, add to the debt, and further weaken the Government's credit." He insisted that "we reject tax reduction and pump-priming proposals which require deficit financing." That is the way it has to be in my house, too; and the need for it is not a bit difficult for an unsophisticated fellow to understand.

Yet, every day we hear eloquent pleas in Congress for simultaneous cuts in taxes—Government income—and vast expansion of Government spending, ostensibly to help the jobless. As though more debt could cure our overindebtedness. Can more inflation cure the evils of inflation?

Do you recall the story about the fellow who asked a lad if he would sell his disreputable-looking dog?

"Sure, Mister," replied the youngster. "I will take $1,000 for him."

Muttering about smart-alecky kids, the man left. Next day, he encountered the boy again and laughingly asked: "Sell your dog, kid?"

"Yep."

"Did you get $1,000 for him."

"Sure did."

"Let's see the money."

To which the boy replied: "Well, I did not exactly get cash, but I traded him to a girl for two $500 cats."

If we follow the course many politicians are suggesting, we may soon be trading in $1,000 cats and dogs, all the while avoiding recession. Sound economic principles are needed now; not playing politics.

Winston Churchill is said to have described the quality most essential in a politician as "the ability to foretell what will happen tomorrow, next month and next year—and to explain afterward why it did not happen."

FEDERAL AID HIGHWAY ACT OF 1958

Mr. FALLON submitted a conference report and statement on the bill (H. R. 9821) to amend and supplement the Federal-Aid Road Act approved July 1, 1916, to authorize appropriations for continuing the construction of highways.

ADDITIONAL COPIES OF THE GENERAL REVENUE REVISION HEARINGS ENTITLED "GENERAL REVENUE REVISION OF 1958"

Mr. HAYS of Ohio. Mr. Speaker, I call up House Concurrent Resolution 305 and ask for its immediate consideration.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Committee on Ways and Means, House of Representatives, 4,000 additional copies of the general revenue revision hearings entitled "General Revenue Revision of 1958."

Mr. LECOMPTE. Mr. Speaker, will the gentleman yield?

Mr. HAYS of Ohio. I yield to the gentleman from Iowa.

Mr. LECOMPTE. May I ask the gentleman from Ohio if he will state to the House the purpose of the resolution, which is a privileged resolution, I presume?

Mr. HAYS of Ohio. Yes. This resolution will enable, at the time the usual number of copies are printed, the printing of additional copies of the hearings before the Committee on Ways and Means of the General Revenue Revision of 1958. There is a great demand for these and if we pass this resolution now they will all be printed at once, which will result in considerable saving.

Mr. LECOMPTE. It is actually an economical measure to have it printed now?

Mr. HAYS of Ohio. Yes.

The SPEAKER. The question is on the House concurrent resolution.

The House concurrent resolution was agreed to and a motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM FOR BALANCE OF WEEK

Mr. ARENDS. 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 Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, may I ask the gentleman from Oklahoma if he can inform us now as to the program for the balance of the week?

Mr. ALBERT. The program for tomorrow will be consideration of the conference report on the highway bill.

HOUR OF MEETING TOMORROW

Mr. ALBERT. Mr. Speaker, pursuant to conversation had with the gentleman from Illinois [Mr. ARENDS] earlier today, I ask unanimous consent that when the House adjourns today it adjourns to meet at 10 o'clock tomorrow.

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

There was no objection.

NATIONAL AERONAUTICS AND SPACE AGENCY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 365)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Select Committee on Astronautics and Space Exploration and ordered to be printed:

To the Congress of the United States:

Recent developments in long-range rockets for military purposes have for the first time provided man with new machinery so powerful that it can put satellites into orbit, and eventually provide the means for space exploration. The United States of America and the Union of Soviet Socialist Republics have already successfully placed in orbit a number of earth satellites. In fact, it is now within the means of any technologically advanced nation to embark upon practicable programs for exploring outer space. The early enactment of appropriate legislation will help assure that the United States takes full advantage of the knowledge of its scientists, the skill of its engineers and technicians, and the resourcefulness of its industry in meeting the challenges of the space age.

During the past several months my special assistant for science and technology and the President's Science Advisory Committee, of which he is the Chairman, have been conducting a study of the purposes to be served by a national space program, of the types of projects which will be involved, and of the problems of organizing for space science functions. In a statement which I released on March 26, 1958, the Science Advisory Committee has listed four factors which in its judgment give urgency and inevitability to advancement in space technology. These factors are: (1) the compelling urge of man to explore the unknown; (2) the need to assure that full advantage is taken of the military potential of space; (3) the effect on national prestige of accomplishment in space science and exploration; and (4) the opportunities for scientific observation and experimentation which will add to our knowledge of the earth, the solar system, and the universe.

These factors have such a direct bearing on the future progress as well as on the security of our Nation that an imaginative and well-conceived space program must be given high priority and a sound organization provided to carry it out. Such a program and the organization which I recommend should contribute to (1) the expansion of human knowledge of outer space and the use of space technology for scientific inquiry, (2) the improvement of the usefulness and efficiency of aircraft, (3) the development of vehicles capable of carrying instruments, equipment, and living organisms into space, (4) the preservation of the role of the United States as a leader in aeronautical and space science and technology, (5) the making available of discoveries of military value to agencies directly concerned with national security, (6) the promotion of cooperation with other nations in space science and technology, and (7) assuring the most effective utilization of the scientific and engineering resources of the United States and the avoidance of duplication of facilities and equipment.

I recommend that aeronautical and space science activities sponsored by the United States be conducted under the direction of a civilian agency, except for those projects primarily associated with military requirements. I have reached this conclusion because space exploration holds promise of adding importantly to our knowledge of the earth, the solar system, and the universe, and because it is of great importance to have the fullest cooperation of the scientific community at home and abroad in moving forward in the fields of space science and technology. Moreover, a civilian setting for the administration of space function will emphasize the concern of our Nation that outer space be devoted to peaceful and scientific purposes.

I am, therefore, recommending that the responsibility for administering the civilian space science and exploration program be lodged in a new National Aeronautics and Space Agency, into which the National Advisory Committee for Aeronautics would be absorbed. Hence, in addition to directing the Nation's civilian space program, the new Agency would continue to perform the important aeronautical research functions presently carried on by the National Advisory Committee for Aeronautics. The new Agency would be headed by a Director appointed by the President by and with the advice and consent of the Senate.

In order to assist the President and the Director of the National Aeronautics and Space Agency, I recommend that a National Aeronautics and Space Board,

appointed by the President, be created. Several of the members of the Board should be from the Government agencies with the most direct interest in aeronautics, space science, and space technology. To assure that military factors are considered by the Board, at least one member should be appointed from the Department of Defense. Members appointed from outside the Government should be eminent in science, engineering, technology, education, or public affairs, and be selected solely because they have established records of distinguished achievement.

The National Aeronautics and Space Agency should be given that authority which it will need to administer successfully the new programs under conditions that cannot now be fully foreseen.

In order that the Agency may attract and retain the services of scientists and technicians which it must have to carry out its responsibilities with full effectiveness, it should have the authority, subject to regulations prescribed by the President, to fix the compensation of its employees at rates reasonably competitive with those paid by other employers for comparable work without regard to the provisions of existing classification laws.

The Agency should have the power to conduct research projects in its own facilities or by contract with other qualified organizations. It will thus be free to enlist the skills and resources required for the space program wherever they may be found, and to do so under the arrangements most satisfactory to all concerned. Provision should also be made for continuing and further enhancing the close and effective cooperation with the military departments which has characterized the work of the National Advisory Committee for Aeronautics. Under such cooperative arrangements it is expected that the National Aeronautics and Space Agency will perform research required in the furtherance of strictly military aeronautics and space objectives, just as the National Advisory Committee for Aeronautics now carries on important research work for the military services in aerodynamics, propulsion, materials and other fields important to the development of military aircraft and missiles.

The National Advisory Committee for Aeronautics is already engaged in research directly related to flight outside the earth's atmosphere and has research facilities adapted to work in space science. Upon the enactment of legislation carrying out my recommendations, all of the resources of the National Advisory Committee for Aeronautics would immediately come under the direction of the new Agency. The Department of Defense and its contractors, as well as other agencies, have active programs which should be considered for administration by the National Aeronautics and Space Agency. I recommend that this fact be taken into account and provision made for the transfer to the Agency of such functions, activities and facilities of other departments and agencies as may be found to be appropriate for administration by the new Agency, subject to the concurrence of the heads of the affected agencies and with the approval of the President.

The Director of the Bureau of the Budget is transmitting to the Congress draft legislation to establish the National Aeronautics and Space Agency and to authorize research into the problems of flight within and outside the earth's atmosphere. I urge that the Congress give prompt consideration to the draft legislation and that it be enacted at the earliest possible date.

Pending enactment of legislation, it is essential that necessary work relating to space programs be continued without loss of momentum. For this reason, I have approved, as part of an interim program of space technology and exploration, the launching of a number of unmanned space vehicles under the direction of the Advanced Research Projects Agency of the Department of Defense. The projects which I have approved include both scientific earth satellites and programs to explore space. In taking this interim action, I directed the Department of Defense to coordinate these projects with the National Advisory Committee for Aeronautics, the National Science Foundation, and the National Academy of Sciences. I also indicated that when a civilian space agency is created, these projects would be reviewed to determine which should continue under the direction of the Department of Defense and which should be placed under the new Agency.

It is also important that measures be taken to assure the prompt and orderly implementation of the proposed aeronautics and space legislation when enacted.

I am requesting the Department of Defense and the National Advisory Committee for Aeronautics to review pertinent programs of the Department and to recommend to me those which should be placed under the direction of the new Agency. I have also asked that they prepare an operating plan to assure support of the new Agency by organizations, facilities, and other resources of the Department of Defense, either by cooperative arrangements or by transfer to the new Agency.

It is contemplated that the Department of Defense will continue to be responsible for space activities peculiar to or primarily associated with military weapons systems or military operations. Responsibility for other programs is to be assumed by the new Agency. In this connection, I commend to the attention of the Congress the comments of my Science Advisory Committee, in its statement of March 26, 1958, on the military applications of space technology.

I am also asking the National Advisory Committee for Aeronautics to begin immediate preparation of such detailed plans as may be required to prepare for the assumption by the National Aeronautics and Space Agency of the responsibilities contemplated for it. Those plans are to set forth the specific new space programs to be initiated and are to describe the internal organization, management structure, staff, facilities, and funds which will be required. The National Advisory Committee for Aeronautics is to discuss with the National Science Foundation and the National Academy of Sciences the matter of participation by the scientific community in determining the scientific objectives of our space programs. The best scientific judgment available should be utilized. Matters related to dissemination of the data collected should also be considered.

I have also instructed the National Advisory Committee for Aeronautics to assume the responsibility for preparing and presenting to the appropriate committees of the Congress a full explanation of the proposed legislation and its objectives.

The vigorous program contemplated will depend not only on adequate legislative authority but also on adequate financial support. I shall shortly submit to the Congress an amendment to the fiscal year 1959 budget to provide funds that will be needed by the new Agency in its first year of operation.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *April 2, 1958*

POWER OR TRAIN BRAKES SAFETY APPLIANCE ACT OF 1958

Mr. MADDEN. Mr. Speaker, I call up House Resolution 515 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 5124) to authorize the Interstate Commerce Commission to prescribe rules, standards, and instructions for the installation, inspection, maintenance, and repair of power or train brakes. 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 Interstate and Foreign Commerce, 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.

Mr. MADDEN. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN]; and at this time yield myself such time as I may consume.

Mr. Speaker, House Resolution 515 makes in order the consideration of H. R. 5124, the so-called airbrake bill. The resolution provides for an open rule and 1 hour of general debate on the bill.

H. R. 5124, as amended and reported by the Interstate and Foreign Commerce Committee, provides that the code of rules of the American Association of Railroads, respecting the inspection, maintenance and repair of power brakes, be adopted by the Interstate Commerce Commission, and that these rules shall remain in effect unless subsequently changed, after hearing, by order of the Commission. In short, the bill gives the Commission statutory authority to prescribe and enforce adequate power and train brake rules. At the present time each railroad is free to adopt, amend,

or disregard the code of rules for maintaining and testing airbrakes. Some have adopted rules equivalent, or even more exacting than the code, others have adopted rules which do not meet the minimum requirements. The Interstate Commerce Commission states that at the present time there is considerable noncompliance of the rules.

At the hearing before the Rules Committee it was emphasized that this is a safety measure only to protect the employees of the railroads and the traveling public. It has been contended that the enactment of the legislation would lead to featherbedding, but this was refuted by the testimony of the Chairman of the Interstate Commerce Commission in his testimony.

Since the railroads are liable in cases of injuries resulting from brake failure, it seems reasonable that in the long run if the air brakes are kept in good working condition, the railroads will save money by preventing damage suits.

Opposition to this bill developed in the Rules Committee hearing as to whether this bill might be construed as a limitation on the length of trains. I can assure the Members that this bill concerns the safety of brakes on railroad cars and nothing else.

In that connection I might say that if the railroads in certain congested localities do not change their practice of operating unreasonably long trains, legislation will be enacted at some future date to eliminate this traffic menace and congestion caused by railroads operating trains sometimes 1½ miles long. In the industrial Calumet region adjoining Chicago, trains numbering at times over 200 cars have blocked or tied up streets and crossings as long as 20 and 30 minutes. I have seen passenger cars and trucks backed up for a mile or more at busy traffic intersections waiting for a slow-moving freight train to pass. In a year's time hundreds of thousands of work hours have been lost in the Chicago area by reason of slow-moving 200-car freight trains. The railroads seem to disregard the inexcusable delays which long, slow-moving freight trains and switching cars have inflicted upon the traveling public in my District.

At times I personally have observed long freight trains extending about 1½ miles in length blocking 8 or 10 street crossings for as long as 25 minutes.

If legislation on behalf of the traveling public is pressed to limit the length of trains, the railroads have invited it because of their deplorable disregard of the people's rights and convenience.

In behalf of safety and protection for the railroad worker and the American public, I urge the adoption of House Resolution 515, and give the House an opportunity to debate and enact H. R. 5124.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

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

Mr. HOFFMAN. Is there anything in this bill that helps out the employees on that assumption of risk doctrine? I recall a Federal law which states that they shall not be required to assume the risk. Nevertheless, when the court gets around to it, they say the employees have assumed the risk.

Mr. MADDEN. There is nothing in this bill outside of the inspection of brakes in order to protect the employees and protect the public; nothing whatsoever.

Mr. ALLEN of Illinois. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, my good friend and colleague from Indiana [Mr. MADDEN] has clearly stated the rule and its provisions.

I am certain I do not have to remind anyone here that the railroads are in serious trouble. Employment on the American railroads has shrunk to the lowest level of the century. The working capital of the railroads, that which pays the wages and train-operating expenses, is at the danger point. I do not have to remind the Members of the House that railroad traffic for 1957 slumped a great deal. So it is no wonder that the railroads view with alarm any Federal legislation that adds new rules or new costs to them.

As my colleague from Indiana has explained, this bill, H. R. 5124, authorizes the Interstate Commerce Commission to prescribe rules, standards, and instructions for the installation, inspection, maintenance, and repair of power or train brakes. The Interstate Commerce Commission has that authority and power at the present time. The inspections are being made by the Interstate Commerce Commission, but they are not mandatory. This bill, if enacted, will make it mandatory upon the railroads to comply.

It is obvious, Mr. Speaker, that this bill will pass. Still, I feel it incumbent upon me to make a few observations.

Frankly, I do not see that the mandatory feature makes a great deal of difference. I cannot conceive that when the Federal inspectors inspect these power brakes and they are found to be imperfect or faulty that the railroads will send out those trains after the inspection, without making remedy. I think the railroads have too much involved. When you stop to consider that the diesel motors, some of them two to a train, cost tens of thousands of dollars, when you stop to consider the hundred cars on a train with cargo running up to hundreds of thousands of dollars, when you consider that a wreck would tear up the tracks and delay the train for hours, perhaps days, when you stop to consider that there might be personal liability cases, it does not seem conceivable to me that the railroads after an inspection by a Federal inspector who would say the brake is faulty would take the chance of sending that train out with questionable brakes. I repeat, I think they have too much involved.

Another feature, and I believe it to be important, is that this bill, while it does not state it, could be the first link to bring about further featherbedding of railroads. Authoritative sources say now that featherbedding of railroads costs the railroads over $200 million a year. On January 31, 1956, W. P. Kennedy, president of the Brotherhood of Railroad Trainmen, wrote to all grand officers, general chairmen, State legislative representatives and all members of the Brotherhood of Railroad Trainmen in the United States. The subject of the letter was long trains. I wish to quote from that letter. He stated:

> Long trains have been the subject of much discussion in the past by various tribunals including the General Chairman's Association, National Conferences of State Legislative Representatives, and numerous conventions of our brotherhood. In the estimation of the delegates who attended the 30th convention (1954), long trains are of paramount interest to the public, the railroad employees, and the railroads, to the extent that life and limb of the public are jeopardized in the blocking of highway and street crossings which delays the flow of traffic, jeopardizes the control of fires, delays ambulances, and from the standpoint of employees on the railroads, these long trains jeopardize the life and limb of those who are required to ride the rear end of these long trains, the constant breaking of knuckles, pulling out of drawbars and causing other damage to equipment and lading, all of which is expensive to the company from a financial standpoint. * * *
>
> At this time I am pleased to report that, in cooperation and conjunction with President H. E. Gilbert of the Brotherhood of Locomotive Firemen and Enginemen, a petition was filed by our brotherhood on January 30, 1956, with the Interstate Commerce Commission calling for promulgation and enforcement of rules, standards and instructions for installation, inspection, maintenance and repair of power brakes, which, if enforced, should substantially reduce the number of cars in trains and, in turn, should result in elimination of the needless loss of life, limb, and property. A copy of this petition is enclosed in printed booklet form for your information, and the data contained therein has been assembled as a result of considerable research in conformity with our convention action.

Now, continuing in regard to featherbedding, I would like to ask my good friend, the gentleman from Arkansas [Mr. HARRIS], chairman of the Committee on Interstate and Foreign Commerce, a few questions in regard to this matter of reducing or limiting trains bearing in mind that at times, perhaps, some of our railroad employees at least are forgetting about that old story that you should not kill the goose that lays the golden egg.

Mr. Speaker, and I propound these questions to the chairman, do I understand that the Chairman of the Interstate Commerce Commission has advised you as chairman of your great committee that the intent of the Interstate Commerce Commission is that this legislation shall not act as a train limitation measure?

Mr. HARRIS. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield.

Mr. HARRIS. I would say in response to the gentleman's question, I think it is highly important to know what the Interstate Commerce Commission thinks about the legislation and the interpretation that they will put on it. I think, however, foremost in importance is, What does the legislation do? I refer the gentleman to the committee report, first on page 3, which under "committee amendment," the paragraph stated:

> *Provided, however,* That such rules or standards or instructions or changes therein

shall be promulgated solely for the purpose of achieving safety.

Reading further in the report:

The purpose of including such language is to make it clear that these rules are for the purpose of safety, and not for the purpose of limiting the length of trains. The relationship of train length to safety is a matter for separate consideration.

That is the language which the committee put in the bill, which is now in the bill and explained in the report.

In addition thereto, to make it perfectly clear and certain that there will be no authority for the Commission to take advantage of this act in limiting the length of trains, I directed an inquiry to the Chairman of the Interstate Commerce Commission on March 15, 1958, and received a reply dated March 20, 1958, which I intend to place in the RECORD during the course of my discussion. It makes it perfectly clear that the Interstate Commerce Commission interprets this as the committee and the Congress would intend by this language. I do not know of any way that the entire understanding can be made clearer than to have the legislative history, the language in the bill, the explanation in the report, and then an intepretation by the Interstate Commerce Commission as to what it does.

Mr. ALLEN of Illinois. I thank the gentleman. I understand that the Chairman of the Interstate Commerce Commission wrote you a letter under date of March 20, 1958, saying it was not the intent of that Commission to consider this legislation as a train limitation measure and does not expect it to treat it as such?

Mr. HARRIS. That is true. May I read the gentleman a paragraph from this two-page letter which I will place in the RECORD later? The Chairman of the Interstate Commerce Commission in the letter referred to has this to say on behalf of the Commission:

As a matter of fact, instead of the possibility of this bill being interpreted as a means of limiting train lengths, it would undoubtedly serve as a means of permitting the safe and efficient operation of much longer trains. In the past, lack of proper maintenance on individual freight trains has necessarily resulted in individual railroads arbitrarily reducing the length of trains, particularly during the winter months when the effects of lack of maintenance are more pronounced.

So the Commission itself say they interpret this as we do here, that they would have no authority to limit the length of trains.

Mr. ALLEN of California. Another question. As chairman of this committee, it is the gentleman's belief that this should not be considered as a train limitation bill. Is that correct?

Mr. HARRIS. Positively. I will state further when I explain the bill a little later on.

Mr. ALLEN of Illinois. The gentleman from Indiana [Mr. MADDEN] said that this would reduce casualties. I attempted to get information in regard to the casualties over our American railroad systems during the past year or two, to find out how many casualties were caused where Federal inspectors made an inspection of the power brakes, found them faulty and, regardless, the trains went out. Just how many casualties came about under those circumstances? Can the chairman answer that question with reference to any authoritative statistics where the Federal inspectors inspected the power brakes and the trains went out with imperfect brakes, resulting in casualties?

Mr. HARRIS. Mr. Chairman, I may say in response to the gentleman's inquiry that he would be interested in knowing, I think, that the Interstate Commerce Commission in the safety appliance division, has only 67 inspectors. I also think it will be interesting to note that we have in operation 1,800,000 cars. There are carload shipments of 100,000 or so every day. If you expect 67 inspectors to do a good job of inspecting that many cars in operation the expectation is vain, because it is an utterly and physically impossible task, as the gentleman knows.

I have information from the Interstate Commerce Commission as a result of the gentleman's inqury when we were before the Rules Committee as to the record of car inspections. I intend to include this five-page letter giving the record of these instances so the House will have the benefit of it.

As for the claims the gentleman referred to, the only information we have is that provided as of the year 1956, in which a number of railroads have been checked. We do not have the accurate total number of individual injuries that we can rely on, but we do have the total cost of the claims for personal injuries based on the three categories the Interstate Commerce Commission set up: Caused by faulty equipment, maintenance of way and structures, and so forth.

During that time the total cost to the railroad industry in these major classifications was $91,205,678. That is a substantial amount which the class I railroads of this country, or most of them, have had to pay for claims during this time. It seems to me that brakes are one of the most important items of equipment that should be maintained in a high state of efficiency. This high cost of claim payments could be reduced tremendously, and the entire public, let alone the railroad industry, benefit from better maintenance.

Mr. ALLEN of Illinois. May I ask the gentleman from Arkansas whether all these casualties were attributable to faulty brakes?

Mr. HARRIS. No; I said they were in three categories. They are set out in columns. The first one is headed: Injury to persons in the maintenance of way and structures. The second column is headed: "Injury to persons in the maintenance of equipment." That is what we are talking about. The other is injuries to persons in rail line transportation which is, of course, a little different proposition than the maintenance of equipment.

Mr. ALLEN of Illinois. Again I thank my good friend. I think, in all fairness, I should mention that after the meeting of the Rules Committee on this bill I talked with several officials of the Railroad Brotherhood. They likewise assured me that there was no disposition on their part in any way to consider this as a train limitation bill.

In conclusion, Mr. Speaker, I want to thank the chairman of the Committee on Interstate and Foreign Commerce for clearly answering the questions I asked him. I thought it rather important that everyone should know the intent of the Congress regarding the train limitation feature and I believe it has been clearly established that in no way should this bill be construed as giving the Interstate Commerce Commission or any other Government agency authority to limit the length of trains.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 7 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to proceed out of order.

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

There was no objection.

Mr. HOFFMAN. Mr. Speaker, will the chairman of the Committee on Interstate and Foreign Commerce tell me whether this bill has anything to do with any safety appliance other than brakes?

Mr. HARRIS. No, it does not. Under the Safety Appliance Act the Commission is authorized to require compliance, insofar as equipment is concerned, but this particular bill applies only to power brakes.

Mr. HOFFMAN. Power brakes on trains?

Mr. HARRIS. Yes.

Mr. HOFFMAN. The gentleman gave a figure of $91 million as the total amount of damage. Included in that are payments for other injuries?

Mr. HARRIS. Yes.

Mr. HOFFMAN. That covers the whole amount paid for injuries on the railroads?

Mr. HARRIS. On the railroads I have the information on.

Mr. HOFFMAN. That is what I mean.

Mr. HARRIS. I do not have it for all of them.

Mr. HOFFMAN. The $91 million covers other things besides injuries received due to defective brakes?

Mr. HARRIS. Yes. I have stated that already.

Mr. HOFFMAN. Mr. Speaker, that is not what I wanted to talk about, however.

Apparently we are threatened with another disaster. This is not the atomic bomb, this is not the hydrogen bomb, this is not the sputnik. It is something else again. Just as quick as we get through one, whether in a week, month, or a year, we always have another one coming up. This one has to do with unemployment.

Mr. HARRIS. Will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Arkansas.

Mr. HARRIS. The gentleman is not speaking about the bill now, is he?

Mr. HOFFMAN. What?

Mr. HARRIS. The gentleman is not speaking about the bill now when he talks about a disaster?

Mr. HOFFMAN. I do not think so, but maybe I will get around to that again.

Mr. HARRIS. I wanted to make that perfectly clear in the RECORD.

Mr. HOFFMAN. In spite of all the dire prophecies, the Nation seems to have more lives than the proverbial cat, which had nine.

This time, it is not the atomic bomb, nor the hydrogen bomb, nor the sputnik. Neither is it Russia's fleet of submarines—nor the guided missile. It is just an old-fashioned depression—now called a recession.

And for it, there are many quack remedies: A cut in the income tax, the abolition of the excise taxes—invariably accompanied by larger appropriations—collect less, spend more—that's the label on the package.

But why worry? While asking that Uncle Sam take less tax dollars out of your pocket, the UAW-CIO insists on increasing dues, even though the unemployed are given jobs through additional Federal appropriations provided by other workers.

But there would seem to be no good reason why the worker, on a relief job, should be forced to give up a part of his paycheck to increase Reuther's war chest, to be used to force employers to pay higher wages for shorter hours, with the ultimate cost added to the price of what we all buy. The one effective remedy which at the moment occurs to me is a buyer's strike somewhat similar to that which is on in the automobile industry—and who really wants that?

BUT WHY WORRY?

Monday, March 31, before the House Committee on Ways and Means, appeared "Soapy" Williams, Michigan's self-appointed, self-taught expert on government, its ills, the causes therefor, and the remedy.

To Soapy was put this question by the gentleman from Missouri [Mr. CURTIS]:

Governor, what is the State debt in Michigan at the present time?

Our expert answered:

I could not answer you that directly, sir, I do not know.

Well, inasmuch as the interest on the State debt must amount to a tidy sum, and as it is an obligation which must be paid, it would seem to the average individual that, before offering a panacea, the Governor should at least know something about the fixed charges which the legislature must meet by taxation.

The Governor charged the Michigan Legislature, which happens to be Republican, with responsibility for the unemployment situation which now exists in Michigan.

Perhaps the State legislature is somewhat at fault in that it has never enacted legislation which would have prevented union bosses levying a tax (dues) upon practically every individual who has a worthwhile job in the State—the tax to be used to fatten the treasury of the UAW-CIO.

The chief interest and purpose of the UAW-CIO's boss is to advance the power and political fortunes of Walter Reuther, who one time joined in a letter to the Detroit workers to fight for a Soviet America.

The same Reuther insists that he and his buddies in control of the unions in Michigan be given a part in management and a share in any profits which industry might make—though, to date, they have not given any indication of a willingness to accept responsibility for any losses that might occur. Who makes jobs and meets a payroll?

But, back to the issue of unemployment: Inasmuch as Soapy seems to have little knowledge about the Michigan State debt—$519 million—or, for that matter, its governmental affairs, it is not surprising that he does not seem aware that, in the Truman recession in 1950, unemployment in Michigan was 1 percentage point less than the national figure—while today, after 8 years under Governor Williams and Reuther, our State has the dubious distinction of an unemployment figure which is in excess of the national average. The national percentage of unemployment is 7.5, while Michigan's unemployment is as high as 11.5, that is, 4 percentage points greater.

As a financial and governmental physician, Soapy is a quack.

Soapy may get the Presidential nomination in 1960, and he may have Reuther as his chief political adviser and Secretary of the Treasury, but one thing is certain, and that is, if he does, we will have a socialistic national Government, veering far to the left of socialism.

Soapy and Reuther might then solve the unemployment problem by having the Federal Government take over all private enterprise, forcing all outside of their particular groups or pet organizations to work for industry or the State.

Though we would not then be doing as Reuther suggested—fight for a Soviet America—we would just be living under a form of government similar to that of the Soviet.

What Governor Williams and Walter Reuther refuse to recognize is the fact that Federal funds to either create jobs or unemployment contributions to meet unemployment compensation payments both are completely dependent upon the ability of the employer to sell his product at a profit. They fail to realize that, if either consumers or management should go on strike—just a peaceful strike—employers cannot operate, employees are out of jobs, and neither Reuther nor any other union official can collect a dollar by way of dues.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

Mr. HARRIS. 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. 5124) to authorize the Interstate Commerce Commission to prescribe rules, standards, and instructions for the installation, inspection, maintenance, and repair of power or train brakes.

The 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. 5124, with Mr. ABERNETHY in the chair.

The Clerk read the title of the bill.

By unanimous consent the first reading of the bill was dispensed with.

Mr. HARRIS. Mr. Chairman, I yield myself 7 minutes.

PURPOSE OF THE BILL

This bill was sponsored by the Interstate Commerce Commission as being necessary to give it the authority to provide the degree of safety contemplated for carrier employees and the traveling public in the enactment of the Safety Appliance Acts.

Under the Safety Appliance Acts, the Commission is charged with the responsibility of enforcing provisions pertaining to the operation of trains equipped with power or train brakes. The Commission, however, does not have authority to prescribe rules, standards, and instructions for the installation, inspection, maintenance, and repair of such equipment.

This bill would give the Commission that authority.

REASON FOR BILL

The Safety Appliance Acts, among other things, provide that it shall be unlawful to run any train that does not have a sufficient number of cars equipped with power or train brakes so that the engineer of the locomotive drawing the train can control its speed without requiring brakemen to use the common handbrake for that purpose. The act of 1903 provided that this sufficient number should be not less than 50 percent of the cars in the train, and authorized the Commission, after hearing, to increase this percentage. It has been so increased so that it is now 100 percent.

In order to insure that these brakes be properly adjusted and maintained and provide effective braking power when operated, the Commission in 1925 cooperated with the mechanical division of the Association of American Railroads in the formulation of a code of rules for maintaining and testing brakes. This code has been revised from time to time up to last fall, and represents minimum requirements for inspection, maintenance, and repair of train brakes.

The code is completely voluntary. The Association of American Railroads has no authority to require adoption of the code by the carriers or to enforce compliance with its rules; nor has there been any provision in law requiring compliance with these rules. Each railroad has been free to adopt, amend or disregard the rules in whole or in part. Some have adopted standards equal to or more exacting than the code, while others have chosen to adopt rules which have not met the minimum requirements of the code.

The Commission and the railroad labor organizations which appeared at the committee hearings contended that even among the railroads which have adopted the association's code, there has been widespread noncompliance with

the rules, particularly with respect to train-brake inspections. The Commission submitted records of Commission inspections both at departing and arriving terminals in which 6 to 9 percent of the cars inspected had inoperative brakes or brakes with impaired efficiency owing to excessive piston travel. The Commission states that its records indicate a progressive deterioration of train-brake inspection and maintenance practices, and that the carriers are either unable to enforce their own rules or are deliberately ignoring the minimum requirements for safety. The Commission further contends that railroad cooperation with Commission inspectors has declined.

COMMITTEE AMENDMENT

In the committee hearings, the Interstate Commerce Commission indicated that the Commission would be willing to *adopt, without* further hearing, the present provisions of the code of the Association of American Railroads respecting the installation, inspection, and repair of power and train brakes, and that any future change in the code or rules would be made only after formal rulemaking proceedings. The Commission stated that all it felt needed at this time was that the railroads' own code be enforced.

Accordingly, the committee amendment incorporates this procedure, and alters the language of the bill as introduced to provide that the association code of rules as revised at the date of enactment of this legislation, shall be the rules put into effect by the Commission, and shall thereafter remain in *effect unless* subsequently changed, after hearing, by order of the Commission.

LENGTH OF TRAINS

While the railroads opposed the bills at the hearings, pointing out their constantly improving safety record as evidence of the adequacy of this voluntary code, their chief contention and their principal fear seems to be that this legislation may be used to curtail the length of trains.

As I have said earlier today in my colloquy with the gentleman from Illinois [Mr. ALLEN], this is not the purpose of this legislation. I wish to repeat this.

The bill, itself, as amended by the committee, contains explicit language:

Provided, however, That such rules or standards or instructions or changes therein shall be promulgated solely for the purpose of achieving safety.

The committee report, on page 3, clearly sets forth the committee intent in including this proviso in the legislation, namely:

The purpose of including such language is to make it clear that these rules are for the purpose of safety, and not for the purpose of limiting the length of trains. The relationship of train length to safety is a matter for separate consideration.

Further to buttress the legislative history on this important matter, I wrote to the Interstate Commerce Commission for its interpretation of this language, and have received a letter from Chairman Freas which I shall incorporate in my remarks. I wish to call particular attention to several pertinent statements:

H. R. 5124 * * * was not intended as a train-length limitation, but as a necessary step to provide the degree of safety contemplated in the Safety Appliance Acts for carrier employees and the traveling public. The Commission's support of the bill was not for the purpose of regulating the lengths of trains, and it has no intention of attempting such regulation under the measure if enacted into law.

We are of the further view that if any attempt were ever made to use this measure to limit the length of trains, the legislative history thereof would be dispositive of the question.

It is the opinion of the Committee on Interstate and Foreign Commerce that this measure, as amended, is necessary for the improvement of railroad safety. That it properly is directed solely at the matter of safety and is not for the purposes of limiting train length. I urge the passage of the bill.

In carrying out the legislative history, to make it very certain I referred a moment ago to a letter I had received from the Interstate Commerce Commission which I shall include in the RECORD, but at this moment I shall read a pertinent paragraph in order that we may know what the Commission says and therefore the history of this legislation may be made clear.

The Commission states:

While it might be remotely possible, by the use of a very strained construction of the bill to interpret it as authorizing the Commission to limit the length of trains, it should be pointed out that this could occur only in the case of one or more cars on which maintenance had deteriorated to the point where their movement in a train would be in violation of the maintenance rules. Further, in such cases, the defective cars could either be repaired or replaced by adding additional cars in proper condition to any desired train length.

That, it seems to me, should remove from anyone's mind any fear whatsoever that any other construction should be given to this legislation. I think in view of the fact that this one point has been definitely cleared up all of the opposition thus far has been dissipated, and I think we will find almost everyone unanimously in support of this legislation.

INTERSTATE COMMERCE COMMISSION,
Washington, D. C., March 20, 1958.

The Honorable OREN HARRIS,
Chairman, Committee on Interstate and Foreign Commerce House of Representatives, Washington, D. C.

DEAR CHAIRMAN HARRIS: This is in response to your letter of March 15, 1958, regarding a bill, H. R. 5124, authorizing the Commission to prescribe rules, standards, and instructions for the installation, inspection, maintenance, and repair of power or train brakes. You express concern over the question as to whether or not this bill could in any way be interpreted as imposing a limit on the length of trains, notwithstanding the amendment made by your committee, and the comment in the committee report that the purpose of including such language is to make it clear that these rules are for the purpose of safety, and not for the purpose of limiting the length of trains.

As you know, H. R. 5124 was deemed necessary because of the deteriorating maintenance and inspection practices of the carriers in recent years as disclosed by airbrake inspections made by the Commission's inspectors. It was not intended as a train-length limitation, but as a necessary step to provide the degree of safety contemplated in the Safety Appliance Acts for carrier employees and the traveling public. The Commission's support of the bill was not for the purpose of regulating the lengths of trains, and it has no intention of attempting such regulation under the measure if enacted into law.

While it might be remotely possible, by the use of a very strained construction of the bill to interpret it as authorizing the Commission to limit the length of trains, it should be pointed out that this could occur only in the case of one or more cars on which maintenance had deteriorated to the point where their movement in a train would be in violation of the maintenance rules. Further, in such cases, the defective cars could either be repaired or replaced by adding additional cars in proper condition to any desired train length.

As a matter of fact, instead of the possibility of this bill being interpreted as a means of limiting train lengths, it would actually serve as a means of permitting the safe and efficient operation of much longer trains. In the past, lack of proper maintenance on individual freight cars has necessarily resulted in individual railroads arbitrarily reducing the length of trains, particularly during winter months when the effects of lack of maintenance are more pronounced.

Among other factors determining train lengths is the degree of maintenance of the power brakes. Aside from the actual pulling power of the locomotive, no more cars can be hauled in a train than can be controlled by means of the power brakes on the individual cars. Thus poorly maintained brakes very effectively reduce train lengths whereas properly maintained brakes make possible the handling of much longer trains with greater safety and a much higher degree of efficiency.

To illustrate briefly—the locomotive engineer controls the speed of a train, as well as the slack action, by varying the air pressure in a continuous pipeline through the entire train. Excessive leakage at individual cars, one of the more common results of inadequate maintenance, sharply reduces the number of cars which can be added to that pipeline, or train, and still permit the minimum control that the carriers themselves would tolerate, even if there were no rules or regulations pertaining thereto.

We are of the further view that if any attempt were ever made to use this measure to limit the length of trains, the legislative history thereof would be dispositive of the question.

I hope this will be helpful to you. If I can be of further assistance, please do not hesitate to let me know.

Sincerely yours,

HOWARD FREAS,
Chairman.

INTERSTATE COMMERCE COMMISSION,
Washington, D. C., April 1, 1958.

The Honorable OREN HARRIS,
Chairman, Committee on Interstate and Foreign Commerce, House of Representatives, Washington, D. C.

DEAR CHAIRMAN HARRIS: Reference is made to the telephone request of Dr. Andrew Stevenson, a member of the staff of your committee, to our Mr. Longhurst for supplemental information in connection with bill H. R. 5124, which authorizes the Commission to prescribe rules, standards, and instructions for the installation, inspection, maintenance, and repair of power or train brakes.

Since former Chairman Owen Clark testified before your committee, we have secured

more recent statistics relating to maintenance and testing of power or train brakes on the American railroads. These statistics we believe justify our concern in the carriers' continuing deteriorating maintenance and inspection practices.

During the fiscal year ended June 30, 1957, the Commission's inspectors made train brake inspections on 2,246 trains, consisting of 105,324 cars, before departure of these trains from terminals. A total of 7,141 cars, or 6.78 percent, were found to have inoperative or inefficient power brakes. This compares with 117,399 cars inspected in 1956 when 6.82 percent of these cars had inoperative or inefficient power brakes. These random spot checks of power or train brakes show that there was only a decline of 0.04 percent in the number of defective train brakes found in 1957 as compared with the previous year. Hence the railroads' maintenance practices have shown no material improvement. Of the 7,141 cars found with inoperative or inefficient power brakes, 2,905 cars wers removed from the trains for subsequent repair, 4,146 cars had their power brakes repaired in the trains, and 90 cars were permitted by the carriers to depart in trains when not controlled by power or train brakes. Of these 90 cars, 77 had inoperative brakes, 10 had their airbrakes cutout and 3 were not equipped with power brakes. It should be noted the law does not authorize our inspectors to require that defective cars be removed from the trains, or that the power brakes be repaired before departure from terminals. Nor does the law authorize our inspectors to delay trains until they have completed their inspections, or until they have secured all necessary evidence to support prosecutions. Hence prosecutions are not always feasible even though an inspector observes the use of a car with a cutout or inoperative airbrake. The inspector must have time to gather all pertinent evidence so that our proof at trial will not fail. Then too, except in rare instances, we find it desirable to have prosecutions supported by the personal observation of two of our inspectors. When we have sufficient evidence to support a prosecution under the power brake provisions of the law the matter is turned over to the appropriate United States attorney for handling.

In July 1957 the Association of American Railroads adopted revised rules for the inspection, testing and maintenance of airbrake equipment on locomotives and cars. It is our understanding that most, if not all, member railroads have adopted these rules. Yet, the same criticism as was made by us in connection with the prior rules, can be levied with equal force against the current rules. The railroads recognize that these rules represent minimum standards of safety; however, they do not enforce their own rules. And since these rules are voluntary, the Association of American Railroads has no way to enforce them. During the period October 14, 1957, to March 14, 1958, our inspectors observed airbrake procedures on various railroads. These procedures were supposed to conform to the new rules for testing and maintaining airbrakes. Sixty-two trains, containing 4,344 cars, were observed. These trains were assembled and made ready for their runs at various originating terminals. The results of our observations disclosed that only 6 trains, containing 227 cars, were given tests in conformity with the revised rules and 9 trains, containing 933 cars, were given tests which except for minor deviations appeared to conform to the rules. Nineteen trains, containing 1,223 cars were given tests involving the examination of only 57 cars, or less than 5 percent; and 28 trains having a total of 1,961 cars departed without having been given any type of brake test whatsoever. Thus we find that 47 trains, or 75.8 percent of the trains, or 3,127 cars, or 71.9 percent of the cars, of these 62 trains were permitted to depart their points of origin without the carrier having knowledge that any of the power or train brakes were either operative or efficient. Such practices are not only unsafe but do not meet the railroads' own rules for safe operation.

In addition to the various railroad accidents previously brought to the attention of your committee, we desire to cite 4 recent railroad accidents which were investigated by the Commission. These 4 accidents resulted in the death of 6 persons and the injury of 104 persons. The investigation of each of these accidents disclosed some power brake deficiency not in conformity with standards for safe operation. It is not our contention that the condition of the airbrakes was the sole or primary cause of each of these accidents. However, since deficiencies were found in the power brake systems, such conditions may well have been a substantial contributing factor in the tragic toll of life and limb. Since all brakes were not efficient, it is only reasonable to assume that the severity of the accidents was greater on that account.

In our report No. 3737, a Chicago and Eastern Illinois train of 4 cars on February 25, 1957, ran off the end of the track at Jamaica, Ill. The engineer in attempting to stop his train short of the end of the track claimed that he did not get proper retarding response from the train brakes. Later examination disclosed that one of the cars had piston travel of 11 inches and another had 9½-inch piston travel instead of not less than 7 nor more than 9 inches as required by the rules. Hence, two of the four cars, or 50 percent of the cars in the train, had power brakes which were out of adjustment and therefore could not provide fully effective braking effort.

In report 3762, covering an accident on the Louisville and Nashville Railroad at Guthrie, Ky., June 29, 1957, a freight train of 30 cars and a caboose struck the side of a passenger train causing 6 fatalities and 21 injuries. Subsequent tests of the power-brake equipment on the freight train disclosed that the air brakes were cut out on one car and the brake-cylinder piston travel on seven cars and the caboose was 10 or more inches in length. As a result of this condition the brakes on only 75 percent of the cars in the freight train provided effective braking. It should be noted that it was found that these defective conditions apparently existed at the time the train departed from its point of origin, notwithstanding that the Association of American Railroads' rules provide: "At initial terminals piston travel of body mounted brake cylinders which is less than 7 or more than 9 inches must be adjusted to nominally 7 inches." Had the brakes on this train received required attention at the makeup point, the severity of this accident may have been substantially reduced, and possibly the engineer could have so controlled his train as to stop short of the point of collision.

In report No. 3770, covering an accident on the New York Central Railroad Co. at New York City, N. Y., on July 15, 1957, 9 passenger car units moved out of control on a descending grade and collided with 2 passenger trains, resulting in the injury of 65 persons. Our investigation determined this accident was caused "as a result of failure to properly charge air-brake system." No train brake test had been made before the movement was commenced. Had such a test been made, it would have been discovered that the train-brake system had not been properly charged and corrective measures could have been taken and the accident could have been avoided. Sixty-five persons received injuries in an accident which should not have occurred, and which could have been prevented had the carrier observed its own rules.

Accident report No. 3777 covering an accident at Chariton, Iowa, August 25, 1957, on the Chicago, Burlington & Quincy Railroad, was caused by a false flange which resulted from a slid-flat wheel. On examination of the control valve on the locomotive of this train, it was found that the valve was defective in that the piston and slide valve failed to function properly and failed to meet the carrier's resistance test. This caused the brakes to stick and not release after a service application. It was found that the false flange probably resulted from the brakes failing to release.

A statement before your committee on Friday, April 12, 1957 (hearings, p. 204) attempted to minimize the seriousness of inoperative and inefficient power brakes in present-day railroad operation by referring to certain statistics in our annual accident bulletins. In that connection it should be noted these statistics are supplied by the carriers themselves. Except in a few isolated instances, the causes assigned by the carriers must, of necessity, be accepted as correct. We neither have the staff nor the facilities to determine the correctness of the classification assigned to each reported accident. Also, practically every accident is the result of a combination of events and causes, any one of which being absent, may have prevented the accident, or may have materially reduced the severity thereof. In other words, while the carrier may designate the primary or proximate cause of an accident to be that of man failure, negligence, defective equipment, slack action, etc., the condition of the power brakes may well have been a contributing factor. Any time an accident involves moving trains, ability to stop or reduce speed is a material factor in reducing casualties. As illustrations, to cite just a few types of accidents involving movement, in 1955 there were 2,244 accidents classified as collisions, 3,446 as highway grade crossing accidents, and 1,258 involving persons being run over or struck. These 3 classifications of accidents resulted in a total of 2,235 persons killed and 5,029 injured. Comparable figures for the year 1956, the latest figures available, show 2,069 killed and 5,188 injured. In each of these accidents, the engineer's ability to stop the train may in some way have affected this tragic toll. In a further effort to minimize the results of defective power brakes on safe railroad operation, the committee's attention was also directed to the fact that our 1955 Accident Bulletin showed only 49 of the 8,716 train accidents as resulting from defective power brakes and appurtenances. This, however, is not the complete picture. Other classifications of accidents also involve the efficiency of the power brakes. To list a few of these categories, there were 6 accidents attributable to faulty air reservoirs and pumps, 88 due to brake beams broken, disconnected, displaced, etc., 24 due to brake hangers broken or disconnected, and 48 involving brake rigging coming down or having other failures or defects. This incomplete list shows that there were at least 226 accidents in 1955, reported by the carriers themselves, as caused by failure of some part of a power-brake system. In comparison, the latest available statistics, which are contained in our Accident Bulletin No. 125, for the year 1956, show there was a total of 9,447 train accidents, of which 64 were caused by defective power brakes, 1 involved defective air reservoirs and pumps, 91 involved brake beams broken, disconnected, displaced, etc., 44 involved brake hangers broken or disconnected, 21 involved brake rods broken, defective, or disconnected, and 51 involved brake rigging coming down, or having other failure or defect, for a total of 270 accidents from these causes. Thus, there was not only an increase in the number of train accidents in 1956 over 1955, but there was also a marked increase in the total number of accidents caused by failure or defect of some part of power-brake systems.

We trust we have supplied the information desired by Dr. Stevenson and will be pleased to supply any additional desired information.

Sincerely yours,

HOWARD FREAS,
Chairman.

Mr. WOLVERTON. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, I wish to commend the gentleman from Arkansas [Mr. HARRIS], who is the chairman of our committee, on the very clear and able manner in which he has presented the reason for and the purpose of this legislation. The answers that he made to the inquiries that were propounded to him by the gentleman from Illinois [Mr. ALLEN] certainly went to the very heart of the bill and explained in a clear and understandable manner the reasons that actuated the committee in reporting this bill favorably and unanimously.

It is characteristic of the chairman of the Committee on Interstate and Foreign Commerce that when any legislation comes from our committee to this House the chairman can always be depended upon to make an explanation that is clear and understandable as well as forceful. We feel fortunate in having him as our chairman.

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

Mr. WOLVERTON. Certainly.

Mr. HARRIS. Let me express my deep appreciation for the very generous and kind remarks made by my distinguished friend from New Jersey.

Mr. WOLVERTON. I appreciate the fact that at times there may be a tendency to bestow praise. Sometimes it has been difficult to understand why. But in this instance I assure the gentleman it was a very easy matter to express my feelings of regard and appreciation of the gentleman's ability as I have done, but I assure the gentleman it has been difficult to find language that would adequately express the high regard we all have toward our chairman.

What he has already said in explanation of this bill leaves little reason for me to make any extended remarks. To emphasize what has already been said rather than otherwise, it is my intention, Mr. Chairman, to express my views with reference to the bill.

The purpose of this proposed legislation is to amend the Safety Appliance Acts so as to give to the Interstate and Foreign Commerce Commission authority to establish rules, standards, and instructions for the installation, inspection, maintenance, and repair of power or train brakes.

Under the act of March 2, 1903 the Commission is charged with the responsibility of enforcing the power or train brake provisions of the act, but does not have authority to prescribe rules, standards, and instructions for the installation, inspection, maintenance, and repair of such equipment.

The present bill gives the authority that is lacking in the original act and the bill now before the House has the approval of the Interstate Commerce Commission.

The bill also has the approval of all the railway labor organizations and the AFL–CIO.

It has been difficult for me to understand why the Association of American Railroads and the American Short Line Railroad Association should be opposed to the bill as reported by the House Committee on Interstate and Foreign Commerce.

It is not hard to realize that in the straitened financial conditions with which the railroads are presently faced that they should be fearful of any additional cost that might be required of them as a result of any additional requirements placed upon them. But, even though this be true, yet, we should not overlook the fact that the fundamental purpose is to provide safety to railroad employees and the traveling public. But, there is no real basis for fear of additional cost. This is due to the fact that at the present time the rules and regulations respecting the inspection, maintenance, and repair of power brakes were voluntarily adopted by the railroads in general.

The fact is that the present rules and regulations were drawn up and adopted by the Association of American Railroads in 1925 and revised in 1933, 1934, 1941, and 1953, but, notwithstanding the fact that these standards, minimum though they may be, and though they have had the approval of the Association of American Railroads, yet, such have not been adopted by all railroads, and, among many which have adopted them, there is widespread noncompliance.

The Interstate Commerce Commission contends that its records show a progressive deterioration of train-brake inspection and maintenance practices. From this the inference could be drawn that the railroads are either unable to enforce their own rules or are deliberately ignoring minimum requirements for safety.

Thus, the Interstate Commerce Commission and the railroad labor organizations both state that the voluntary system has failed, and, that as a result of the railroads' failure to observe their own code of rules, unsafe working and traveling conditions have been created. And, that this condition will continue to exist, and, even greater hazards be created, unless the Interstate Commerce Commission is given authority to enforce safety standards.

Probably the best evidence I can present that there is no intention or expectation that the Interstate Commerce Commission will draw up a new set of onerous or unreasonable standards that would tend to increase the cost of compliance is the fact that the bill as presented provides that rules, standards, and instructions heretofore adopted by the Association of American Railroads shall hereafter remain the rules, standards, and instructions for the installation, inspection, maintenance, and repair of all power or train brakes unless changed after hearing, by order of the Interstate Commerce Commission. Thus, it can be readily seen that the real purpose of this bill is to give the Commission the authority to enforce present rules, standards, and instructions, which authority they do not have at the present time. Certainly this is not unreasonable. And, as it is in the public interest, both from the standpoint of the railroad worker and the traveling public, it should be granted.

It is my opinion that the real reason that the bill, as originally introduced, was opposed by the railroads grows out of the fact that there was a fear upon their part that it was a means of limiting the length of trains, thereby increasing the number of train and engine crews that must be hired by the railroads.

In an endeavor to make clear that there was no intention that the present bill could or would be considered as a means to limit the length of trains, and, that any such legislation would require a separate and distinct bill and for that particular and specific purpose, it was provided, in clear and understandable language, set forth in the bill now under consideration, as follows:

Provided, however, That such rules or standards or instructions or changes therein shall be promulgated solely for the purpose of achieving safety.

In conclusion, this bill is reported favorably because the railroad industry's self-imposed rules have not produced the desired results, and the Commission believes that the problem can be met only by giving to it statutory authority to prescribe and enforce adequate power and train-brake rules. It is therefore urged that the Safety Appliance Acts be amended as provided in the bill H. R. 5124, now under consideration, in order to provide the degree of safety required for employees and the traveling public.

Mr. HARRIS. Mr. Chairman, I yield 5 minutes to the gentleman from West Virginia [Mr. STAGGERS].

Mr. STAGGERS. Mr. Chairman, I believe the chairman of the committee [Mr. HARRIS] and the gentleman from New Jersey [Mr. WOLVERTON] have certainly stated clearly the purposes of the bill. I would like to add a few comments.

The bill was introduced in the House by Mr. HARRIS, as he stated, at the request of the Interstate Commerce Commission. This bill is almost the identical bill passed by the Senate last year on August 13, without any vote recorded against it. It came out of the Senate committee and was reported to the floor and passed. On August 14, 1957, it was reported out of our committee, the Interstate and Foreign Commerce Committee, unanimously, and has been brought to the floor now for consideration.

I would like to say also that it was approved by the Bureau of the Budget, saying that it should be passed in the interest of safety. The rules are adopted by the American railroads themselves and are now in effect, and they should just be carried on with some authority to enforce them; not just voluntary enforcement.

There is not to be any change in these rules except by proper hearing by the Commission, and then the changes made accordingly.

I believe that all the fears and objections of those who appeared before the committee have been met by the wording that we set up in the committee. I believe that anyone who attended the hearings and the executive session would be for the bill.

I believe the bill is for the public interest and should be passed accordingly, and that is my recommendation to the House. I do not know of any conclusive argument that can be made against the passage of the bill at this time.

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

Mr. STAGGERS. I yield to the gentleman from Kentucky.

Mr. PERKINS. I wish to associate myself with the remarks of the gentleman from West Virginia [Mr. STAGGERS]. I feel that this is beneficial legislation that will redound to the public welfare if passed in its present form. I thank the gentleman.

Mr. STAGGERS. I appreciate the remarks of the gentleman from Kentucky and yield back the balance of my time.

Mr. WOLVERTON. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota [Mr. O'HARA].

Mr. O'HARA of Minnesota. Mr. Chairman, the gentleman from Arkansas [Mr. HARRIS], the gentleman from New Jersey [Mr. WOLVERTON], and our colleague from West Virginia [Mr. STAGGERS], have very clearly stated the purposes of this legislation.

During the hearings on this bill concern was expressed by the railroad industry that the bill might become a train-length bill. I believe that objection has been amply taken care of by action of the committee and the language contained in the report to prevent this legislation from being a train-length bill.

The bill has for its purpose the safety of railroad workers and the safety of the traveling public. It is in the general best interest of both workers and the public that this legislation be adopted.

Under the voluntary system a good deal was accomplished; and, while, generally speaking, most of the railroads under the voluntary system did a good job, there were some that were alleged to be rather careless. As a result of this alleged carelessness in the maintenance of power brakes and regular train brakes accidents occurred due to this factor.

I believe the legislation in the form in which it is brought before us in language that is clear and concise, and in view of the clear and concise language of the report should have the unanimous support of this body.

I hope this bill becomes law at the very earliest possible time.

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

Mr. O'HARA of Minnesota. I yield to the gentleman from Arkansas.

Mr. HARRIS. I asked the gentleman to yield for the purpose of advising the Committee that this bill as reported by the committee is an amendment of the Safety Appliance Act of 1903 and is identical to the bill H. R. 1836 which was unanimously reported out by the Senate Interstate Commerce Committee and I believe unanimously passed the Senate—with one exception, and that is that whereas the Senate bill provides that the Commission shall within 30 days adopt such rules and regulations as may be required, the bill under consideration before us provides for 120 days. As the gentleman recalls, we decided in the committee that 30 days probably would not be sufficient time to get these rules and regulations adopted and approved; and, therefore, we extended the time to 120 days. I am advised that there is no objection to the 120 days by any of those who are supporting this legislation. It is assumed that the other body will accept that one difference and it would be my purpose to move after the passage of this bill that the Senate bill be taken from the Speaker's desk and this bill be substituted for it in order that it may go back to the other body for approval.

Mr. O'HARA of Minnesota. I thank the gentleman.

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

Mr. O'HARA of Minnesota. I yield to the gentleman from Florida.

Mr. SIKES. I rise to ask of the chairman, Does the bill as reported by the Senate contain the language of the Smathers amendment?

Mr. HARRIS. If the gentleman refers to the amendment that would make it very clear this is for the purpose of safety only and for no other purpose; yes. That would be the Smathers amendment.

Mr. SIKES. That is my understanding.

Mr. HARRIS. The language of the House bill is identical with the language of the Senate bill.

Mr. O'HARA of Minnesota. I may say to the gentleman from Arkansas that I agree with him. I think the 30-day provision contained in the Senate bill is a little too short. We have discussed that in committee and we thought it was wiser to provide 120 days provision.

Mr. WOLVERTON. Mr. Chairman, I yield such time as he may desire to the gentleman from Wisconsin [Mr. WITHROW].

Mr. WITHROW. Mr. Chairman, I want to take this opportunity to congratulate the Committee on Interstate and Foreign Commerce for bringing this measure to the floor. I have had considerable experience as a railroad employee in the active operation of trains, having begun my railroad employment more than 41 years ago and having continued as a conductor on the railroad until I was elected to Congress. Most of my service has been operating freight trains on the main line of the Chicago, Burlington & Quincy Railroad.

I believe that this long period of active railroad service qualifies me to speak on this very important matter. I believe that the passage of this legislation is necessary in the interests of the employee, the railroad companies and the public because it is a safety measure.

It has been necessary in order that the railroads might meet competition to speed up freight service. This has been done. It is common to operate freight trains at a speed of 55 to 60 miles per hour. This can only be done if the trains can be properly controlled; that is, the reduction of speed at some places and the ability to stop if required. This can only be accomplished if the power brakes on the trains are in perfect working order. This can only be accomplished through thorough inspection and proper maintenance.

H. R. 5124 has for its purpose placing under the jurisdiction of the ICC the authority to designate rules for the maintenance and inspection of power brakes. It is contended by those of us supporting this legislation that the records of the ICC show a progressive deterioration of train-brake inspection and maintenance practices, indicating that the carriers are either unable to enforce their own rules or are deliberately ignoring minimum requirements for safety.

The voluntary system has failed, because the railroads do not comply with their own code of rules, that unsafe working conditions exist for railroad workers and will continue to exist unless enforcible safety standards for power brakes are adopted, and that this can be effectively accomplished only by Commission administration and enforcement of such standards.

At the hearings on H. R. 5124, the Chairman of the Interstate Commerce Commission advised the committee that the Commission would be willing to adopt, without hearing, the present provisions of the Association of American Railroads' code respecting the installation, inspection, maintenance, and repair of power or train brakes, and make only proposed changes therein and new rules subject to formal rulemaking proceedings, and that he had been advised that this procedure was agreeable to the labor organizations interested in the bill.

The committee amendment incorporates the procedure so suggested and alters the language of the bill as introduced to provide that the AAR code of rules, as revised at the date of enactment of this legislation, shall be the rules put into effect by the Commission and shall thereafter remain in effect unless subsequently changed, after hearing, by order of the Commission.

I urge the passage of H. R. 5124 in the interest of the safe operation of trains.

Mr. HARRIS. Mr. Chairman, it is a very great pleasure to me to find that this bill apparently has unanimous support now and it is being recognized under the circumstances that it is legislation needed in the railroad industry in the interest of railroad labor, the industry itself and the general public.

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 section 2 of the act of March 2, 1903 (ch. 976, sec. 2, 32 Stat. 943, 45 U. S. C., title 45, ch. 1, secs. 1–16), is amended (1) by changing the semicolon at the end of the third clause thereof to a period, (2) by striking the remaining language of the section, and (3) by adding at the end of that section the following new language: "The Commission shall prescribe, after hearing, rules, standards, and instructions for the

installation, inspection, maintenance, and repair of all power or train brakes, and such rules, standards, and instructions shall remain the rules, standards, and instructions for the installation, inspection, maintenance, and repair of all power or train brakes, unless changed, after hearing, by order of the Commission. The provisions and requirements of this section shall be held to apply to all trains, locomotives, tenders, cars, and similar vehicles used, hauled, or permitted to be used or hauled, by any railroad engaged in interstate commerce; and failure to comply with any rule, regulation, or requirement promulgated by the Commission pursuant to the provisions of this section shall be subject to the like penalty as failure to comply with any requirement of this section."

With the following committee amendment:

Page 1, strike out all after the enacting clause and insert the following: "That (a) this act may be cited as the 'Power or Train Brakes Safety Appliance Act of 1957.'

"(b) Section 2 of the Safety Appliance Act of March 2, 1903 (32 Stat. 943, ch. 976, sec. 2; 45 U. S. C. 9), is amended (1) by changing the semicolon at the end of the third clause thereof to a period, (2) by striking the remaining language of the section, and (3) by adding at the end of that section the following new language: 'One hundred and twenty days after the date of enactment of the Power or Train Brakes Safety Appliance Act of 1957, the Interstate Commerce Commission shall adopt and put into effect the rules, standards, and instructions of the Association of American Railroads, adopted in 1925 and revised in 1933, 1934, 1941, and 1953, with such revisions as may have been adopted prior to the enactment of such Act, for the installation, inspection, maintenance, and repair of all power or train brakes for common carriers engaged in interstate commerce by railroad. Such rules, standards, and instructions shall thereafter remain the rules, standards, and instructions for the installation, inspection, maintenance, and repair of all power or train brakes unless changed, after hearing, by order of the Interstate Commerce Commission: *Provided, however,* That such rules or standards or instructions or changes therein shall be promulgated solely for the purpose of achieving safety. The provisions and requirements of this section shall apply to all trains, locomotives, tenders, cars, and similar vehicles used, hauled, or permitted to be used or hauled, by any railroad engaged in interstate commerce. In the execution of this section, the Interstate Commerce Commission may utilize the services of the Association of American Railroads, and may avail itself of the advice and assistance of any department, commission, or board of the United States Government, and of State governments, but no official or employee of the United States shall receive any additional compensation for such service except as now permitted by law. Failure to comply with any rule, regulation, or requirement promulgated by the Interstate Commerce Commission pursuant to the provisions of this section shall be subject to the like penalty as failure to comply with any requirement of this section.' "

Mr. HARRIS. Mr. Chairman, I explained a moment ago in the colloquy between the gentleman from Minnesota and myself the difference between the amendment we have here and what is in the bill that came from the Senate. Therefore, there will be no further need for explanation of the amendment.

Mr. Chairman, I ask unanimous consent that on page 2, line 15, the figure "1957" be changed to "1958."

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Mr. Chairman, I ask unanimous consent that the date "1957" on line 23, page 2, be changed to read "1958."

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The CHAIRMAN. The question is on the committee amendment as amended.

The committee amendment as amended was agreed to.

The CHAIRMAN. Under the rule the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. ABERNETHY, 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. 5124) to authorize the Interstate Commerce Commission to prescribe rules, standards, and instructions for the installation, inspection, maintenance, and repair of power or train brakes, pursuant to House Resolution 515, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1386) to authorize the Interstate Commerce Commission to prescribe rules, standards, and instructions for the installation, inspection, maintenance, and repair of power or train brakes.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That (a) this act may be cited as the "Power or Train Brakes Safety Appliance Act of 1957."

(b) Section 2 of the act of March 2, 1903 (ch. 976, sec. 2, 32 Stat. 943, 45 U. S. C., title 45, chap. 1, secs. 1–16) is amended (1) by changing the semicolon at the end of the third clause thereof to a period, (2) by striking the remaining language of the section, and (3) by adding at the end of that section the following new language: "Thirty days after the date of enactment of the Power or Train Brakes Safety Appliance Act of 1957, the Interstate Commerce Commission shall adopt and put into effect the rules, standards, and instructions of the Association of American Railroads, adopted in 1925 and revised in 1933, 1934, 1941, and 1953, with such revisions as may have been adopted prior to the enactment of such act, for the installation, inspection, maintenance, and repair of all power or train brakes for common carriers engaged in interstate commerce by railroads. Such rules, standards, and instructions shall thereafter remain the rules, standards, and instructions for the installation, inspection, maintenance, and repair of all power or train brakes unless changed, after hearing, by order of the Interstate Commerce Commission: *Provided, however,* That such rules or standards or instructions or changes therein shall be promulgated solely for the purpose of achieving safety. The provisions and requirements of this section shall apply to all trains, locomotives, tenders, cars, and similar vehicles used, hauled, or permitted to be used or hauled, by any railroad engaged in interstate commerce. In the execution of this section, the Interstate Commerce Commission may utilize the services of the Association of American Railroads, and may avail itself of the advice and assistance of any department, commission, or board of the United States Government, and of State governments, but no official or employee of the United States shall receive any additional compensation for such service except as now permitted by law. Failure to comply with any rule, regulation, or requirement promulgated by the Interstate Commerce Commission pursuant to the provisions of this section shall be subject to the like penalty as failure to comply with any requirement of this section."

Mr. HARRIS. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HARRIS: Strike out all after the enacting clause of S. 1386 and insert the provisions of H. R. 5124 as passed.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 5124) was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. WOLVERTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks in the RECORD on the bill just passed, and for those who desire to do so to extend their remarks in the RECORD during general debate on the bill.

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

There was no objection.

VETERANS OF WORLD WAR I

Mr. WILSON of Indiana. 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 Indiana?

There was no objection.

Mr. WILSON of Indiana. Mr. Speaker, there is now pending before the Rules Committee a bill, labeled H. R. 11077, which would incorporate the Veterans of World War I of the United States. The Judiciary Committee, without a dissenting vote, has recommended that the bill do pass the House of Representatives.

I feel certain that most of my colleagues would like to have that bill brought to this floor for discussion and decision. H. R. 11077 simply would extend formal Federal recognition to an organization of patriotic men now becoming aged and who are dying at the rate of more than 10,000 a month.

Since this bill would not cost the Government one red cent, there should be no

great objection to its consideration. It is my sincere hope that other Members of this body will prevail upon the Rules Committee to hold the necessary hearings and consider H. R. 11077 for reporting.

As is generally known, I am the sponsor of another bill, H. R. 2201, which would grant a $100 monthly pension to veterans of World War I. This, of course, has nothing to do with the charter bill I am presently discussing. I mention my own bill as an indication of my familiarity with the needs of World War I vets.

Veterans of World War I is an organization presently incorporated in the State of Ohio and having a membership in 48 States, the District of Columbia, Hawaiian and Philippine Islands. Paid-up membership totals 85,000 and there are some 1,250 local chapters in the areas just mentioned.

In its report accompanying H. R. 11077, the Judiciary Committee very appropriately remarks:

> In the past, Congress has recognized the desirability of encouraging the veterans of a war to join together in an organization expressive of their needs and preserving their identity as a group. It has done this by granting Federal charters to the Grand Army of the Republic and to the United Spanish War veterans. At present there is no federally chartered organization devoted exclusively to the men who served in the First World War, and limited to them. This bill would fill that need. The Committee on the Judiciary believes this is a meritorious bill.

I would remind you, Mr. Speaker, that there are some 2,900,000 World War I veterans still living. Their average age is 65; few of them are under 63 years of age. Actuarial figures show they are dying at the rate of 120,000 yearly, a ratio which will increase sharply in the years immediately ahead.

Granting of the charter, as is proposed in H. R. 11077, would give this organization a national standing and respect its membership has long deserved—a fact repeatedly demonstrated over the years intervening since November 11, 1918, when these veterans—then gallant and heroic youngsters some 4,700,000 strong—came marching home victoriously from Flanders Field, Chateau-Thierry, Belleau Wood and the Argonne.

They had saved the world for democracy, so we thought.

The fact that the Second World War engulfed us some 20 years later is no reflection on the accomplishments of the veterans of World War I. However, the later war, the Korean conflict and the present cold war have, quite understandably, taken attention from the older veterans.

Instead of lamenting their relegation to the background, these aging veterans have consistently done everything possible to help their country out of each successive crisis. They sent thousands of their own sons into World War II, then to Korea, and now to outposts stretched from Arctic regions to the steaming jungles of the Equator. They have worked unselfishly to bring pensions, bonuses, mustering out pay, housing loans, veterans' loans, educational assistance and many other benefits to these younger veterans.

In the meantime, these doughboys of 1918 have grown old, many of them in poverty, jobless and with nothing left for them but memories. Truly, they are the forgotten men of America.

I submit, Mr. Speaker, that the majority of the House membership is sympathetic to the plight of these veterans. Granting them a charter for their organization is the will of this Congress, I feel sure.

I urge that the Rules Committee make it possible for the full Congress to consider this matter. I urge that my colleagues let the committee know of their interest.

STOPPING OF TESTING OF ATOMIC BOMBS

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 of Missouri. Mr. Speaker, the titular head of the Democratic Party, Adlai Stevenson, has stated that the Russian Communists have done something that this Government should have done 2 years ago—unilaterally stop the testing of atomic bombs. Certainly in this statement he is being consistent in his position which the public may presume is the position of the Democratic Party.

What a tragedy for this country if Adlai Stevenson had been elected President and put this policy into effect. What a tragedy it would be to the Free World if he were to even now stop our testing of atomic bombs on the basis of Soviet Russia's propaganda statement.

The Russians have not stopped the testing of atomic bombs. They have simply said they have stopped testing atomic bombs. In making this announcement to the world they did not make any offer to the United Nations or the Free World or the United States to permit inspection to see whether they really were going to stop testing atomic bombs. Until the Russians permit proper inspection the rest of the world may properly presume that they are not telling the truth any more than they have told the truth in the past in such matters and that the statement is more propaganda.

The United States Government has a standing offer to Soviet Russia to stop the testing of atomic bombs, indeed, to carry out real disarmament, based upon proper inspection to be certain that the commitments are lived up to. Until Soviet Russia accepts the principle of mutual inspection the rest of the world must not fall into the trap that Adlai Stevenson and the Democratic Party seem so willing to fall into.

One further matter of importance. The purpose of stopping atomic tests is because of the possible danger to the human race from the fallout. The United States has now developed an atomic bomb which has no dangerous fallout, the clean bomb. The clean bomb would not have been developed if we had stopped atomic testing 2 years ago as the Democratic Presidential nominee advocated. This development has real meaning for the use of atoms for peace entirely apart from the use of atoms for war.

ROY M. NORTH

Mr. MACK of Illinois. 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 Illinois?

There was no objection.

Mr. MACK of Illinois. Mr. Speaker, one of our most dedicated public servants retired on March 31 after more than 48 years in the United States postal service.

Roy M. North dignified this Federal service with his devotion to duty and his dedication to one of the most vital of all Government services.

He was rewarded for his extraordinary service, being promoted early in his career to the position of post office inspector. He later was appointed Deputy Third Assistant Postmaster General and finally, 9 years ago, became Postmaster of Washington, D. C.—perhaps the busiest capital in the world.

I am proud of the service that Roy M. North has rendered to his country. I am especially proud to claim him as my father-in-law. Upon leaving the postal service, he was the subject of a great many tributes. I would like to include here an article entitled "Portrait of a Man" from the Washington (D. C.) Postal News of March 31, 1958, as well as an editorial entitled "A Postal Veteran Leaves" from the Washington Evening Star of March 23, 1958, and an editorial entitled "Retiring Postmaster" from the Washington Post of March 25, 1958.

[From the Washington (D. C.) Postal News of March 31, 1958]

PORTRAIT OF A MAN

The esteem that the Postal Establishment holds in the public eye is the result of the dedication and perseverance of many of its members. This is ably demonstrated by the career of our postmaster, Roy M. North, whose retirement on March 31, 1958, terminates 48 years of distinguished public service.

At the age of 19 Mr. North entered the service as a railway mail clerk shortly after his graduation from Emory College in Georgia. In August 1915 he received his commission as a postal inspector and was assigned to the St. Louis region. He quickly demonstrated his capabilities and although most of his duties consisted of inspecting accounts, he drew national acclaim in the early twenties by his quiet solution of a $2 million mail robbery at Wittenburg, Mo.

In 1923 he transferred to Chicago, Ill., to an assignment covering the States of Illinois, Michigan, and Wisconsin. A general survey of the country's largest post offices during this period required 2 years to complete.

Recognition of the abilities demonstrated during the 18 years spent on the inspection force resulted in Mr. North's appointment as Deputy Third Assistant Postmaster General in May 1933. In this position he assumed control over the postal system's entire financial operation. One of his functions was the issuance of commemorative stamps and in this capacity he earned the personal friendship of President Roosevelt. To this day Mr. North still remains amazed

at the wealth of knowledge the President displayed in the fields of history, geography and art. One of his prized possessions is President Roosevelt's personal magnifying glass which was bequeathed to him.

Since his appointment as postmaster on March 1, 1949, Mr. North has seen the office grow one-third in size. Despite this tremendous growth this office, one of the largest in the Nation, has always been near the top in efficiency. During his tenure Mr. North has seen many changes in mail-handling techniques, much revision of organizational structure and considerable experimentation in mechanical mail handling devices.

In addition to his official duties, many demands are made on a postmaster by civic and social organizations. Despite the pressure of these requirements, Mr. North has always managed to retain his interest in literature and the arts. An avid reader, he expresses a preference for historical romances. He also still carries over a love of the soil from his childhood, and favorable weather on weekends will find him in his vegetable plot.

Looking back on his service, Mr. North avers that he has loved every minute of it. He has always derived a tremendous sense of satisfaction in being able to contribute to the welfare of the Nation both through his personal efforts and through the efforts of those he has had the opportunity to direct.

In his farewell message, Mr. North cites the loyalty and devotion of the employees of this office, and states that the last 9 years of his experience has been his most rewarding. This feeling cannot help but be reciprocated by the employees of this office by having had such an able administrator in control of their destinies. Operating an office in the public eye because of its proximity to the political scene, and under the direct scrutiny of the national and regional administration has required a delicate sense of balanced judgment and discretion. It is a tribute to his ability that he has been able to do so effectively and, at the same time, respect the welfare of his subordinates.

Although Mr. North has fully earned the right to retire and relax in the contemplation of his past accomplishments, he still demonstrates his devotion to his elected profession by his acceptance of the post of legislative representative for the National Association of Postmasters. In this position he will continue to further the interests of the service, as well as represent his membership.

Having had the privilege of working for Mr. North for the past 9 years, we can point with pride to the accomplishments of a postal employee who has risen from the ranks. His career can serve as a guide for the ambitious and deserving.

[From the Washington Star of March 23, 1958]

A POSTAL VETERAN LEAVES

Few veterans of the postal service have been on duty as long as our city postmaster, Roy M. North. For nearly half a century Mr. North has been seeing to it that the mails go through, either in Washington or in other key spots. He has been stationed here since 1933—first as a Deputy Assistant Postmaster General and for the past 9 years as postmaster of Washington. During all of this time he has seen the postal service grow from its relatively small operations in the first decade of this century to a multibillion-dollar business involving far-reaching air as well as rail operations.

Now that he is retiring, it is not surprising to learn that he will continue his interest in postal affairs generally and in matters pertaining to postmasters particularly. He will become legislative representative of the National Association of Postmasters when he leaves the city post office at the end of this month. Mr. North will carry with him the best wishes of thousands who served under him and of those he served during his long career.

[From the Washington Post and Times Herald of March 25, 1958]

RETIRING POSTMASTER

Politics being what it is, a postmaster is usually an influential and well-known figure in most American cities. But in Washington, the most political of cities, our postmaster has been infrequently seen or heard. One reason is that Postmaster Roy M. North is a career postal worker with 48 years of service, whose primary dedication is to the mails. Another reason is that the local post-office service has been prompt and friendly—virtues which seldom attract notice until they are missed. Now, after 9 years at the job, Mr. North is retiring at the end of this month. His experience will then be put to a new and useful task as legislative representative for the National Association of Postmasters. Mr. North will take with him the best wishes of the community he has served with quiet efficiency.

AID TO EDUCATION

Mr. HILLINGS. 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 California?

There was no objection.

Mr. HILLINGS. Mr. Speaker, as important to the future of our country as meeting the Russian military challenge is the academic race that now is going on between the United States and the Soviet Union.

We have to do more than we have been doing to improve our public education system, build more schools and provide our public-school teachers and instructors with salaries commensurate to the leading role we expect them to play in improving our educational system.

With this in mind, I have today introduced the National Education Act, which provides a method whereby we can improve our educational system, build more schools and pay our teachers adequate salaries through a process whereby the Federal Government is required to refund to the States, Territories, and the District of Columbia a percentage of Federal taxes collected for public school purposes.

This measure overcomes the two principal objections to a program of direct Federal financial aid to education, which, incidentally, I oppose.

Under my bill, there is positively no threat that the Federal Government will gain control of our public school system and each State shall receive a fair return on the moneys it pays into the Federal Treasury for allocation to its public school system. This latter point eliminates any possibility that one State would subsidize education in another State, as would be the case under any Federal aid to education proposal requiring direct Federal appropriations.

My bill provides for a graduated percentage scale for refunding to the States, Territories, and District of Columbia, a scale that is by no means sancrosanct since Congress would be empowered to adjust it in any manner that it deems necessary to improve our educational system in each and every State.

On the basis of 1956 Treasury figures, the latest available, the refunds to the States, Territories would amount to slightly more than $2 billion, a small enough price to pay for improved education in an age fraught with peril because we have not permitted our system of public education to keep pace with the times.

My proposal would not require a direct appropriation from Congress such as is suggested by other Federal aid to education proposals that contemplate spending as much as $10 billion a year without any guarantee that that amount can be made available.

I believe my proposal to be a new, comprehensive approach to our school problem, and one that can be applied immediately to give us a fresh start in our determination to provide the best educational system in the world.

KEEP OUR ARSENALS OPEN

The SPEAKER. Under previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 5 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I rise to warn the Members of the House of the great importance of keeping our arsenals in operation. There is extreme danger in scrapping them in order to create new business elsewhere. This will have a tendency to remove trained workers, and as we know, after they have left to go elsewhere, they can never be recovered. In the event of another war, the country will be in a dangerously weakened condition.

WALTER REUTHER HOPES FOR DESTRUCTION OF THE REPUBLICAN PARTY

The SPEAKER. Under previous order of the House, the gentleman from Illinois [Mr. SHEEHAN] is recognized for 20 minutes.

Mr. SHEEHAN. Mr. Speaker, Walter Reuther's attack on Republican members of the Senate committee came as no surprise to those able to see behind his supposed subtleties. Reuther follows the line already laid down by his right-hand man, Emil Mazey, secretary of his union, in Mazey's previous testimony before the McClellan committee.

Reuther has been a Socialist all his adult life, and the Republican Party has been the one stumbling block on the path to realization of his dream of establishing a Socialist labor government in the United States.

He found, many years ago, that he could not dictate terms to the Republicans, and his only hope, therefore, is to destroy the Republican Party.

Reuther's grandfather, Jacob, and his father, Valentine, were ardent Socialists, and Walter himself leaped into Marxist organizations while still a student at Wayne University. He attended Brookwood Labor College in Katonah, N. Y., which graduated Communists, Socialists, and leftwing radicals nearly as fast as the assemly lines in Detroit turn out au-

tomobiles. When this school closed down, Reuther bought its pinko library for Detroit's UAW, local 174, which he controls.

Reuther and his brothers were active in behalf of the Communists in the Spanish civil war. All were leaders in the 1935 conference in Toledo, Ohio, in which two communistic student groups were merged. At that meeting, Walter Reuther and his two brothers were vouched for by Celeste Strack who represented the central committee of the Communist Party.

On January 20, 1934, while working in a Russian machine plant, Walter and his brother, Roy, wrote a letter to friends in Detroit in which they urged, "Carry on the fight for a Soviet America."

Walter Reuther knows that since the birth of the New Deal in 1932, the Republican Party has consistently fought and exposed subversion. That, in my opinion, is one of the reasons he wants Republicans defeated.

According to the CONGRESSIONAL RECORD, Reuther was introduced as a speaker at the Young People's Socialist League in Flint, Mich., March 18, 1936, as Comrade Walter Reuther, and talked on the glories of Russia.

It was at that meeting that he was asked whether there was any belief about the hereafter in the Soviet Union, and answered: "We do not believe in God."

This statement perhaps explains the attitude of his right-hand man, Emil Mazey, UAW secretary-treasurer, who hurled accusations at both Protestant and Catholic clergymen during the Senate hearings.

Emil Mazey, in a 1938 Congressional hearing, was named as a member of the Communist Party, and as a member of the Proletarian Party which is an offshoot of the Communist Party. The Proletarian Party was described as a "small group that seemed to have the idea that when we have the revolution, they are going to be the leaders. They think they are the intelligent group." The Proletarian Party of America was cited as a subversive and Communist organization by the United States Attorney General in 1947 and in 1953.

Emil Mazey entered the labor scene as an organizer and immediately proposed himself as president of local No. 212, but the members objected to this because "he was getting by without any labor experience. He held no office of any kind in organized labor."

The Worker, of March 30, 1958, reports that Mazey, in a speech at a mass rally endorsing for Congress, Carl Stellato, president of Communist-ridden UAW Local 600 in Detroit, attacked the McClellan committee as "grabbing for headlines and loaded with foes of labor."

He also criticized the American system of government at the meeting, saying:

> There is something wrong with a system that keeps breaking down.

It is easy to see why Emil Mazey attacked the ministers and priests of Sheboygan. It is easy to see why he and Walter Reuther want to destroy the Republican Party. Marxism does not believe in religion or in the protection of private property. Therefore, any action which will weaken religion or the Republican Party will benefit socialism.

Does Mazey assume he knows more about social judgment than the men of religion who have been working in the field for thousands of years? Do Mazey and Reuther of the United Auto Workers Union regard themselves above moral restraints, so that they can criticize the clergymen of our land and think that the clergy should not venture any criticism of the union's social conduct? Are the UAW union leaders the new interpreters of the social and moral codes?

Despite his loud shouts about fighting communism, Reuther has, in the past 2 years, received more space in the Daily Worker and, since the latter ceased publication, the Weekly Worker, than any other labor leader, perhaps any other American. The Worker, official organ of the Communist Party, speaks of him only in laudatory terms and praises his every legislative recommendation.

On the occasion of the merger of the AFL and the CIO, the question bothering most union men was that of who would be elected president. George Meany won because there were more AFL votes than CIO votes. The open attack on unions such as the Teamsters, whether justified or not, led to the loss to the AFL of about 2 million members in the newly merged federation. The ouster of these groups automatically made Reuther the strong man in the federation. Whether he was aware of it or not, when he was being led to suspend these groups, George Meany today must realize that he has been slyly and surreptitiously moved to a secondary position of power by Walter Reuther.

Reuther, as everyone old enough to vote should know, controls the political policies of member unions of the AFL–CIO, which is, to all practical purposes, organized labor. With the ouster of the Teamsters, he now controls the voting strength of the AFL–CIO and can more easily project his political ideas on the rank and file of workingmen.

In my own Congressional District, a great many union members are building tradesmen and are affiliated with the old-line American Federation of Labor locals. Most of these good citizens resent the political domination of the CIO–Walter Reuther faction and want no part of the socialistic philosophy of a minority of union-labor leaders.

In the 1956 election campaigns, the unions, guided mainly by CIO leadership, spent a little more than $2 million. It is interesting to note that 98 percent of this sum went to Democrats.

I do not believe there is anyone who would say that Reuther is so altruistic as to expect nothing for the money he paid into those campaigns.

Whether his wish was granted or not is a matter of record. On many of the measures he championed in the first session of this Congress, he failed, but on others he was enormously successful.

There is in this Congress a group of Democrats who received approximately 78 percent of the labor, or Reuther, contributions to political campaigns. This group supported the Reuther position in every one of the 20 measures listed by the UAW as vital in the legislative supplement to the Michigan edition of Solidarity, official publication of the UAW, early this year.

An article appeared in Newsweek magazine recently concerning the organized attempt by Reuther and his stooges to take over the Democrat Party in Peoria, Ill., and the leadership has now announced its plans to conduct similar drives in other sections of the country this year. In blasting at Republicans, Reuther is but paving the way for his ambition to take over the Democrat Party and to destroy the Republican Party.

Both Reuther and those within the UAW and the AFL–CIO who support his political philosophies realize that the establishment of a third party would be a great deal more difficult than taking over one of the two existing parties. It is obvious that the party which champions so-called liberalism would provide more fertile soil in which to plant seeds of a Socialist-labor party than would the Republican Party, which always has been and always will be deeply rooted in constitutional government.

Whether Democrats deny this or not does not alter the fact that Reuther believes so, and Reuther is doing just that. When he castigates and belabors Republican Senators and Congressmen, he knows whom he wants to destroy in order to bring about his socialistic aims.

This is the man who shouts loudly about the evils of communism, but who has come out flatfooted in behalf of nearly all the 27 proposals made by the Communist Party, U. S. A., in its platform for 1957.

Reuther was described by John L. Lewis, the grand old man of American labor, as "an earnest Marxist, chronically inebriated, I should think, by the exuberance of his own verbosity."

The conclusion is unmistakable. Reuther and Mazey want to destroy the Republican Party, take over the Democrat Party, and impose their philosophical socialistic backgrounds and beliefs on the American people. Their first order of business is to kill the Republican Party.

However, the Republican Party will continue to fight for and protect the interest of the rank and file of working people, be they nonunion or union members.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. SHEEHAN. I yield.

Mr. HOFFMAN. Mr. Speaker, the gentleman spoke about that letter that was signed by Walter Reuther and his brother, Roy, which they sent from Russia to friends in Detroit. Now, for the first time as far as I know, they had a chance to verify that in the group in the other body. They located a Mr. Bishop to whom the letter was written, and my understanding is that he was ready to come and testify. Whether he did or not, I do not know.

I do know that the letter was published twice in the Saturday Evening Post, I think, once in 1939 and the other time in 1948. That was also given to the committee. So far as I know, the only

answer that Reuther ever made to it was that it was written in his younger days and that he had gotten away from that philosophy now. Of course, the important thing, as I see it, is that, from the beginning of the sitdown strikes, Walter Reuther was engaged in violence in an organized effort to keep men and women away from their jobs in violation of State statutes.

Every single State in the Union has a law prohibiting interference with people going to work and in every State in the Union there is either by governmental or by State enactment adherence to the riot act, the old common law riot act, which of course is a remedy if they want to enforce it.

From 1941 on, where Jess Ferrazza was then identified in a picture of violence in the Ford strike and the same Jess Ferrazza was again identified in the Kohler strike which began in 1954—and the pictures were introduced in the other body—from 1941, down to 1957, Walter Reuther employed gangsters, one of whom we know was Emil Mazey, to beat people going to work. He can talk all he wants to, but he cannot get away from that record of inciting and supporting violence.

Mr. SHEEHAN. I thank the gentleman for his observation. I know that many times reference is made to the fact that Walter Reuther did that in his younger days. All I can say to you is that I was just recently graduated from the university at the same time Reuther was studying in Moscow, and I know that I would never have been permitted to go to Russia to study Marxism and communism. So unless the Communists had some idea of his sympathies, they certainly would not have permitted Reuther at any time to enter into Russia. I might say this, too, that I have a great many personal friends, members of the Democrat Party on the other side of the aisle, and I fully agree with their philosophy of control of their own party. I keep hoping and wishing all the time that men who have led the Democrat Party for so many years down the ways which have made the Democrat Party great will always continue to keep control of their party and make sure that no alien philosophies ever enter into the workings of their party's council. I know our own Speaker [Mr. RAYBURN] and the majority leader [Mr. McCORMACK], and many others like them have long guided the Democrat Party to the influence it holds. I hope that they, and many other members of their group, will see to it in the future that no foreign ideologies will come in that will take away control of their party to foster socialistic schemes on our country.

A SUMMIT CONFERENCE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from West Virginia [Mr. BYRD] is recognized for 60 minutes.

Mr. BYRD. Mr. Speaker, Charles Dickens, in his great novel, A Tale of Two Cities, used a paragraph which is most appropriate for the day in which we live. The opening paragraph of this most fascinating story reads as follows:

> It was the best of times, it was the worst of times, it was the age of wisdom, it was the age of foolishness, it was the epoch of belief, it was the epoch of incredulity, it was the season of light, it was the season of darkness, it was the spring of hope, it was the winter of despair, we had everything before us, we had nothing before us, we were all going direct to Heaven, we were all going direct the other way—in short, the period was so far like the present period, that some of its noisiest authorities insisted on its being received, for good or for evil, in the superlative degree of comparison only.

Mr. Speaker, I think that I have never seen a time in which peoples and countries have been more confused, more at a loss to know in which direction we are going, than the present day. It is as though Hamlet's words, "The time is out of joint," were meant for this age rather than for the age in which the Bard of Avon penned them.

The cold war of intercontinental missives is taking on the character of a comic opera. It would be humorous if it were not so tragic. This preoccupation with what to talk about if we decide to talk runs the risk of diverting our attention from the complex job of meeting the Soviet challenge at every point where free world and Communist interests are locked in conflict.

We must admit that the pressure for a summit conference between Russian and American leaders is very great. The major pressure comes from the Soviet Union itself. The Soviet initiative has found substantial support in the British Labor Party and in other opposition parties in Western Europe. It has also been supported by uncommitted nations like India.

Our record at previous top-level conferences with the Soviet Union strongly suggests the inadvisability of another venture at the peak. At Teheran and Yalta certain agreements were made, many of which were subsequently broken by the Soviet Union, and some of which we lived to regret. At Potsdam there was another summit parley. Again some of the agreements made were broken by the Russians and others were regretted by the United States.

Most fresh in our minds, of course, is the summit conference of the "big four" in Geneva in July 1955. This high-level parley in the diplomatic Alps engendered great expectations among the peoples of the free world.

The single most specific agreement made at Geneva was on the German question. The four powers declared it was their purpose to settle "the German question and the reunification of Germany by means of free elections" which "shall be carried out in conformity with the national interests of the German people and the interests of European security."

As Mr. Dulles has said, the Soviet Union has failed to keep this solemn pledge, and on November 16, 1955, the Foreign Ministers of France, the United Kingdom, and the United States said that negotiations on the German question had reached a deadlock because the Soviet Foreign Minister insisted on a German policy "which would have involved the continued division of Germany as well as the eventual dissolution of the western security system." In a letter dated February 28, 1958, Soviet Foreign Minister Gromyko tore up the final scrap of the Geneva agreement when he said the German question "is a question of relations between the two existing German states."

Mr. Speaker, I was opposed to our participation in the 1955 Geneva Summit Conference. The scriptures admonish us in this fashion:

> Be ye not unequally yoked together with unbelievers, for what fellowship hath righteousness with unrighteousness and what communion hath light with darkness?

Yet, this is exactly what we were permitting ourselves to become a party to. The Soviet leaders are atheists, and I was taught a long time ago, when I stood at my mother's knee, that you can't do business with the devil. Nevertheless, some of our leaders felt otherwise. Many of the newspaper columnists had been able to whisk us out of the atomic and cobalt age and into the glorious age of rose-colored glasses. Everything was suddenly sweetness and light. There had virtually been a recognition of the status quo; the bear was not really a bad bear after all; everybody was buddy-buddy; and, following the summit conference, some of our British friends were of the opinion that "there ain't gonna be no war." A magic had been exuded from the conference which far excelled anything that could be found in the Arabian Nights and, borne upon the wings of soft breezes drifting down the slopes from the sunset summit, occult powers completely overcame some of the crystal gazers, to say nothing of certain leaders within the administration, and within my own party as well, who were felled at a single stroke of the wand. Like a breath of fresh air, however, it was satisfying to find that a few writers refused to follow the white rabbit into the land of imagery; and, on the other hand, they showed a determination to study the facts realistically and relate the real results of the conference to the American people.

To those who may suffer the illusion that the real nature of international communism can be changed by any new show of amiability and affability put on by a Russian delegation at a summit conference, one might only point to the announcement, which came on the heels of the 1955 Geneva adjournment, that the Soviets were increasing their military forces in East Germany. Then, too, the Israeli plane disaster, in which more than 50 persons were shot down by Bulgarian Communists, only conformed to the Russian pattern of committing overt, violent acts in order to demean the United States before the eyes of the world. "So sorry," said the Bulgarian Communists, and they felt that they had atoned for their trigger-happy brutality. One must not forget, too, that it was virtually on the eve of the Geneva Conference that the Russians shot down one of our American planes over international waters, inflicting severe burns upon a number of American boys, scars

which some of the victims will carry to their graves. In that instance, the Soviets quickly assumed the partial responsibility, a development, based upon past experience, that warranted the sound conclusion that they knew it was their full responsibility. Our State Department made a hasty agreement, accepting the Soviet offer to pay for the damages.

I merely repeat these incidents at this juncture to point up the sorry standards of measurement we are using in our official dealings with the Russians and to stress the fact that our sincere desire for peaceful relations with the Communists will carry us into serious danger unless we base our reckonings and policies on realism.

Mr. Speaker, the American people, without regard to political party, would literally have thrown their hats in the air with joy, if the Geneva Summit Conference in 1955 had produced any real, sound basis for peace in our day. But all of the smiling and hail-fellow-well-met show at the summit failed miserably to alter the totalitarian Soviet structure. The satellite peoples are just as captive after Geneva as they were before the 1955 summit conference. No vain for the Soviet lifting of the ban against freedom of worship. The loved ones of the thousands upon thousands of politically imprisoned foreign nationals have less hope now for the release of their relatives than they had before the 1955 summit conference. No edict was issued by the Kremlin for its subversive agents everywhere to cease and desist in their foul efforts to undermine national governments throughout the Free World.

What really emanated from the Geneva meetings, Mr. Speaker, was a vast flood of propaganda, all aimed at showing that the prospects of peace were soaring because Bulganin and his company exhibited party manners, that good fellowship was generated with the aid of cocktails and caviar, that a new climate had been produced, and that from there on everything was going to be just ducky.

Once we had gotten out from under the terrific barrage of propaganda bilge, we discovered that the all-vital, all-important problem of German unification still was unsolved, and it is unsolved today. Mr. Speaker, it is most disturbing to look back upon the fruitless Geneva Conference of 1955 and to wade one's way through the sea of phony claims being made for another summit conference. Having followed the British appeasement will-o'-the-wisp to disaster before, our country today finds itself in an Alice-in-Wonderland atmosphere being created with reference to international realities. All is again becoming sweetness and light, and the record must not be invoked. Any honestly given impression of a month ago must be redone with a glossy finish. However, Mr. Speaker, we are only going to plunge dangerously from the summit if we attempt to camouflage ugly realities with pink smokescreens. America has always gone to international conferences with good intentions, but only too often she has returned with scraps of paper, while totalitarian powers have walked away with large chunks of territory and dominion over millions of people. Intelligent realism is the need of the day, Mr. Speaker. I regret to say that, despite the vast library of unhappy examples to the contrary, there appears to be a substantial number of our policy makers who still mistakenly believe that a submissive type of conciliation promotes reasonable responses from the Communists. The plain fact is that the Communists—always and everywhere—mistake reasonableness for weakness; they have only contempt for softness, and they ruthlessly exploit anything that looks like indecision and vacillation.

The Russian dictum on all of this is plain. The Marxian dogma and the policies of Lenin and Stalin are firmed to unremitting war on the democracies, not necessarily a war in the military sense, but a war of doctrinal tactics, of infiltration and subversion, of economic piracy, and the stimulation of moral chaos. For Lenin has said:

> We are living not merely in one state but in a system of states; and the existence of the Soviet Republic side by side with the imperialist states for a long, long time is unthinkable. One or the other must triumph in the end.

Mr. Speaker, nowhere is there any actual evidence that justifies a conclusion that the Russians have abandoned their dreams of world domination. They have as their objective the complete mastery of the world, and we need not make any mistake about that. Their plans cannot be changed by soft words, but only by demonstrations of strength and by the forceful articulation of firm purpose and strong resolve that, although the free world sincerely wants peace, it will battle to the death any aggressor.

The Russian leaders, of course, change their tactics from time to time. But they have never departed from their historic objective of world domination. In 1923, Lenin, the high priest of Communist strategy, described the struggle between communism and the non-Communist world in these words:

> In the last analysis, the outcome of the struggle will be determined by the fact that Russia, India, and China, etc., constitute the overwhelming majority of the population of the globe. And it is precisely this majority of the population that, during the past few years, has been drawn into the struggle for its emancipation with extraordinary rapidity—there cannot be the slightest shadow of doubt what the final outcome of the world struggle will be—the final victory of socialism (communism) is fully and absolutely assured.

That was 35 years ago. Lenin prophetically foresaw the importance of China and India in the world struggle, perhaps more clearly than we have seen it.

On December 26, 1922, in his report to the 10th All-Russian Congress of Soviets, Stalin declared that the decision to form a Union of Soviet Republics was "another decisive step toward the amalgamation of the toilers of the whole world into a single world Socialist republic."

Has the recent campaign of the Kremlin calling for competitive coexistence changed the ancient doctrines of Lenin and Stalin? Have the present Soviet masters revised their dream of a world run by a dictatorship of the proletariat? Many of us would like to think that the Soviet ruling elite is more reasonable and more conciliatory than Stalin, but our hopes must be measured against harsh and unpleasant realities.

Even a cursory reading of the headlines gives ample evidence that the drive for Communist world hegemony has not abated.

The Soviet Union is employing all of its traditional methods of political infiltration and propaganda. Radio Moscow is broadcasting the promises and pretensions of communism and the failures of America and the West in many languages to all parts of the world. The U. S. S. R. is reported to be training 100,000 propagandists and agitators a year. Apparently this is what she means by peaceful coexistence.

But for those captive peoples under the Kremlin's control, peaceful coexistence sometimes is the peace of the grave. The bloodbath of Budapest in 1956 is a dramatic reminder that there is a great difference between the peace of capitulation to tyranny and the peace that is rooted in freedom and justice.

There is no convincing evidence to indicate that the present rulers in Moscow have given up either the Leninist goal of world domination or Stalinist tactics for reaching that goal. On November 18, 1956, after Hungary was again safely under the Kremlin's heel, Khrushchev said to Western diplomats at a Moscow reception:

> Whether you like it or not, history is on our side. We will bury you yet.

At the Kremlin's New Year's Eve party 6 weeks later he added: "We are all Stalinists" when it comes to fighting imperialism. He praised Stalin as a "great fighter against imperialism" and "a great Marxist." The leopard may have changed his spots, but he certainly has not changed his aggressive nature.

The argument that the Soviets are in a mood to negotiate seriously on the major vital questions which divide us bears close scrutiny. Of course, we are constantly negotiating with the Russians, and even with the Chinese Reds, on less-than-vital issues such as the recent cultural exchange agreement with the U. S. S. R. and arrangements for American nationals to travel in China. The real question is whether the Soviets want to negotiate in earnest about major problems of international security, such as the German question, the Eastern European satellites, armament control, control of outer space and the tensions in the Middle East.

I am doubtful that the Soviets are really prepared for serious negotiation at the summit—or anywhere else—if by negotiation we mean what negotiation has always meant—a genuine give and take, a willingness to give up something in order to attain something of greater value—a willingness, for example, to permit honest and free elections in East

and West Germany for the larger objective of greater security in Europe. Since the Austrian peace treaty what have the Russians been willing to give up in the interests of a larger settlement? They have made certain proposals about giving up nuclear tests and withdrawing their troops from certain central European countries in return for similar concessions from the United States. But upon closer examination these similar concessions are quite dissimilar—they involve unequal sacrifice. Most of the Soviet proposals have been one-sided because they have required much more of us than of the Soviets themselves.

They say now that they will halt nuclear tests, but they refuse to agree to halt production of nuclear weapons or to submit to a foolproof international inspection system. Their disengagement proposals for Europe impose upon us substantially greater deprivations. If, for example, the United States pulls its military forces out of Western Europe in return for the withdrawal of Russian troops behind their borders, we will have withdrawn 3,000 miles and they will have withdrawn about 500 miles.

Let us look at the unilateral holding of tests of nuclear weapons. This latest of Moscow's propaganda measures is designed to stir up anti-American sentiment around the world, particularly in Asia. Foreign Minister Gromyko has announced that Russia is ready to sign an agreement for suspension of tests. This, of course, merits careful examination, but the world will want to know what the Kremlin is prepared to do with respect to setting up an inspection system to assure compliance with the agreement. One of the biggest hoaxes of our day is this Soviet-inspired drive to stop the testing of nuclear weapons. Many fine citizens have been misled by the propaganda, and many people throughout the world have been scared by the supposed ill effects of "fallout" from the tests. Authoritative evidence has been produced again and again by reputable scientists that "fallout" from nuclear weapons tests has not added any real danger. Of course, there are always a few scientists who come out with rebuttals or with arguments that the layman cannot understand, but which keep the scare going. Nothing pleases Moscow more. Many of our recent tests have been made largely for the purpose of eliminating radioactive "fallout."

Exploratory tests are needed to advance peaceful as well as military uses of atomic energy. Deterrent weapons must be developed by the United States in order to keep the Communists from suddenly plunging the world into a war that could wipe out millions of lives. If Russia could prevent the use of nuclear bombs, her conventional forces are large enough to conquer Western Europe, so the Soviet game is to get the West to give up nuclear weapons while the Communist armies of Russia and Red China dominate Europe and Asia. Of course, it should also be kept in mind that the ending of tests does not avert a danger of war. Russia has conducted some very large nuclear explosions in recent days. She has the atomic bomb. She has the hydrogen bomb. She may have conducted all of the tests deemed necessary at this point.

Moreover, there is no indication as to when the tests are to be suspended, and there is no indication that they will not be renewed again once Russia has reaped propaganda gains.

If the Soviet Union is seeking opportunities to do good deeds, she could stop oppressing the people of Hungary, East Germany, and other captive countries. This would be far more important than to stop testing nuclear bombs, inasmuch as some scientists have said that the amounts of radioactivity from nuclear tests is not more harmful than the luminous rays of a wrist watch. Another unilateral decision which Moscow could make would be to return the territory of East Germany to the people of Germany. This would do more to insure the peace of Europe than any phony gestures about stopping the testing of nuclear weapons. Still another bit of unilateral righteousness which Moscow could display would be to let law-abiding citizens of other countries travel where they like inside the Soviet Union. Moscow might also embark on another unilateral adventure and stop oppressing the church and using it as an instrument to further the designs of the totalitarian state. The Muscovites might even be interested in taking another unilateral action such as permitting complete freedom of the press. Perhaps as many correspondents as wish to do so would then be permitted to reside in Moscow and there would be no further censorship maintained on all outgoing news and radio broadcasts.

"Unilateral" is a big word nowadays in the propaganda of the Communists. It implies a certain self-denial and desire to proceed with the doing of good deeds, irrespective of whether a potential adversary does the same. Of course, with reference to the termination of nuclear weapons tests, there is a place where this kind of agreement can properly be negotiated. It is in the United Nations Disarmament Commission, but the Soviets have preferred to boycott that body. They seem to prefer the theatrical stuff which will more nearly deceive the world. The Soviet sputniks and intercontinental missiles have endowed her with prestige and made her bold. She is in a position to drive a hard bargain. The West no longer enjoys a commanding military position from which to negotiate. Armed with super weapons and a complex technical economy capable of producing them, the leaders of the Kremlin can afford to promote an image of themselves in the world as the champions of peace.

In speaking of Russia and her pretensions concerning peace, I think of the vision of Daniel:

> And in the latter time of their kingdom, when the transgressors are come to the full, a king of fierce countenance, and understanding dark sentences shall stand up.
>
> And his power shall be mighty, but not by his own power: and he shall destroy wonderfully, and shall prosper, and practise, and shall destroy the mighty and the holy people.
>
> And through his policy also he shall cause craft to prosper in his hand; and he shall magnify himself in his heart, and by peace shall destroy many: he shall also stand up against the Prince of princes; but he shall be broken without hand.

If the Russians really wanted to negotiate, to engage in genuine give-and-take bargaining, they have countless opportunities through the normal diplomatic channels at the ambassadorial or lower levels. They also have the opportunity to make use of the channels provided by the United Nations.

Their insistence on a summit conference when these other facilities for negotiation exist suggests that they may be more interested in propaganda than negotiation.

Even if the Soviets were interested in serious negotiation at the summit or elsewhere, would they keep the agreements reached? The history of the last three decades suggests that they would keep those agreements which were in their interest to keep and would break those agreements which no longer served their interests, if they thought they could get away with it.

The long list of pledges broken by the Soviet Union leads almost inevitably to the conclusion that many of the agreements were entered into without good faith—that is, they were made to be broken.

Let us look at some examples from the sorry record of broken Communist pledges. At the Yalta Conference in February 1945, the United States, Great Britain, and the Soviet Union agreed to help the peoples liberated from Nazi control to solve their political and economic questions by democratic means. The USSR has flagrantly violated the letter and the spirit of this pledge by installing Communist regimes in Bulgaria, Hungary, Poland, and Rumania. Also at Yalta the Soviet Union agreed that the Republic of China should retain full sovereignty in Manchuria. The Russians flouted this agreement by tactics of obstruction designed to hand over Manchuria to the Chinese Reds.

At Potsdam in July 1945, the United States, the U. S. S. R., and the United Kingdom agreed that, subject to the requirements of military security, freedom of speech, press, and religion would be respected in the occupation of Germany. As everyone knows, Soviet authorities in East Germany have curtailed genuine freedom of speech and press by imposing the totalitarian instruments of suppression, censorship, and secret police. Basic legal and political rights have been the victim of authoritarian edict and one-party control, with the inevitable result that a puppet regime has been installed.

On July 27, 1953, a Korean armistice agreement was signed by representatives of the Korean People's Army and the Chinese Peoples Volunteers on the one hand and the United Nations Command on the other. On July 11, 1955, the United Nations Command, after detailing seven pages of specific incidents, charged that the Communists had "flagrantly violated every basic provision of the armistice agreement" by a "willful, deliberate, and illegal buildup" of their military forces which demonstrated their "aggressive intent of acquiring a favor-

able military position over the forces of the United Nations Command."

I have already referred to the German agreement made at Geneva in 1955 which the Soviets have thrown on the mounting heap of broken promises.

So, Mr. Speaker, I can only look with suspicion upon any new proposals for a summit conference with the Russians.

High-level conferences impose serious limitations upon genuine negotiation. In such public spectacles the diplomats are subjected to the shifting moods and emotions of the public and various pressure groups. Under these conditions, the diplomats are tempted to make propaganda speeches rather than to get into the hard bargaining which is the very essence of negotiation. Subject to the glare of publicity and to public pressure, it is difficult for the diplomats to make the necessary concessions for a viable settlement. This makes for rigidity and dries up any liquid assets the diplomat may have had at the outset of the negotiation.

Summit diplomacy tends to create unwarranted and unrealistic expectations in large segments of the public. When these great expectations go unfulfilled, the public mood often shifts from unjustified optimism to equally unjustified pessimism. The failure of an international conference tends to cast discredit not only upon the conference, but upon the diplomatic process itself. The Eisenhower administration and segments of the press must share the blame for the psychological backwash which resulted from their overselling of the Big Four Summit Conference in 1955.

Summit diplomacy tends to undercut the solid, steady, and quiet work of Ambassadors and other members of the diplomatic corps. To be effective, negotiation must be continuous, confidential, and patient. Public diplomacy tends to be hasty, spasmodic, and public-relations conscious. Direct negotiation between heads of state, or even foreign ministers, has certain inherent weaknesses.

The noted British diplomatic historian, Sir Harold Nicolson, has this to say about summit diplomacy:

> A minister who flies to a foreign capital to undertake negotiation is inevitably short of time, ill equipped in technical knowledge, subjected to great publicity and inclined to conclude some vague and meaningless agreement rather than to return empty-handed to his home. More misery has been caused to mankind by the hurried drafting of imprecise or meaningless documents than by all the alleged machinations of the cunning diplomatist.

These are the perils in summit diplomacy. By adequate preparation it may be possible to avoid some of the pitfalls, but others are inherent in public diplomacy itself. At best the risks are great. But if we do go to the summit, let us engage in as much prepartion beforehand as possible. Let us consult with our allies and work out a common and mutually accepted position on the major items to be discussed. Then let us negotiate with the Russians through the traditional channels of diplomacy. And, as Walter Lippmann has suggested, let the summit conference be the occasion for ratifying what has already been agreed upon at lower levels. If the summit is looked upon as a ratification ceremony of previously hammered-out agreements, we will have taken some long steps in the direction of avoiding the frustration and disillusionment which followed in the wake of the Geneva Conference.

But even the most conscientious preparation will not prevent the Soviets from exploiting the summit conference for maximum propaganda value. One answer to this is to seize the propaganda initiative, rather than simply react to Russian efforts, as we have been doing in the recent past.

Although I do not hold that a summit conference is inevitable, I do think it is a possibility. As such, it deserves serious thought by Members of Congress and the general public. In this connection, the place where such a conference is held is an important consideration.

Some weeks ago the Soviet leaders let it be known that they would be willing, as a convenience to President Eisenhower, to come to Washington. The State Department, to its credit, did not rush to put out the welcome mat. Yet, according to this week's U. S. News & World Report, the door, to date, is not being closed to Khrushchev. Mr. Speaker, if there must be a summit conference, let it be held anywhere but in Washington. There are five reasons why our Capital would be the worst possible location.

First, inviting the Soviet leaders here would endow them with respectability, a missing quality which they desperately want. Inviting Khrushchev and other Soviet leaders to Washington at this time would not be unlike inviting Hitler to London in 1940. We cannot allow ourselves to be manipulated into the position of giving the Soviet Government the gift of respectability.

Second, Washington is the worst place for a summit conference because it would give the Soviet leaders an unexcelled propaganda opportunity. In light of their behavior in Britain, India, and elsewhere, think of what Khrushchev and his colleagues would do by driving in an open car to the Lincoln Memorial and Mount Vernon. Look at the free, and largely favorable, coverage they would get on our TV networks. We cannot afford to give them the gift of free and favorable publicity.

Third, inviting the Soviet leaders here would be misunderstood both by certain neutral powers and by the captive nations in Eastern Europe. Think of how the Dutch and Belgians would have felt if Britain would have invited Hitler to London after the Nazi armies had conquered the Lowlands.

Fourth, we cannot risk a possible assassination of a Soviet leader on our soil. When foreign diplomats are visiting our country, our Government is responsible for their comfort and safety. In addition to unpleasant incidents such as those which occurred in Britain during the visit of Khrushchev and Bulganin, the ultimate incident is not beyond the realm of possibility. This is too great a risk to take.

Fifth, and mainly, the American people, whose forefathers shed their blood for the preservation of liberty in this land of the free and whose sons and daughters have given their lives in the preservation of freedom elsewhere would never submit to any visitation by the arch villain, Khrushchev. International blackmailers and murderers will never be welcome in the United States. It would be unthinkable, preposterous, ridiculous to permit this blustering buffoon, who has only recently said to us "We will bury you," to profane, by his presence, the air which freemen breathe. Someone recently had the temerity, rather I should say the effrontery, to suggest that a summit conference be held at White Sulphur Springs, W. Va. This would be an outrage to the people of my State, a State with the motto: Montani Semper Liberti—"Mountaineers Always Free."

Mr. Speaker, there is little need to elaborate further on the subject of a summit conference. I trust that our Government, in making a decision, will first of all participate in a refreshing of the memory. The handbook of Marxism sets forth the Communist objective in the section on the program of the Communist International. It says:

> Thus, the dictatorship of the world proletariat is an essential and vital condition precedent to the transformation of the world capitalist economy into Socialist economy. This world dictatorship can be established only when the victory of socialism has been achieved * * * uniting the whole of mankind under the hegemony of the international proletariat organized as a state.

Lenin outlined the modus operandi for this objective of world domination. He said:

> First we will take eastern Europe, then the masses of Asia. Then we will surround America, the last citadel of capitalism. We shall not have to attack. She will fall into our lap like an overripe fruit.

Quoting Lenin, Stalin has said:

> Lenin never regarded the Republic of the Soviets as an end in itself. To him it was always a link needed to strengthen the chain of the revolutionary movement in the countries of the East and the West, a link needed to facilitate the victory of the working people of the whole world over capitalism.

And Stalin supported the view:

> For the victory of the revolution in one country, in the present case Russia * * * is the beginning of and the groundwork for the world revolution.

And with the death of Stalin, Malenkov—notwithstanding his professions for a new order of coexistence—revealed his faith in Soviet destiny.

> We know firmly that the victory of democracy and socialism throughout the world is inevitable—

He said.

I do not wish to labor the point, but it is clear and irrespective of changes in strategy, irrespective of current rulers, the key objective of world domination has remained constant. The Soviet presiding officer over the U. N. Security Council in 1949, Dimitry Manuilsky, had bluntly stated that objective in 1931:

> War to the hilt between communism and capitalism is inevitable. Today, of course, we are not strong enough to attack. Our time will come in 20 or 30 years. To win we shall need the element of surprise. The

bourgeoisie will have to be put to sleep. So we shall begin by launching the most spectacular peace movement on record. There will be electrifying overtures and unheard-of concessions. The capitalist countries, stupid and decadent, will rejoice to cooperate in their own destruction. They will leap at another chance to be friends. As soon as their guard is down, we shall smash them with our clenched fist.

In conclusion, let me say, Mr. Speaker, that I would like to see a just and lasting peace, a peace which would permit every country and every individual to follow a course toward an ultimate destiny in accordance with the principles of law and order. The Scriptures warn us, however, in this manner:

And ye shall hear of wars and rumors of wars: see that ye not be troubled: for all these things must come to pass. * * * For nation shall rise against nation, and kingdom against kingdom. * * * All these are the beginning of sorrows.

I do not claim to be a student of the Bible but I do respect it as the divinely inspired word of God. Hence, I believe that there will continue to be wars and rumors of wars until the Prince of Peace comes back to receive His own. I do not believe that everlasting peace can be secured through man's efforts alone. I can only hope that America may be made so strong that its strength may be utilized as a deterrent to the forces which might be loosed by the leaders in the Kremlin, forces which would, if the Communists could have their way, destroy not only liberty and freedom but also all religions which subscribe to a higher power than that of the state. I can only hope, Mr. Speaker, that the strength of America may be such that it will deter Soviet aggression until that day when an enlightened Russian people will rise up to throw off the chains of totalitarian and tyrannical government which, as of today, keeps them in bondage.

Could I bring myself to the point of placing faith in the words and the promises of Soviet leadership, I would have hope that something good might result from another meeting at the summit. Were President Eisenhower able, from the standpoint of experience and physical condition, to prove himself a match for Khrushchev at the conference table, there might be some slim reason to hope that we would benefit from a summit meeting. Looking at the evil men in the Kremlin as atheists, and realizing as I do that a belief in God is the basis of every moral code, I cannot believe that any good thing can possibly result from a meeting at the summit. I believe that the Russians would only use such a conference for propaganda purposes, and that it would be highly detrimental to the security of our own country and the future safety of the free world. Under such circumstances, and until the atheism of Communist leaders is replaced by belief in a creator and respect for human and divine laws, I must in all sincerity state that I am against a summit conference. If, however, the leaders of our country finally determine that we shall participate in such a conference, I beseech them that it only be held after prior lower level conferences and diplomatic activities have given reasonable assurance that agreements have been arrived at which will be kept and honored by the Communists, agreements which we as Americans can honorably and conscientiously adhere to, agreements which will give reasonable hope to the peaceful aspirations of freedom-loving peoples everywhere, agreements which will be dedicated to the ultimate renewal of liberty where it is now denied. When such agreements, by prior lower level negotiations, can be assured, then, and only then, shall I favor a summit conference for the ratification of such agreements.

Mr. BENTLEY. Mr. Speaker, will the gentleman yield?

Mr. BYRD. I yield.

Mr. BENTLEY. Mr. Speaker, I think my good friend, the gentleman from West Virginia, should certainly be commended for bringing this subject, this very important and timely subject, to the attention of the House today, as well as for the brilliant and penetrating analysis of the present situation that he is presenting to us here this afternoon. I am particularly pleased that the speaker dwelt so much on the necessity and, as a matter of fact, the indispensability of adequate preparation before any so-called summit meeting involving the heads of government should be permitted to take place. I think it cannot be too much overemphasized that this administration, this Government, indeed, the American people, are not averse to taking any and all steps necessary—including, if need be, a meeting at the top levels with the Soviets for the purpose of promoting and advancing the cause of just and lasting world peace. But, I know the gentleman will agree with me, since he has already pointed it out, that a conference with the Soviets at the top level, if inadequately prepared and if it is designed only or intended only as a means to advancing Soviet publicity and propaganda aims, would not only be useless but also would be directly injurious and dangerous to the cause of world peace. Would not the gentleman agree with that statement?

Mr. BYRD. I certainly agree with the gentleman.

Mr. BENTLEY. Because, if the gentleman will recall the last so-called summit meeting, which was held 2½ years ago at Geneva in 1955, I am sure he will remember the great feeling that swept the free world and, I suppose, even the Communist world, prior to that conference when everybody was saying it was so wonderful that there was going to be a meeting with the Russians and that there was going to be a solving of the problems that hinder world peace, and that there was going to be another new era of sweetness and light and all that sort of thing. And then, when the conference was over and it was clearly seen that the Soviets had no intention of keeping the promises and commitments they had made at that conference, the resulting letdown, the disappointment among the peoples everywhere, were very damaging. I question whether the present uneasy situation in the world today could stand another so-called buildup prior to a conference, and then a letdown following the disappointment such as occurred at Geneva 2½ years ago. I think the drop in feeling might, as I say, be too great even to keep the peace at that time.

Mr. BYRD. I share the feeling that has been expressed by the gentleman. I think the net result of the last Geneva conference was a loss to America and the other countries of the free world, and it added up to a net gain for the Soviets and their Communist friends.

Mr. VORYS. Mr. Speaker, will the gentleman yield?

Mr. BYRD. I yield.

Mr. VORYS. I want to join in agreement with the analysis that the gentleman has just made. He has made some points that need to be made. I hope his remarks receive the study they deserve in this country and abroad. The gentleman mentioned Sir Harold Nicholson's description of what a Summit Conference was like. It seems to me our experience with Yalta, Potsdam, and Geneva in 1955 should tend to make us most cautious about going into any such meeting. I want to make this suggestion and make this point to the gentleman. We are talking about a Summit Conference; what would we mean by Summit? Apparently, we mean not meeting on the top of a hill—but it is at the summit of the countries involved—the leaders at the summit. Well, I would like to point out that there is only one man in the world who is, at the same time, chief of state of his country, commander in chief of the armed forces of his country, and the head, the nominal or titular head of his political party in his country and who is sure under his constitution to hold all three of those assignments for a period of years. There is not anybody in the world who has the position that our President—that an American President has. So, I have thought sometimes, perhaps, if our President would say, "I am perfectly willing to meet anywhere, anyone on earth who is a real summit character and who has the powers that I have," he might find that he was going there and standing there all alone.

It seems to me that this mention of the character of the Presidency, leaving out for a moment the power and position and prestige of our country, is one reason why there are a lot of countries that are anxious to get us into a summit meeting, particularly enemies of ours, and these very same considerations are the reasons, as the gentleman has so ably pointed out, why we should be careful about going.

Just one more comment on the gentleman's significant analysis of the opposing conventional fears involved. The gentleman pointed out, and I am sure will agree, that if we eliminate by agreement only nuclear weapons in which we have more power, possibly prevailing power, the only weapons which have deterred the Russians for over a decade, and do nothing more, we will then have entered into an arms race in most divisions of which we are bound to lose, because the Russians, the totalitarians, are better at conscription than we are. For that reason, in 1949 our Foreign Affairs Committee, in writing a policy statement on reduction of armaments in the

first military-aid bill, inserted the words "including Armed Forces" in this provision, because we felt—and I would be glad to have the gentleman's comment, and I feel I can forecast it—that conscription itself needs to be controlled and reduced before we can safely enter into any vast arms reduction program. I would be happy to have the gentleman's comment, if I have not imposed too much already.

Mr. BYRD. I appreciate the contribution that has been made by the distinguished gentleman from Ohio, a ranking member of the Committee on Foreign Affairs, a gentleman who is a student of foreign affairs and who has given the best years of his life in studying foreign affairs.

I now yield to the gentlewoman from New York, also a member of the Foreign Affairs Committee.

Mrs. KELLY of New York. Mr. Speaker, I would join my colleagues in expressing my personal appreciation to my colleague from West Virginia [Mr. BYRD] in taking this time to express his views to us on this most important issue, a summit conference. I do want to join the gentleman in expressing the fear that the outcome of a conference at the Summit may be the same as that which took place at Yalta in the abrogation of those agreements that the Russians agreed to at that time. I must say that had they lived up to that which they promised at Yalta, we would possibly not be worried about a summit meeting at this time.

Nor would we be worried about a summit conference if they had lived up to their agreements which they made at the Geneva Conference in 1955. The Russians have such an abominable record of breaking agreements as to make me highly suspicious of their intentions with regard to a summit conference.

It may be that they are desirous of temporarily relaxing the tensions in the cold war so as to permit them to put their own economic house in order and to allay the economic unrest presently being evidenced in many places throughout the Soviet Union. It is a safe bet that they hope to garner great propaganda gains from any summit conferences, and they, of course, will hope to secure that which they need most of all—respectability in the eyes of the world.

I regret to think that we must hold a summit conference purely to satisfy the political motives and aspirations of certain people in this country and other countries, and I think it is most tragic that the inevitable result of such a conference would be to completely destroy the hopes of peoples in captive countries who now look to us to sustain their faith in the eventual triumph of right and justice.

The past is prolog, Mr. Speaker, but I am constrained to believe, and to state my belief, that our country today lacks the kind of leadership that can properly evaluate and analyze the past performances of the Russians and reach a determination therefrom that we cannot do business with these people at a summit conference. My position is that I am not against a summit conference per se. I do not think that we should participate in one, however, until conferences on the ambassadorial level and other lower-level meetings have arrived at agreements the ratification of which might be needed at a summit conference.

For years, nations have been dealing with one another and making agreements through normal diplomatic channels and in meetings of foreign ministers and ambassadors, and I see no reason why the problems of today cannot be properly approached in the same manner. So why have a summit conference at all unless it is merely for the purpose of ratification of lower-level agreements?

Of course, the Russians cannot propagandize lower-level meetings as they can hope to do with a meeting at the summit. This is all the more why we should be most careful about sitting down with the Communists at the top level. I think there is one prime consideration we should keep in mind, and that is the state of the President's health. I personally wonder whether or not he is physically able to undergo the strain and the wear and tear of a strenuous conference, particularly when America has so much at stake.

In any event, I say that before going to any summit conference we should pursue ample exploratory work at the ambassadorial level and through normal diplomatic channels so as to assure ourselves that something really worthwhile, in the interest of peace, might result from a later summit conference.

I would like to ask my colleague from West Virginia if he does not feel that one of the most important issues today is the fact that our President must insure that we have unity among the nations of the Free World in their agreements and strategy before this conference takes place.

Mr. BYRD. I will say to the gentlewoman from New York that there certainly can be no doubt as to the importance of our seeking and attaining a spirit of unity among the other freedom-loving nations who expect to join us, if and when such a summit conference is decided upon.

I would add, however, that I think our own Nation must be determined to exercise great leadership in the creation of the agenda and that we must not be persuaded, as I feel we have been in the past, so much by the leadership of Great Britain and France. I think the American people see this matter quite differently than do those people. I feel that the time has come for the United States—the only country in the Free World that can really exercise the kind of leadership needed in these perilous days—for the United States to seek to impose its own will, more than it has heretofore, in any coming summit conference. This, of course, is going to be very, very difficult; and I, personally, must confess that I cannot see much hope of our evolving an agenda that will be acceptable to the other free countries of the world which we ourselves can conscientiously and honorably abide by and which would have any hope of success in any meeting with the Communists at the summit.

Mr. VORYS. Mr. Speaker, will the gentleman yield?

Mr. BYRD. I yield to the gentleman from Ohio.

Mr. VORYS. Following up this most interesting colloquy, I think we all seek unity in the Free World, but I think the gentleman from West Virginia has been indicating that we are not going to achieve unity with our allies by conceding points that involve our security and theirs.

Mr. BYRD. Exactly.

Mr. VORYS. And I am sure the gentlewoman from New York will agree.

Mrs. KELLY of New York. I agree with the gentleman.

Mr. VORYS. We could achieve worldwide unity overnight by simply telling Khrushchev: "We will agree to anything you want." But it would be the end of civilization if we did achieve that kind of unity.

Mrs. KELLY of New York. I agree with my colleague from Ohio.

Mr. BYRD. I thank the distinguished gentlewoman from New York and the gentleman from Ohio for their contributions.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. BYRD. I shall be glad to yield.

Mr. JUDD. I want to compliment the gentleman from West Virginia for bringing this most important and timely question before the Congress and the people of the country. So much has been said on all sides of the subject that there is considerable confusion among our people. It has been played up by some supposed experts that we must go, even without preparation, to a conference at the summit at the behest of the Soviet Union, otherwise it will appear that we are warmongers, or at least blocking peace. Certainly, we do not want to give any such impression; yet, on the other hand, we do not want to be drawn into a situation where we might, in fact, endanger the true peace of the world.

May I ask the gentleman this question: Does he think that what the world needs most is new agreements with the Soviet Union, or that the Soviet Union should start keeping the agreements it has already made at previous conferences?

Mr. BYRD. I do not think there is anyone in this august body who is more eminently qualified to ask questions relating to international affairs and to answer those same questions than the distinguished gentleman from Minnesota. To ask the question is to answer it. Certainly, no new agreements are needed. What we need only is the carrying out and the living up to of the agreements that have been reached in the past.

Mr. JUDD. Should not we be constantly emphasizing that there is no point in signing new pieces of paper today with the same people who are in the process of tearing up and openly violating the pieces of paper that they signed yesterday? Communists signed a piece of paper with President Roosevelt at Yalta promising free elections in Poland, Rumania, and so forth. They tore that up. They signed a piece of paper with President Truman at Potsdam with respect to procedures to be followed to achieve the unification of Germany.

They tore that up. They signed a piece of paper at Punmunjon promising not to increase their military strength in North Korea. They tore that up—it does not make any difference to them whether their so-called agreements are signed with Republicans or Democratic administrations in this country. They signed a piece of paper with the French at Geneva in 1954 promising not to build up the strength of Communist forces in North Vietnam. They tore that up. They entered into an agreement at Geneva in 1955 with President Eisenhower consenting to democratic elections among the Germans on the question of the reunification of Germany. They paid not the slightest attention to that agreement. Is it not really an act of insanity on our part to put trust now in any pieces of paper signed by the same people who have this record of perfidy, who in fact make a virtue of bad faith? Does the gentleman agree with that?

Mr. BYRD. I certainly do agree with that. The gentleman has made a very pertinent observation.

Mr. JUDD. May I ask the gentleman this question: Why does he suppose the Soviet Union is pressing so ardently for a summit conference at this time? Is it not to get us into a position where perhaps we will feel compelled to sign another piece of paper, supposedly bringing peace, through commitments which we would keep, in return for commitments by them which they would probably tear up, with complete assurance we would not do anything about their violation. Is that not the reason they want a summit conference?

Mr. BYRD. I think that is one of many reasons.

Mr. JUDD. In other words, the gentleman does not think they really want a genuine settlement?

Mr. BYRD. They do not intend to reach a settlement.

Mr. JUDD. Why should they? The present situation is made to order for them. "Neither peace nor war" is what Lenin told them to work for as ideal for the expansion of Communist power. With real peace they could not make headway because no one would listen to the siren songs of Communist propaganda. With war now, they would be defeated. So, obviously, they want a continuation of the present stalemate—neither peace nor war. They want for the present what they call peaceful coexistence. Some people here think that peaceful coexistence is the same as peace. But peace means a resolution of differences, a genuine settlement. Peaceful coexistence does not mean that. It means we are to allow them to coexist peacefully as long as we are stronger; then when they can get stronger, it will mean peaceful submission by us, or be destroyed.

The gentleman's point is well taken that negotiations to be successful have to be conducted privately. I admired Woodrow Wilson so greatly. But he made a mistake in starting this business of conferences at the summit when he went to Versailles. From that first summit conference down to the present I think it can be demonstrated that not a single one of them has brought us and the cause of freedom and peace as much good as it has brought damage. Mr. Wilson called for open covenants openly arrived at. I think covenants once arrived at must be open and exposed to public opinion for approval or disapproval. But seldom in actual practice, can important covenants be openly arrived at. This applies even to such covenants as that between a man and a women in which he persuades her, after private and perhaps extended negotiations to become his life partner. Once it is arrived at, he can hardly wait to shout from the housetops that she said "Yes." The covenant is open; but it was not openly arrived at. This is just as true in our international relations as in our personal relations.

Last fall I served at the United Nations and I became convinced that one reason the Communists are agitating for a summit conference is because they are not succeeding in hoodwinking anyone at the United Nations, and hope to do better at a small, chummy affair. The representatives of the various governments at the U. N. are pretty experienced and skillful negotiators. They see through Communist propaganda. They listen politely and then vote against the Reds. Especially since Hungary have the Communists been overwhelmingly defeated in almost all major votes. So naturally they want to move out of the United Nations and its Disarmament Committee where they are dealing with seasoned diplomats and get to the summit where they think they can play upon world public opinion and have a better chance of success. It is not Eisenhower and Dulles with whom they want to negotiate, but with the war-weary and peace-hungry peoples of the world who may be sorely tempted to listen to Communist promises regardless of past deceptions.

At the U. N. it became clear that the Soviets were operating on about four main convictions. First, they are not afraid of attack by the United States. Second, since Hungary, they are genuinely afraid of unrest and uprisings within. Third, in order to win the world, they must first of all break the hopes and the will to resist of the people behind the Iron Curtain. And fourth, they cannot do that by force or tricks or deception; the only way they can accomplish that is to persuade or beguile or lull or intimidate the Free World, particularly the United States, into appearing to abandon the captive peoples behind the Iron Curtain. To go to a conference with the oppressors, to appear to accept what Khrushchev calls the historic changes, to negotiate on the basis of the status quo of today, discussing everything except the freedom of enslaved peoples, can only break the hearts of the people behind the Iron Curtain. The most urgent objective the Communists have is to get us to hold a conference with them in an aura of acceptance, which can only increase their influence and power and prestige——

Mr. BYRD. And respectability.

Mr. JUDD. Yes, indeed. They want us to destroy the hopes of 900 million people; to forget about Hungary; to forget about freedom, in our sincere yearning for peace. Such a conference offers the Soviets their best hope of winning the world. They learned a lesson from Hungary. They know they have got to win the whole world, including the United States, in the next few years, or the forces of freedom and unrest within their slave empire will cause them to lose the whole world, including the Soviet Union. They are men in a hurry. It is now or never for them. Therefore, we must be just as hardheaded and skillful in our efforts to get real peace, which can only last if based on freedom and justice, as they are in their skillful efforts to trick us, like a fly lured into a spider's web, into accepting something that could prevent the coming of real peace.

I thank the gentleman for calling this important subject to the country's attention, and I hope everybody pays close heed to what he has said.

Mr. MORANO. Mr. Speaker, will the gentleman yield?

Mr. BYRD. I yield to the gentleman from Connecticut.

Mr. MORANO. I regret that I was not here to hear all of the gentleman's statement concerning the matter of a summit conference. But, as I understand, the gist of your statement is that we should not attempt or agree to a summit conference unless the proper preliminary negotiations are entered into and some sort of an agenda agreed upon; is that a correct statement?

Mr. BYRD. My position is this, as I have expressed it: I personally cannot believe, on the basis of history, that anything good can ever come out of a summit conference with the Russians.

Mr. MORANO. Even if it is held on the basis of preliminary negotiations resulting in some agreement or in some agenda and so forth?

Mr. BYRD. I believe we are dealing with atheists when we sit down with the leaders in the Kremlin. I feel that a belief in God is the basis of all moral codes and the basis of all law and the basis of justice, and when we sit down with men who profess no belief in a Higher Power, then we are, in fact, sitting down with men whose word, whether written or orally spoken, cannot be taken at face value. Therefore, until such time as these men profess a belief in a Higher Authority which would lead me to have confidence in their word and their agreement, I cannot believe that we can ever gain anything that would be to the good of the United States and the Free World by meeting with them, especially at the summit.

Now, to get more around to what the gentleman is saying as it concerns his impression of my statement here, I do take the position that if we are going to have a summit conference, then it only should take place after prior, lower level conferences and diplomatic activities have arrived at agreements and have proven, or at least given us reasonable assurance that some lasting result can emanate from a summit conference.

Mr. MORANO. I wish to compliment the gentleman. He has spoken not only

as a Member of this great House of Representatives, but as a true American patriot who has demonstrated here that in affairs affecting the welfare of our country there should be joined together Democrats as well as Republicans in an attempt to establish our security and maintain those areas of freedom in the world that are still free and to in some way give hope to those millions of unfortunates who are now in bondage, under tyranny, and so on.

I would like to ask the gentleman this question: Do you not think that this latest move by the Soviets in which they have declared their intention of ceasing the testing of nuclear weapons is another action designed to blackjack us into this summit conference by propagandizing the world into the belief that they and they alone seek peace?

Mr. BYRD. I do not think there is one iota of doubt as to that being the purpose. As I have already stated, they have not indicated when they intend to terminate their tests. And there is no assurance that they will not continue them once they have reaped the propaganda advantage they are seeking.

Mr. MORANO. In other words, it was convenient for them to say that they had ceased their testing, because they must do it for technical reasons, and they use that as another weapon to blackjack us into a summit conference by steaming up or propagandizing the peoples of the world.

Mr. BYRD. Absolutely.

Mr. MORANO. And try to make us look bad.

Mr. BYRD. That is correct.

Mr. MORANO. And does not the gentleman agree with me further that we should look upon it in that light and not cease testing our weapons until we have perfected every instrument of defense that we can possibly perfect to insure the security of the United States and its people?

Mr. BYRD. Absolutely; I agree with the gentleman wholeheartedly.

Mr. MORANO. I thank the gentleman.

Mr. BYRD. If the Russians were sincere in seeking ways in which to do good, there are many other ways which would inspire the confidence of the peoples of the Free World. They could permit freedom of the press. They could permit true freedom of religion. They could immediately strike the bonds of slavery from the captive countries of Eastern Europe.

Mr. MORANO. I agree with the gentleman.

Mr. BYRD. They could support the reunification of Germany and take steps that would lead to the effectuation of that objective.

Mr. MORANO. Mr. Speaker, I should like to say in conclusion that I am grateful to the gentleman for yielding to me. Also I should like to say that I regret that he has seen fit to leave the House of Representatives and its Committee on Foreign Affairs where I enjoyed associating with him for almost 4 years.

Mr. BYRD. I thank the gentleman very much.

Mr. LECOMPTE. Mr. Speaker, will the gentleman yield?

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

Mr. LECOMPTE. Mr. Speaker, I am happy to join with other members of the Committee on Foreign Affairs in the stand they have taken. I have discovered that the gentleman from West Virginia [Mr. BYRD] is a very valuable member of that committee, and is forthright in the position he takes. I know he has taken a firm stand time and time again.

I should like to ask the gentleman 1 or 2 questions, if time permits. Would the gentleman agree with me that in any summit conference with the Soviet, we ought to have the ground rules laid down firmly; we ought to know what the items are to be discussed, or else we will not be able to come out of the summit conference in any better shape than we have heretofore?

Mr. BYRD. As far as I am concerned—and I say this with great respect for the gentleman's judgment—I think the agreements ought to be practically reached at the lower levels, and the summit conference used only for ratification.

Mr. LECOMPTE. That is an idea that I wholeheartedly endorse. In other words, when you go into a conference with a bandit, it is rather difficult to get much out of the conference. And that is what we are doing; we are dealing with international bandits when we are dealing with the Russians. There is not much to be gained from it.

Mr. Speaker, I want again to commend the gentleman from West Virginia for the splendid position he has taken and the courage that he has shown on many occasions.

Mr. BENTLEY. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. BYRD] may be permitted to proceed for three minutes additional.

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

There was no objection.

Mr. NEAL. Mr. Speaker, will the gentleman yield?

Mr. BYRD. I yield to the gentleman from West Virginia.

Mr. NEAL. I appreciate the information our colleague has so well given the House this afternoon, and I commend him for it. I think any of us who understand the situation we have today internationally, and in the light of past experience, would have to take the same position. It is my hope and desire that, as we do this, realizing the threats and propaganda that are being let loose by our adversaries in Russia, we must not be too much inclined these days to weaken or discourage some of our allies. It seems to me that our leaders must continue to take the same positive position that has been demonstrated in dealing with the Russian Communists since the days when we first went into the picture, in the last 3 or 4 years.

I know that we should keep the American people well informed, and I think that is one thing we should compliment this administration upon, because, if anything has been outstanding, it has been the effort the President of the United States and the Secretary of State have made to keep before us the true situation that exists in international affairs. I cannot say that prevailed so much on previous occasions when we went into war without preparation and when we had conferences without preparation, but it seems to me that if we can unite ourselves and support the present administration and the present Secretary of State in an all-out effort to tell Russia that we expect to stand our ground and we expect to keep ourselves militarily prepared, as well as unified, that will be the best position the people of the United States can take.

I thank the gentleman from West Virginia very much.

Mr. BYRD. I thank my distinguished colleague from West Virginia for his timely observations. May I say that regardless of who is Secretary of State, regardless of who is President of the United States, regardless of what political party either of those gentlemen may be affiliated with, I for one will support them as long as they remain firm in dealing with these international blackmailers, and I for one will support them in that position, not only in the Congress, but, in fact, anywhere in my own native State and in my Congressional District. I think we are going to have to rise above political party in dealing with the common enemy of all.

THE LIBRARY OF CONGRESS

Mr. REECE of Tennessee. 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 Tennessee?

There was no objection.

Mr. REECE of Tennessee. Mr. Speaker, the Library of Congress is one of the great educational institutions of the world. It stands as a beacon diffusing knowledge for the benefit of mankind. This institution constitutes the most valuable asset of Congress and of our Government.

Archibald MacLeish referred to it descriptively:

> The Library * * * is an institution of learning unique among the learned institutions of the world—a library having the educational facilities of a great university; a university housing the timelessness and the enduring integrity of a great and ancient collection of books.

The Kingsport Press, Kingsport, Tenn., which is the largest book-manufacturing company in the world and certainly one of the finest, adopted a policy of issuing American keepsakes for private distribution.

In February it published American Keepsake No. 3, The Library of Congress, by Paul M. Angle, in an edition of 1,500 copies, solely for distribution among its friends. The plates have been destroyed; there will be no reprint. It has been set in linotype Baskerville for the text, with handset Bulmer and Perpetus types for display. The eagle has

been cut in wood by Fritz Kredel especially for this publication.

This history of the Library of Congress is a valuable contribution.

I wish to congratulate the author, Mr. Angle, and express the appreciation of all the friends of the Library of Congress to Kingsport Press, its officers and craftsmen for having made this contribution which every friend of the Library will find to be delightful reading and a valuable summary of the historic growth of the Library.

Tennessee is proud of the Kingsport Press and what it has done to advance the art of printing and the manufacturing of books.

RECESSION IN TEXTILES

Mr. FLYNT. 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 Georgia?

There was no objection.

Mr. FLYNT. Mr. Speaker, the Agricultural Marketing Service reports that during the month of February just passed the daily consumption of cotton was the lowest since 1940. The Federal Government's policy on foreign trade, especially as it applies to cotton, has been one of the causes of the present situation in which we now find ourselves. The consumption of cotton has continued to drop. Predictions are that this year the estimated consumption will be below eight million bales. If this is true, our cotton farmers and our textile mills will be seriously hurt. I have just read in the Dan Smoot report of March 24, 1958, an article relative to the recession in textiles. The article to which I refer is as follows:

RECESSION IN TEXTILES

American textile manufacturers pay American standard wages—the highest in the world. Working hours for their employees, ages of their employees, and minimum wages for their employees are all fixed by Government. And the price which they pay for cotton is fixed by Government.

The American Government sells American cotton to Japanese textile manufacturers at prices 6 cents a pound below what American mills are required to pay for the same cotton. The Japanese mills pay salaries less than one-tenth the salaries that American mills are required to pay. They use mills as modern and efficient as American mills—because their mills were, in part, donated to them by the American Government at the expense of American textile manufacturers and of other American taxpayers. The Japanese use the best American-developed mass-production techniques—because our Government, at the expense of American taxpayers, taught the Japanese our techniques.

With American equipment and American know-how, which they have been given at the expense of American taxpayers, and with American cotton which costs them less than the same cotton costs American manufacturers, paying sweatshop wages, produce cotton fabrics which can undersell anything produced in America.

As a result, 1 million American textile mills have been closed since 1947. Domestic textile machinery in operation has dropped 50 percent, while imports of woven cloth have jumped 735 percent.

PANAMA CANAL ZONE: CONSTITUTIONAL DOMAIN OF THE UNITED STATES—FURTHER SUPPLEMENTARY

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

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

There was no objection.

Mr. FLOOD. Mr. Speaker, it was my privilege on March 26, 1958, to deliver in the House an address dealing with the subject of jingoism on the part of certain radical elements in the Republic of Panama, attacking the jurisdiction of the United States over the Panama Canal and the Canal Zone. In that address I indicated the difference between the Suez Canal and Panama Canal situations, but lack of time prevented adequate development of this phase of the subject.

Hence, I now undertake to supply explicit, detailed, and carefully considered discussions of dissimilarities between the Suez and Panama Canals juridical setups. I know of no better way to supply the information involved than to quote 2 notable addresses delivered before the Panama Canal Society of Washington, D. C., on May 18, 1957, by Hon. Maurice H. Thatcher, the only surviving member of the Isthmian Canal Commission, former Governor of the Canal Zone, and also a former distinguished Member of the House, and Capt. Miles P. DuVal, United States Navy, retired, the outstanding historian of the Panama Canal, with invaluable service rendered in the marine organization of the Panama Canal during World War II.

Also in the same connection, I include the able and informative statement made by the present Governor of the Canal Zone and President of the Panama Canal Company, Maj. Gen. W. E. Potter, United States Army, which appeared in the Christian Science Monitor of May 21, 1957, wherein his views were in harmony with those expressed by Governor Thatcher and Captain DuVal.

The indicated discussions clearly, most forcefully, and irrefutably point out the vast differences between the two canal situations. They constitute an admirable and authoritative supplement to my address, and should be read in connection therewith. Accordingly, they are included as a part of these remarks:

ADDRESS OF HON. MAURICE H. THATCHER

Mr. President, distinguished guests, old-timers, members of the society, and friends, because of the increasing discussion at home and abroad concerning the question as to whether the recent seizure of the Suez Canal by Egypt constitutes any precedent as to whether Panama may have any right to claim ownership and control of the Panama Canal, it has been deemed appropriate for this annual meeting of our society to hold this discussion. Certainly the subject of any proposals for surrender by the United States of all the rights, power, and authority concerning the Panama Canal and the Canal Zone, either to Panama or to some international authority, is one to engage the attention of our citizens generally, particularly the old-timers whose efforts and sacrifices so greatly contributed to the success which our Nation achieved in the construction of the great water link at Panama. What I shall say on the subject will be said in good spirit, without any personalities involved, and for the purpose of stating my views for whatever they may be worth.

Our limited time today will not permit any extended discussion, but I shall strive to point out certain distinct differences between the two situations—the one at Suez and the other at Panama. I shall address myself especially to the treaty arrangements providing for the construction of the Suez Canal and of the ownership involved, and offer a brief reference to our treaty with Panama in 1903, leaving to Captain DuVal—an eminent authority and historian on the Panama Canal—the task of stating in more detail pertinent provisions of our several treaties with Panama.

SUEZ CANAL

The political status of the two canals—the Suez and Panama—are to be contrasted. The Suez Canal was constructed under a concession granted in 1854 by the Khedive of Egypt to Ferdinand de Lesseps which authorized the latter to organize a private company—designated as the Universal Suez Maritime Canal Co.—for the purpose of constructing, maintaining, and operating that waterway. The grant involved ran for 99 years, commencing from the day of the opening of the canal for operation. Under the concession the Egyptian Government was to receive an annual stipend of 15 percent of the net profits derived from the operation of the canal. All necessary lands, etc., were available to the company which might be necessary for the work. The concession was supplemented and amended by that of January 5, 1856, but did not change the period of the concession. At the time of these concessions Egypt was a part of the Ottoman Empire, of which Turkey was the dominant member, and ratification was made by the Sultan of the empire. Under the grants thus accorded de Lesseps organized the required company, which sold stock to individual investors and obtained the required funds, and successfully accomplished the great task which he had thus undertaken. The concessions included formal provisions requiring the canal to remain open as a neutral passage to all the merchant ships of the world. The canal was begun in 1860 and put into successful operation upon its completion in 1869.

On October 29, 1888, there was signed at Constantinople a convention or treaty by Germany, Austria-Hungary, Spain, France, Italy, The Netherlands, Russia, and Turkey with respect to the free navigation of the Suez Canal. Great Britain, though named as a signatory, did not sign but did respect the convention, and formally adhered to it through the Anglo-French agreement of April 8, 1904.

I can only refer briefly to the 1888 convention or treaty. It provided that the Suez Maritime Canal should always be free and open in time of war as in time of peace to every vessel of commerce or war without distinction of flag. Other supporting provisions were included in this convention, with the territorial rights of Turkey reserved. The latter provision is to be contrasted with the cession of sovereignty of the Canal Zone strip in Panama. Until the recent seizure of the Suez Canal by Egypt, it was governed by the concessions to de Lesseps and the convention of 1888. The indicated seizure was clearly in contravention of the provisions in those documents and contrary to all international law, which is to the effect that one nation cannot abrogate by itself the treaty provisions based on appropriate considerations and before the end of the prescribed period. There must be mutual abrogation. Hence, the action of Nasser in Egypt was without authority of treaty or international law, and in derogation of both, and was largely motivated by a desire for revenge because of his failure to

procure from the United States and Great Britain funds for the Aswan dam project. Of course, Soviet influence was back of Egypt. The lease period for the Suez Canal had only about 12 years to run from the date of Nassar's action. The waterway would pass automatically to Egyptian ownership and control in 1968; but the unexpired leasehold was of substantial value. Nasser thus undertook to confiscate valuable property of shareholders of the company, which was, indeed, a ruthless act.

PANAMA CANAL

Now let us turn to Panama. The case there is altogether different. The Suez Company was organized as a private undertaking, with a commercial company and with the operation of the canal as a source of profit. Under the company it was operated successfully and profitably, and, as I have stated, with 15 percent of the net profit to Egypt. As to Panama, in addition to the basic indemnity paid to the Panamanian Government of $10 million, the United States paid first to Panama an annuity of $250,000; subsequently increased to $430,000; and under a recent treaty raised to $1,930,000. Also, under the last-named treaty, the United States is according to the Panamanian Government and its people certain additional benefits of substantial character.

After the failure of the French attempt to construct the Panama Canal, no other nation or authority could have constructed it. Only the United States was in a position to undertake the work, and our Government did undertake it agreeably to treaty arrangements with Great Britain and the Republic of Panama; and at its own cost did construct it. All informed persons know something of the battle for the location of the proposed Isthmian Canal, which resulted in the choice of Panama; and they know something also of the fact that Panamanian independence grew out of the situation thus presented. The United States also, agreeably to the treaty of Colombia of 1922, paid to that country the sum of $25 million—Panama before that country's secession in 1903, having been part of Colombia.

The task of construction was a formidable one and what seemed to be insuperable difficulties had to be mastered. Yellow fever and malaria, together with other tropical diseases, held the Isthmus of Panama in their grip, and Panama was known as one of the world's worst pestholes. Adequate sanitation had to be established before there could be any hope of success in the American undertaking, and the sanity miracle that followed was brought about by American skill and leadership, headed by General Gorgas. In order to accomplish the task in hand, our Government negotiated a treaty with Panama, immediately upon the independence of the latter—November 1903—whereby the newly created nation gave to the United States, for stated considerations, authority to construct from ocean to ocean through the center of the country, the canal; and also transferred to the United States, as stated in the treaty, complete sovereignty over the 10-mile zone strip through which the canal was to extend; as well as very broad powers as to sanitation, expropriation of additional lands for use of the canal, and the like. It is pertinent that in this connection, I refer to article II of that treaty, which states that the Republic of Panama grants to the United States in perpetuity "the use, occupation, and control" of a 10-mile-wide strip from ocean to ocean, being necessary for the construction, maintenance, operation, sanitation, and protection of the canal, with a like grant for other lands, islands, and waters outside the zone deemed necessary and convenient for the indicated work.

Article III provides as follows: "The Republic of Panama grants to the United States all the rights, power, and authority within the zone mentioned and described in article II of this agreement, and within the limits of all auxiliary lands and waters mentioned and described in said article II, which the United States would possess and exercise if it were the sovereign of the territory within which said lands and waters are located to the entire exclusion of the exercise by the Republic of Panama of any such sovereign rights, power, or authority."

The United States would not, and could not, have undertaken the work except for these and other grants named in the treaty of 1903. Not only was the canal to be built, but it had to be maintained and operated, in perpetuity; and this our Government, in that treaty, obligated itself to do. As already indicated, the treaty also provided, article XIV, for the payment of our Government to the Republic of Panama of $10 million upon the ratification of the treaty, and an annual payment of $250,000, beginning 9 years later. These payments were to be in addition to certain other benefits to Panama indicated in the treaty.

In connection with the work of the United States Government as to the construction of the canal, it must be borne in mind that not only has our Government expended hundreds of millions of dollars in the work of constructing, sanitizing, maintaining, operating, and defending the canal, but also some of our Nation's finest men and women serving in the canal enterprise on the isthmus in the earlier days died of yellow fever, malaria, the plague, and other deadly ailments. Their supreme sacrifice contributed a priceless contribution to the American effort at Panama.

Whatever may be thought of the provisions in the basic treaty of 1903, between Panama and the United States, touching the nature of the authority, ownership, and control which the United States may have with respect to the canal and the Canal Zone, certainly there can be no question of such control and authority so long as the canal is maintained and operated by the United States agreeably to the terms of the various pertinent treaties involved. I certainly heard of no authoritative suggestion during my official service on the isthmus adverse to the authority of the United States in the canal and the Canal Zone. It was a part of my duties there to represent the Isthmian Canal Commission in all its relations with the Panamanian Government.

The question of residual ownership may be more or less of an abstract or theoretical character, because the right and authority of the United States over the Canal Zone and the canal have been fully exercised ever since the treaty of 1903. The United States must be able to police and protect the immediate territory adjacent to the canal in order to maintain and operate the canal. Therefore the zone strip was agreed on at the outset as the necessary permanent region to pass to the control and authority of the United States.

If for any reason the United States should abandon the maintenance and operation of the canal, it is not likely that it would care to retain any control or authority over the zone strip, whatever its rights, if any, might be in that connection. It must be kept in mind that the United States and Panama are mutually pledged as to the perpetual operation, maintained, and control of the canal. These questions, it seems to me, should be dealt with realistically and not otherwise.

There isn't the slightest doubt of the fact that if the United States had not given adequate protection of the Panama Canal in World Wars I and II and in the Korean war, the enemies of the United States would have utterly destroyed it. The protective process required to preserve the canal and its operation has—first and last—cost the United States the vast sum which the Nation's taxpayers have furnished. No other government, source, or authority has contributed a dollar for this purpose or for the sanitation, maintenance, and operation of the canal.

Moreover, the basic cost to the United States in adding the protective installations required has run to many millions of dollars, aside from the added cost of maintaining troops on the isthmus and in the isthmian regions for protective purposes. These items constitute in their collective way a very strong consideration, which, in my judgment, should preclude surrender by the United States of its control, maintenance, and operation of the canal to any other authority. Certainly, in no proposal of which I have ever learned has there been any suggestion whatsoever as to reimbursement to the United States as a condition precedent to such surrender.

The United States has scrupulously performed its treaty obligations to operate the canal on equal terms for all. So long as the United States continues this policy there can be no adequate reason for its surrender of the canal to another authority.

As to the Panama Canal, permit me to make this further observation. It is well known that the Communist powers and the Communist adherents throughout the world favor such surrender of authority and control of the canal henceforth, preferably to an international body. It is also well known that there are those in our own land and in other free countries, unrealistic idealists, who favor such internationalization, hoping that the indicated surrender would constitute another example on the part of a free country to inspire Communist powers with the spirit to show a like magnanimity in their dealings with other nations. Most of the free nations have pretty well been liquidated in the past few years, and instead of taking the examples thus set before them as matters for emulation, the Communist powers have built upon the fading strength of the free nations. And so it would undoubtedly be if the United States made such surrender. In the event of war between the free nation and those of the Communist world, the latter would strive to destroy the Panama Canal, if their military interests seemed thus to require, and this would be true even if an international authority was in control of it.

Because of the situation now presented as to the Panama Canal and its future, I believe that it would be wise—and indeed absolutely necessary—that the position of the United States be made very clear on the subject of the canal; and that to this end it would be timely and well for the Congress of the United States to declare in some appropriate declaration its attitude on the subject. It seems that all the propaganda—and I assure you there is a great deal of it—has been on behalf of such surrender, and chiefly for internationalization.

There is, I fear, something of tension arising between the United States and Panama because of the increasing demands and requests by Panama for greater benefits claimed because of the presence and operation of the canal. This situation is to be deplored, because as between Panama and the United States all questions that affect the two countries should be settled amicably through the orderly processes of negotiation. It is inevitable that differences will from time to time arise, and ofttimes there will be very strong differences involved. But destiny has linkened the two Nations together and thus far they have been able to solve their differences in mutual respect, and these processes should continue in the future. Otherwise, both of the nations will suffer. In this connection, I may say that if reliance cannot be placed upon treaty agreements, then I do not know how questions arising under them can be solved. Those agreements

should be fully respected by both parties; and to this end, of course, I favor the implementation by the Congress and our executive branches of any agreements now or hereafter arising which may require implementation. On the other hand, I adjure our Panamanian friends who are in authority to stand with us squarely on the treaty arrangements which have provided for the construction, maintenance, operation, sanitation, and protection of the canal; and if there are differences in interpretations, these should be resolved—not under emotions of nationalistic zeal on either side—but in the spirit of amity. If basic facts can be agreed on, solutions are much easier of achievement.

In this general connection permit me to say that during my Isthmian tenure I found among the Panamanians some of the finest, dearest friends I have ever known. They were of the independence era, and some of them had been leaders in the independence movement. They possessed high character and courage. Some of them occupied the chief posts of the Panamanian Government; and they always cooperated in the fullest and most effective manner in the work of the canal. Not in a single instance did they ever fail to deal promptly and satisfactorily with any request which it was my duty to submit in behalf of the Isthmian Canal Commission with respect to the construction of the canal. Accordingly, here and now—as always in the past—I make most grateful acknowledgment.

Therefore, in the light of history and experience, and based on the just and realistic consideration involved, it is undoubtedly for the best interests of the United States and those of Panama, as well as for the best interests of the world at large, that the United States continue in the control and operation of the Panama Canal in accord with treaty agreements and obligations.

ADDRESS OF CAPT. MILES P. DUVAL

Mr. President, Governor Thatcher, distinguished guests, ladies, and gentlemen, you have just heard a historic address by a historic personality. A full answer to Governor Thatcher's suggestion would involve a complicated story on which many volumes have been written. Yet, when reduced to its essentials, it is relatively brief and simple. Moreover, the diplomatic story of the Panama Canal is a topic that appeals strongly to all ever associated with the great enterprise.

The story starts with events in the last half of the 19th century. At that time the United States and Great Britain were diplomatically deadlocked in a struggle for control of the Nicaragua route, which was then the most favored site for a canal. With these two great powers thus preoccupied, French private interests launched upon their tremendous effort to build a canal at Panama, 1879–89, under concessionary arrangements with Colombia, Panama, then being a portion of that country.

Ending in a colossal failure that created a political crisis in France, this ill-fated attempt had far-reaching consequences. It brought the Panama Canal route to the front in world opinion. It demonstrated that the task of building an interoceanic canal was too vast an endeavor for private enterprise, and that it would require the support of a strong government. It aroused the interest of the United States in completing the venture.

Fortunately, technical engineering and sanitation developments by that time had reached the stage that would make the canal undertaking possible. The United States, which had learned much from its program of transcontinental railroads, was well prepared for the undertaking.

One of the first important steps in the great American saga was to resolve the deadlock with Great Britain from the restrictions of the 1850 Clayton-Bulwer Treaty, which had deprived the United States of exclusive control of any isthmian canal.

After prolonged negotiations conducted by Secretary of State John Hay and Lord Pauncefote, the British Ambassador, the diplomatic situation was cleared in what was the first of the three great canal treaties, the Hay-Pauncefote Treaty, of November 18, 1901, which was proclaimed on February 22, 1902.

What did this treaty accomplish? Superseding the 1850 treaty, it recognized the exclusive right of the United States to construct and manage any isthmian canal. It also adopted the principal points in the Convention of Constantinople of 1888 for the Suez Canal as rules for the operation and neutralization of the American canal.

These rules included the basic provision that the canal shall be "free and open" to "vessels of commerce and of war of all nations" that observe them on terms of "entire equality" with tolls that are "just and equitable." They also authorized the United States to "protect it against lawlessness and disorder."

The next year, in a historic Congressional struggle between advocates of the two proposed canal sites, which has been described as the battle of the routes, Panama won with the passage of the Spooner Act, approved June 28, 1902. This act authorized the President to acquire from the Republic of Colombia the perpetual control of a strip of land across the isthmus for canal purposes. But diplomatic difficulties intervened.

In the ensuing crisis, which followed rejection by Colombia of the Hay-Herran Treaty between that country and the United States, Panama seceded from Colombia and declared its independence on November 8, 1903, a day still commemorated in Panama as Independence Day.

The result was that the second basic canal treaty, known as the Hay-Bunau-Varilla Treaty of November 18, 1903, was negotiated between the United States and Panama, instead of Colombia.

This treaty, in compliance with provisions of the Spooner Act, granted to the United States "in perpetuity" the "use, occupation and control" of the Canal Zone for the "construction, maintenance, operation, sanitation, and protection" of the Panama Canal. It also guaranteed the independence of the Republic of Panama.

The agreement further stipulated that Panama granted to the United States "all the rights, power, and authority" within the Canal Zone and certain auxiliary areas that the United States would "possess and exercise" as "if it were sovereign of the territory." And quite significantly, this was granted "to the entire exclusion of the exercise by the Republic of Panama of any such sovereign rights, power, or authority."

That the intention of the authors of the Hay-Bunau-Varilla Treaty was to provide for perpetual control of the Canal Zone and the Panama Canal by the United States as required by law is evidenced by the fact that the key word, "perpetuity," is used six times in the treaty. Another interesting provision was the grant to the United States of the power of "eminent domain" in the Republic of Panama, as necessary for the "construction, maintenance, operation, sanitation, and protection" of the canal.

A third important international agreement was the Thomson-Urritia Treaty of April 6, 1914, between the United States and Colombia. Proclaimed March 30, 1922, this treaty likewise recognized the independence of Panama and the title to the Panama Canal and Panama Railroad as "vested entirely and absolutely in the United States." It extended to Colombia essentially the same canal rights with respect to tolls for the transit of troops, materials, and ships of war as were granted to Panama in the Hay-Bunau-Varilla Treaty.

These three international agreements complete the treaty edifice upon which the ownership and control of the Panama Canal by the United States rests. They were the logical results of a long series of historical events and experience at both Suez and Panama.

The Hay-Bunau-Varilla Treaty of 1903 was the high water mark of United States "rights, power, and authority" in the isthmian area. The structure remained in effect for 35 years unchanged. It still constitutes the diplomatic foundation of the Panama Canal.

The approach of World War II served to precipitate some changes in the original Hay-Bunau-Varilla Treaty as embodied in the Hull-Alfaro Treaty proclaimed in 1939. Its provisions included abrogation of the guarantee of the independence of Panama by the United States and of the right for the exercise by the United States of "eminent domain" in the Republic of Panama. It raised the original annuity of $250,000 to $430,000, and extended other special benefits to Panama.

A second postconstruction treaty in 1955 between the United States and Panama raised the annuity from $430,000 to $1,930,000, and authorized substantial additional benefits to Panama.

In this connection, however, it should be stated that the United States has not given up the major "rights, power, and authority" granted "in perpetuity," under its 1903 Hay-Bunau-Varilla Treaty for the "construction, maintenance, operation, sanitation, and protection" of the Panama Canal. The United States still has jurisdiction over the Canal Zone and Panama Canal as if it were sovereign of the territory and, in accordance with treaty, "to the entire exclusion of the exercise by the Republic of Panama of any such sovereign rights, power, or authority."

PANAMA CANAL PLAYS VITAL ROLE IN WORLD'S INDUSTRIAL AFFAIRS—UNITED STATES IS SOLE AUTHORITY IN STRIP ACROSS ISTHMUS

(By W. E. Potter, Governor, Panama Canal Zone; President, Panama Canal Company)

(EDITOR'S NOTE.—All previous records for traffic through the Panama Canal were broken recently when 808 oceangoing commercial vessels, plus 32 United States Government ships, transited the waterway during March. In response to an invitation from the Christian Science Monitor, W. E. Potter, Governor of the Panama Canal and President of the Panama Canal Company, discusses in a series of four articles the unique status of the United States Government-owned canal in international law, the necessity of the existing form of government in the zone area, how essential the canal is to world trade, and the canal's future in the new world of supertankers that has developed in the present decade. This is the first article.)

BALBOA HEIGHTS, C. Z.

With the great forces of nationalism, self-determination, and revolution taking over the world's headlines in recent years, we Americans, perhaps, have too easily tended to overlook the vital role played by the Panama Canal in the world and United States industrial complex.

For more than 40 years the canal has operated in what once was a jungle pest hole with clean, quiet efficiency that ever ceases to amaze visitors.

A treaty that perhaps is unique in world history—between one of the world's greatest powers and one of the smallest—made the canal possible.

Recent world conditions, however, have turned the spotlight on the strategic 50-mile-long waterway cut through the heart of Panama and connecting the Pacific and Atlantic Oceans.

RETURNS TO LIMELIGHT

Before the Suez crisis, the Panama Canal had dropped from the world's limelight. The

exceptions were occasional headlines involving the sea-level versus lock-type canal controversy, when an increase in shipping tolls was hinted, when there was a threatened rock slide as in 1954, or an anniversary such as last December when the one-billionth ton of goods moved through the canal.

But the Suez crisis focused the attention of the world on the Panama Canal—not to question its operating efficiency, but its legal status.

In short, not because of its exemplary service to world shipping and national defense for four decades, but because of the seizure of a great waterway on the other side of the world, the Panama Canal was thrust into the news.

The key question raised, of course, was, Could this happen to the "Big Ditch"?

Without attempting to forecast the course of world events in future decades, my answer would have to be, "No, this could not happen to the Panama Canal."

UNIQUE LEGAL STATUS

I say this without equivocation because nowhere else in the world is there an area of land or water with the same legal status as the 10-mile-wide strip of land known as the Canal Zone.

There is a wide misbelief that the canal is leased from Panama for an annual rental. We neither lease it nor pay rent for it.

In the 1903 convention which conveyed the use of the Canal Zone to the United States, there is used the word "grant" (not "lease") and the grant is "in perpetuity."

For this grant, the United States paid Panama $10 million outright and established an annuity of $250,000 a year effective 10 years after ratification. This annuity has since been increased to $1,930,000 annually.

The United States at the time of the 1903 convention also compensated individual landowners in the Canal Zone for the rights and titles of their property.

DUAL PAYMENTS MADE

In effect, the United States paid for the right and also bought the land.

The 1903 treaty was ratified by the two governments and has not been basically altered by subsequent agreements between them.

Thus we see that the Canal Zone is territory under the jurisdiction of the United States, a jurisdiction which admittedly has been modified by subsequent treaties, and that it can be regarded as a possession for purposes of applying United States statutes.

To clear up any misconceptions, I would like to discuss further the treaties between the United States and Panama regarding the Canal Zone.

Article II of the 1903 treaty says, "The Republic of Panama grants to the United States in perpetuity the use, occupation, and control of a zone of land and land under water for the construction, maintenance, operation, sanitation, and protection of said canal * * * extending to the distance of 5 miles on each side of the center line of the canal to be constructed."

FULL AUTHORITY GRANTED

Under article III, "The Republic of Panama grants to the United States all the rights, power, and authority within the zone mentioned and described in article II of this agreement and within the limits of all auxiliary lands and waters mentioned and described in article II which the United States would possess and exercise if it were sovereign of the territory within which lands and waters are located to the entire exclusion of the exercise by the Republic of Panama of any such sovereign rights, power, or authority."

It was for this grant that the United States gave the newly founded Republic of Panama a $10-million grant and established a $250,000-a-year annuity.

A 1936 treaty with Panama increased the annuity to $430,000 to offset the potential monetary loss to Panama after the United States abandoned the gold standard. In 1955, another treaty increased the annuity to $1,930,000. But neither of these two treaties changed the basic legal status of the Canal Zone.

I think it is interesting to note at this point that although many Panama politicians have suggested internationalization of the canal, the Panamanian Government never has. And in view of the clarity of the existing treaty, I do not consider it likely that any such suggestion will be made officially.

DIFFERENCE IN STATUS

I hope I have made it clear there is no analogy between the status of the Panama and Suez Canals. The Suez was under private ownership on a concession basis with a very definite time limit.

In addition, Egypt retained reversionary rights in the Suez concession, whereas the grants by Panama to the United States were in perpetuity.

A number of other points were involved in the 1936 and 1955 treaties which I would like to mention briefly because they will have a bearing on future articles.

Under the 1936 treaty, the United States agreed to limit the exercise of its rights in the zone by defining and limiting those entitled to conduct private business enterprises in the zone and those entitled to purchase and free-entry privileges. In the 1955 agreement, limitations also were placed on the sales of merchandise to vessels in canal waters.

These restrictions are of considerable importance to the zone resident since they remove any ability to engage in private business. They also make necessary the engaging in such small normal private-enterprise activities as may be necessary by the United States entity operating the canal.

TRADE GOES TO PANAMA

The main effect has been to cause a large amount of trade to cross into Panama. In future years this trade will grow with the good result of lessening the need for large activities of Government in business.

Not only did the 1955 treaty increase the annuity to $1,930,000, but it promised that properties owned by the United States within the Republic of Panama and valued at $25 million would be transferred to Panama.

Furthermore, it promised that we would build a bridge which will cost around $20 million over the Pacific end of the canal, and as of January 1 this year barred from the zone's commissaries Panamanian employees of the zone living in Panama, retired United States citizen and noncitizen zone employees living in Panama, and others.

This has cut the zone's commissary business almost $14 million a year, business which ostensibly has been taken over by Panamanian business establishments.

The 1955 treaty also permitted Panama to tax its citizens employed by United States Government agencies in the zone and nationals of third countries employed by such agencies but residing in Panama.

Knowledge of these basic controls is necessary to understand not only the way of life in the zone, but also the restrictions on free enterprise which usually is inherent in the democratic way of life.

Mr. Speaker, in my address to the House on March 26, 1958, concerning the Panama Canal enterprise, I referred in general terms to the condition of political instability and endemic revolution long obtaining on the Isthmus of Panama through many years preceding the secession in 1903 of Panama from Colombia. This record of upheavals and sanguinary civil strife very naturally caused President Theodore Roosevelt, his immediate advisers and the Congress grave concern in undertaking the great task of building the canal. Moreover, all of those in authority well knew that unless complete and absolute stability in political and governmental conditions was permanently maintained in the Canal Zone, it would be useless for the United States to assume its 1901 treaty obligation to construct and operate the proposed interoceanic waterway. This fact, Mr. Speaker, was also clearly recognized by leaders of the secession movement and officials taking charge of the Panamanian Government immediately following independence.

Because of their knowledge of isthmian history and appreciation of the necessity for maintenance of free and uninterrupted transit, the treatymaking authorities of both the United States and Panama undertook to provide in the basic canal treaty of November 18, 1903, clearcut and unconditional provisions granting complete and exclusive sovereignty over the Canal Zone to the United States in perpetuity. The United States could not afford to undertake the great enterprise except under the condition of such control, and Panama itself could not afford to do less than to grant such control. It fully recognized the absolute necessity for such stability and gladly vested such control in the United States.

Accordingly, the unconditional and perpetual sovereignty over the Canal Zone was, by solemn treaty provisions, granted by Panama to the United States. With stability thus guaranteed, the United States thereupon undertook the execution of the canal project. Though expending hundreds of millions of American taxpayers' money and suffering loss of many American lives, our Nation succeeded in the monumental task.

The Panama Canal was constructed and has since been successfully maintained, operated, and protected, without any instance of political turmoil or revolutionary processes in the Canal Zone, or in the United States itself. This is as it should be, and indeed, as it must be, for the proper functioning of this artery of world commerce.

Striking evidence of the recognition by President Theodore Roosevelt as to the transcendent importance for political stability in the Canal Zone is to be noted in his annual message to the Congress of December 7, 1903, a short time after the independence of Panama had been recognized by the United States. Commenting on the Panama revolution and the conduct of the United States in connection therewith, President Roosevelt supplied the Congress with valuable information, which I quote:

> When these events happened, 57 years had elapsed since the United States had entered into its treaty with New Granada. During that time the Governments of New Granada and of its successor, Colombia, have been in a constant state of flux. The following is a partial list of the disturbances on the Isthmus of Panama during the period in question as reported to us by our consuls. It is not possible to give a complete list, and some of the reports that speak of revolutions must mean unsuccessful revolutions:
>
> May 22, 1850: Outbreak; two Americans killed; war vessel demanded to quell outbreak.

October 1850: Revolutionary plot to bring about independence of the isthmus.

July 22, 1851: Revolution in four southern provinces.

November 14, 1851: Outbreak at Chagres. Man-of-war requested for Chagres.

June 2, 1853: Insurrection at Bogotá, and consequent disturbance on isthmus. War vessel demanded.

May 23, 1854: Political disturbances; war vessel requested.

June 28, 1954: Attempted revolution.

October 24, 1854: Independence of isthmus demanded by provincial legislature.

April 1856: Riot, and massacre of Americans.

May 4, 1856: Riot.

May 18, 1856: Riot.

October 2, 1856: Conflict between two native parties. United States forces landed.

December 18, 1858: Attempted secession of Panama.

April 1859: Riots.

September 1860: Outbreak.

October 4, 1860: Landing of United States forces in consequence.

May 23, 1861: Intervention of the United States forces required by Intendente.

October 2, 1861: Insurrection and civil war.

April 4, 1862: Measures to prevent rebels crossing isthmus.

June 13, 1862: Mosquera's troops refused admittance to Panama.

March 1865: Revolution and United States troops landed.

August 1865: Riots; unsuccessful attempt to invade Panama.

March 1866: Unsuccessful revolution.

April 1867: Attempt to overthrow the government.

August 1867: Attempt at revolution.

July 5, 1868: Revolution; provisional government inaugurated.

August 29, 1868: Revolution; provisional government overthrown.

April 1871: Revolution; followed apparently by counterrevolution.

April 1873: Revolution and civil war which lasted to October 1875.

August 1876: Civil war which lasted until April 1877.

July 1878: Rebellion.

December 1878: Revolt.

April 1879: Revolution.

June 1879: Revolution.

March 1883: Riot.

May 1883: Riot.

June 1884: Revolutionary attempt.

December 1884: Revolutionary attempt.

January 1885: Revolutionary disturbances.

March 1885: Revolution.

April 1887: Disturbances on Panama Railroad.

November 1887: Disturbance on line of canal.

January 1889: Riot.

January 1895: Revolution which lasted until April.

March 1895: Incendiary attempt.

October 1899: Revolution.

February to July 1900: Revolution.

January 1901: Revolution.

July 1901: Revolutionary disturbances.

September 1901: City of Colon taken by rebels.

March 1902: Revolutionary disturbances.

July 1902: Revolution.

The above is only a partial list of the revolutions, rebellions, insurrections, riots, and other outbreaks that have occurred during the period in question; yet they number 53 for the 57 years. It will be noted that 1 of them lasted for nearly 3 years before it was quelled; another for nearly a year. In short, the experience of over half a century has shown Colombia to be utterly incapable of keeping order on the isthmus. Only the active interference of the United States has enabled her to preserve so much as a semblance of sovereignty. Had it not been for the exercise by the United States of the police power in her interest, her connection with the isthmus would have been sundered long ago. In 1856, in 1860, in 1873, in 1885, in 1901, and again in 1902, sailors and marines from United States warships were forced to land in order to patrol the isthmus, to protect life and property and to see that the transit across the isthmus was kept open. In 1861, in 1862, in 1885, and in 1900 the Colombian Government asked that the United States Government would land troops to protect its interests and maintain order on the isthmus.

The history of the isthmus prior to the record given by President Roosevelt above supplies important corroborating evidence for the reasons for incorporating in the 1903 canal treaty of provisions vesting complete and exclusive sovereignty over the Canal Zone in the United States. At the time of the 1903 Panama Revolution, Roosevelt acted under the authority of the treaty of 1846 between the United States and New Granada —now Colombia—guaranteeing the perfect neutrality of the Isthmus to the end that free transit would not be interrupted or embarrassed. Hence, there followed his denial of transit over the Panama Railroad by either Panamanian revolutionists or the Colombian army. The result was that the Panama Revolution of 1903 was bloodless in character, and the provisions of the 1846 treaty upheld.

Now what has been the record of civil strife and political turmoil in the Republic of Panama since the establishment of Panamanian independence and United States occupation of the Canal Zone? The following highlights—though not complete—gleaned from authoritative sources are most revealing:

November 14, 1904: Seditious and mutinous conduct of the army of Panama (now National Police), with discovery of a plot to arrest President Amador, which was averted by diplomatic representations of the United States to preserve constitutional order as provided by treaty and the constitution of Panama.

October 11, 1925: Riot in Panama City with 1 person killed and 11 wounded, requiring assistance by United States Army to quell.

January 2, 1931: Revolution in Panama, requiring intervention of the United States Minister to save lives of Panamanian officials and the President, who were held prisoners, and resulting in the enforced resignation of the President.

November 22, 1940: National Assembly adopted new constitution proposed by President Arnulfo Arias.

October 9, 1941: Bloodless revolution ousted President Arias and installed Ricardo Adolfo de la Guardia as Provisional President.

Late 1944: Suspension of constitution caused 14 Panamanian Assemblymen (Congressmen) to flee to the Canal Zone.

June 15, 1945: Constituent Assembly met, received resignation under duress of de la Guardia as Provisional President, and elected Enrique A. Jimenez as his successor.

December 1, 1945: Armed revolt, for which former President Arnulfo Arias was thrown into prison charged with participation, but was acquitted on July 29, 1946.

March 1, 1946: Constituent Assembly approved new constitution replacing the totalitarian instrument of former President Arnulfo Arias.

December 22, 1947: In the midst of disorder, National Assembly unanimously rejected a defense base treaty with the United States.

February 1948: United States announced withdrawal of all troops from military bases in the Republic, as a consequence of the indicated rejection, and at considerable financial loss.

July 28, 1949: First Vice President Daniel Chanis, Jr., succeeded ailing President Domingo Diaz Arosemena, on latter's resignation.

November 18, 1949: President Chanis accused Col. Jose Remon, Chief of Police, of operating illegal monopolies, and dismissed him.

November 20, 1949: President Chanis was forced to resign under pressure of National Police headed by Colonel Remon, and Vice President Roberto F. Chiari was sworn in as President.

November 22, 1949: National Assembly voted for reinstatement of Chanis as President.

November 24, 1949: Supreme Court upheld the claim of Chanis but, with support of National Police, former President Arnulfo Arias again became President on the contention of his sponsors that at the preceding election he had in fact defeated his opponent, Diaz, whose election had been officially declared, followed by his assumption of the Presidency.

November 25, 1949: United States suspended relations with Panama because of overthrow of "constituted authorities."

November 26, 1949: Chanis and two other former Presidents fled to the Canal Zone to escape arrest.

December 14, 1949: United States recognized the Arnulfo Arias regime.

May 7, 1951: President Arnulfo Arias decreed suspension of the constitution and dissolution of the National Assembly.

May 10, 1951: After bitter street fighting President Arias surrendered to Colonel Remon, Chief of National Police. Impeachment by the National Assembly of President Arias and naming of First Vice President Alcibiades Arosemena as constitutional President resulted, and was upheld by the Supreme Court.

October 1, 1951: Jose Remon inaugurated as President.

January 2, 1955: President Remon assassinated.

January 3, 1955: First Vice President Jose Ramon Guizado sworn in as President.

January 15, 1955: President Ramon Guizado removed from office and placed under arrest, charged with being implicated in the President Remon assassination, impeached, found guilty, and sentenced by the National Assembly to 10 years' imprisonment, of which sentence he served a portion but was later released.

Here it is well to point out that the 1903 treaty granted to the United States the right and authority to enforce sanitary measures of a preventive or curative character in the cities of Panama and Colon; also the same right and authority to maintain public order in event of inability or failure of Panama in this duty.

In the 1936 treaty the right of the United States to maintain order in the terminal cities was abrogated; in the 1955 treaty the authority of the United States to enforce sanitary ordinances in the cities of Panama and Colon was likewise revoked. Together, these actions definitely weakened the police power of the United States in meeting its responsibilities for the maintenance, operation, sanitation, and protection of the Panama Canal.

While it is a matter of regret that history so records, it is obvious from the record that since its independence Panama has not been free from civil strife and revolutionary practices. In fact these seem to have increased in intensity and frequency following the "growing

pains" period—with the reduction of the rights and authority originally granted to the United States in the 1903 treaty.

As indicated in the last tabulation above, the most tragic of the revolutionary practices illustrative of the conditions of turmoil endemic in Panama was the assassination of President Jose Remon, one of the most popular and effective chief executives the Republic ever had.

Seven persons were formally charged in the courts with the murder as principals, agents and accessories. Tried in the courts of Panama all were acquitted by jury despite the fact that the reputed leader and participant in the crime had made a complete confession of his guilt shortly after the assassination occurred—though afterward he attempted to repudiate it. Upon acquittal of these seven accused persons the prosecuting authorities of Panama asked the courts to liberate from prison former President Jose Ramon Guizado who was then serving the sentence decreed by the National Assembly. With no objection from the Assembly he was thereupon freed pursuant to court direction.

Considering all the attendant facts the failure to find or convict any person or persons responsible for this fiendish murder constitutes one of the most tragic failures of justice in all the annals of crime. Moreover this failure established a mystery as complete as that which surrounded the "Man of the Iron Mask."

It is noteworthy, too, that from time to time prominent citizens and leaders of Panama have often been forced to flee for sanctuary to the Canal Zone, indeed a welcome haven for escapees who could not obtain complete protection except for the fact that the United States has sovereign control over it.

These statements are not made in any spirit of unkindness toward Panama, or its citizens. However, because of the realistic character of the facts developed, it is wise to keep them in mind, not to discredit Panama but to understand better the reasons that underlie the basic treaty provisions perpetually guaranteeing complete sovereignty over the Canal Zone to the United States and divesting Panama of all sovereignty over it. These provisions, I desire to stress are best not only for Panama and the United States but also for the entire world, because stability in the Canal Zone in the past has enabled, and in the future will guarantee, the successful maintenance and operation of the Panama Canal.

On the whole, Mr. Speaker, it must be perfectly clear that there can be no question as to the exclusive sovereignty by the United States over the Panama Canal and Canal Zone in perpetuity. The assertion of any so-called titular or residual sovereignty over the canal by Panama, in the light of the facts involved, is purely academic and serves no purpose except that of agitation and aggravation.

In this general connection, I would submit, the realistic truth is that any diminution or dilution of United States sovereignty and control could not possibly yield a successful result: this, regardless of whether Panama or some other nation than the United States might be concerned. As I have heretofore discussed the subject, this was recognized in the Hay-Pauncefote Treaty of 1901, wherein Great Britain relinquished to the United States certain existing rights held by the former with respect to the construction and operation of an isthmian canal. The United States policy was established thereby; and, for the reasons I have enumerated, was followed in the adoption of the treaty of 1903.

Finally, if Panama had joint sovereignty and control with the United States over the Panama Canal and the Canal Zone, would this make for greater or lesser stability for the entire enterprise? In the light of history the answer must be obvious. Undoubtedly, those who framed and executed the treaty of 1903 had the problem of sovereignty and control clearly in mind, and undertook to provide a solution for all time.

Permit me to urge, therefore, that every day that passes makes more evident the grave need for the adoption by the Congress, of the pending Concurrent Resolution 205. Let us not wait until some tragic incident occurs to spur us to action.

NATIONAL AERONAUTICS AND SPACE AGENCY

The SPEAKER pro tempore (Mr. THOMPSON of New Jersey). Under previous order of the House, the gentleman from Delaware [Mr. HASKELL] is recognized for 5 minutes.

Mr. HASKELL. Mr. Speaker, the proposal submitted today by the President to establish a National Aeronautics and Space Agency is a sound and sensible plan to develop the peaceful and scientific uses of our technology in the vast areas of air and space. This Agency will provide the means for mankind to realize the full potential benefits of our technological capabilities.

Indeed, this new Agency symbolizes for the entire world, our Nation's determination to devote scientific advances in air and space research to peaceful purposes. This idea is not a mere page full of words or a flimsy propaganda move. It is the first step in establishing a solid, talented organization, backed with sufficient money to accomplish its important objectives. It seems to me that this effort parallels our earlier and highly successful atoms-for-peace plan. In this proposal today, we once again have the opportunity to act while the Soviet Union only talks.

The concept of future development of air and space might well be thought of as development of flight space. Prof. John C. Cooper, outstanding international aviation lawyer, defines "flight space" as "so much of universal space above the surface of the earth as is now used or hereafter to be used as the area in which flight takes place." Flight, according to Professor Cooper, is "movement through space of man-operated and man-controlled devices or instrumentalities."

The President's recommendation creates a civilian space agency similar to the National Advisory Committee for Aeronautics and in effect is built around the present NACA. The Agency is to be controlled by a Board of Directors, composed of both civilian and military scientific minds with emphasis heavily on the peaceful utilization.

This is the President's proposal. However, I know that under the extremely able leadership of Dr. James Killian, many of our best scientific minds have contributed much to the development of the proposal. It has been my privilege to be associated with the development of one part of this overall program—the area of economic, legal, political, and social aspects of our future use and development of air and space for peaceful purposes.

On December 17, 1957, at the Franklin Institute in Philadelphia, Pa., I urged the establishment of just such a research and development program. On January 23 of this year, after consultations with the Chairman of the Airways Modernization Board, Mr. Quesada established a panel of 12 outstanding scientists and scholars to study the possibilities and submit recommendations for the establishment of a research program. Three weeks ago this proposal was submitted to Dr. James Killian, special scientific adviser to the President.

I am pleased to learn that a substantial number of these recommendations submitted by the consultants were incorporated into the proposal presented to the Congress today by the President. I wish to submit for the record, the names of these outstanding men who participated in this panel, who gave so much of their time and effort, and who have contributed to this final proposal. Surely, there were many other persons, working with Dr. Killian, who made greater contributions.

Today, the world is looking skyward, but unfortunately, our curiosity has been bred by a sense of fear, because it has been the military, destructive uses of space which have occupied our minds. With the issuance of the President's recommendation today, we are laying the foundation for the future peaceful exploitation of space for the benefit of all mankind. The Free World has pondered the use of space in terms of power, now with the establishment of this new Space Agency, these thoughts can be redirected toward peace.

I will introduce, just as soon as it is prepared, legislation to carry out the recommendations of the President in establishing a National Aeronautics and Space Agency, and it is my hope that Congress will act quickly to pass this legislation so that our scientific efforts can be channeled to the peaceful uses of space and not limited to the military as it is today.

Following is the list of consultants who comprised the panel to draft the proposal submitted to Dr. Killian:

Dr. Paul W. Cherington, professor, Harvard University, Cambridge, Mass.

Prof. John C. Cooper, Princeton, N. J.

Mr. Samuel E. Eastman, director, technical staff, Aeronautical Research Foundation, Cambridge, Mass.

Mr. Jerome Lederer, director, Flight Safety Foundation, New York, N. Y.

Mr. George Litchford, Airborne Instruments Laboratory, Mineola, N. Y.

Mr. Joseph Lynam, consultant, Airways Modernization Board, Washington, D. C.

Mr. James L. Anast, technical director, Airways Modernization Board, Washington, D. C.

Dr. Donald N. Michael, senior research associate, Dunlap and Associates, Inc., Stamford, Conn.

Mr. Lloyd J. Perper, consultant, Airways Modernization Board, Washington, D. C.

Mr. Robert Shatz, director, Systems Research Division, Cornell Aeronautical Laboratory, Inc., Buffalo, N. Y.

Mr. Robert M. Stevens, assistant head, Systems Synthesis Department, Cornell Aeronautical Laboratory, Inc., Buffalo, N. Y.

Dr. Edward P. Warner, Stamford, Conn.

THE ROLE OF UNESCO IN THE PROMOTION OF INTERNATIONAL UNDERSTANDING

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. THOMPSON] may extend his remarks at this point in the RECORD, and include extraneous matter.

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

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Speaker, the struggle to win the minds of men is a constant reality common to peoples and the nations today. The cold war is growing in intensity, I believe. The most recent instance of this is the propaganda defeat the United States has suffered at the hands of the leaders of the U. S. S. R. with the announcement that Moscow is going to end all hydrogen and atomic weapons tests for the time being.

As James Reston noted in his brilliant article in the New York Times today, Moscow acted, as it acted with its earth satellites, for propaganda purposes:

Mr. Reston says that:

> Opportunities have been squandered here by the men responsible for United States action. They concede now that they had developed the largest hydrogen bombs long ago to the point where they could safely have acted on their own, if necessary, to stop testing this particular kind of weapon.
>
> Many of them believe, too, that it was possible for the United States to announce that it was prepared to do all its atomic weapons testing underground where atomic radiation would not be scattered around the globe. But these things were not done.
>
> What is even more surprising is that the United States, which pamphleteered its way to independence and elevated advertising and other arts of persuasion into a national cult, should be unable to hold its own in a battle for the headlines of the world.
>
> Everything the State Department said about the faithlessness of the Soviet Union today is true. Everything it said about the need for testing and for diplomatic preparation is true. The problem, however, is to make the world see that these things are true.

Mr. Speaker, I am convinced that there is in existence already a vehicle capable of facilitating the means and the leadership essential to the success of the forces of freedom and justice in the present world crisis and intensifying cold war. The vehicle I have in mind is the United Nations Educational, Scientific, and Cultural Organization.

The most informative and enlightening books I have seen on the UNESCO were written by Walter H. C. Laves and Charles A. Thomson and published by the Indiana University Press last year.

From 1947 to 1950, Dr. Laves served at Paris as Deputy Director General of UNESCO, while Dr. Thomson was in Washington during this period as director of the UNESCO relations staff in the Department of State. Dr. Laves at present is chairman of the department of government at Indiana University.

As Senator MARGARET CHASE SMITH said:

> No two people could give a more realistic account of the story back of UNESCO and the continuing efforts on the part of those who have so faithfully served this cause.

At the semiannual meeting of the eastern regional unit—the Middle Atlantic States—of the college and university department of the National Catholic Educational Association held at Rosemont College, Philadelphia, Pa., February 22, 1958, Dr. George F. Donovan, member of the faculty of the Graduate School of Arts and Sciences of the Catholic University of America, addressed the more than 100 college and university presidents and deans on The Role of UNESCO in the Promotion of International Understanding.

Dr. Donovan, who directs the graduate program in higher education, leading to the master of arts and doctor of philosophy degrees, is currently giving a course on international higher education. He formerly served overseas with the Department of State and participated in a number of projects and conferences conducted by UNESCO in Europe and Asia. He also served as a United States observer and delegate to a number of UNESCO meetings overseas.

I include here the brilliant speech by Dr. Donovan for the information of my colleagues:

THE ROLE OF UNESCO IN THE PROMOTION OF INTERNATIONAL UNDERSTANDING

(By Dr. George F. Donovan)

The struggle to win the minds of men is a constant reality common to peoples and to nations today as it has been for centuries. At the moment the cold war has intensified this conflict. On another date there may be the same or a different emphasis. A vehicle active in facilitating the means and the leadership essential to the success of the forces of freedom and justice in the present world intellectual crisis is the United Nations Educational, Scientific, and Cultural Organization more familiarly known as UNESCO.

From its foundation UNESCO has made mistakes and has been censured. Nevertheless, it has made progress and is continuing to plan programs which merit the serious attention of both critics and friends. Representations of this mixed reaction are found in the opinions of Paul De Visscher, professor at the Catholic University, Louvain, and a delegate of the Belgian Government to the UNESCO General Conferences in Mexico (1947) and Paris (1949). After a review of the factors of strength and weakness in UNESCO De Visscher declared:

"The mistakes inevitably committed by UNESCO in drawing up its program and in carrying it out are due less to preconceived ideas than to lack of true information about public opinion. The same applies to the moral and to the religious side of the program. May we repeat: to remedy this state of affairs Catholic bodies must go to UNESCO and put forward their criticisms and resolutions. But this requires careful preparation and collective action."[1]

What was true back in 1950 is equally applicable today. It is the purpose of this paper to identify this global-wide association in terms of values and programs which are not perfect in their practical operation but which lend themselves to study, appraisal, change, and improvement.

Despite the difficulties UNESCO has had in the past—and for that matter still continues to have—it has accomplished much in the development of international understanding. To expand this last thought will be the central theme of this brief study. A word on the foundations of UNESCO, the enumeration and explanation of certain, though not necessarily selected, areas of implementation of this stimulus of good will throughout the world, a discussion of programs of special interest to institutions of higher education, an analysis of the Catholic position, and a concluding statement, provide the framework for what is to follow in this presentation.

ORIGINS OF UNESCO

Western culture has long been accustomed to the free movement of scholars. The last 100 years marked the rise of organized international groups whose aim was to encourage intellectual interchange. Prior to the First World War, during the period between the First and Second World Wars, and in the last years of World War II, international activity in cultural cooperation increased.

So it was only natural along with the creation of the United Nations, the overall international body, to see steps taken to initiate negotiations leading to the formation of a number of specialized agencies including UNESCO. A United Nations Conference for the Establishment of an Educational and Cultural Organization was convened in London, in November 1945. Following ratification by the necessary 20 member nations, including the United States, the constitution of UNESCO came into force on November 4, 1946. On July 30, 1946, Congress authorized United States acceptance of membership in the Organization.

The United States has been directly related to the organization from the first days. The American Government participates in the general conferences, the policymaking sessions, and is represented in the membership of the executive board. The present Director-General, Luther H. Evans, former librarian of Congress, was appointed in 1953 for a term of 6 years.[2]

AREAS OF IMPLEMENTATION

In simple language the principal motives behind UNESCO are spelled out in article I of the organization's constitution as follows:

"The purpose of the organization is to contribute to peace and security by promoting collaboration among the nations through education, science and culture in order to further universal respect for justice, for the rule of law and for the human rights and

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[1] Paul De Visscher, The Spirit of UNESCO, Lumen Vitae, V (January–March 1950), 58.

[2] Basic documents: U. N. Educational, Scientific, and Cultural Organization, Department of State Publication No. 6364 (Washington: U. S. Government Printing Office, 1956), p. v.

fundamental freedoms which are affirmed for the peoples of the world, without distinction of race, sex, language or religion, by the Charter of the United Nations."[3]

Of course these aims mean very little if they are not put into practice. This translation from the ideal into the realistic program constitutes the major challenge to UNESCO's attempts to genuinely promote world understanding. At this point are cited developments and programs that have led to or will encourage international understanding. Among them are: the national commission, the declaration of human rights, cultural exchange, and protection of cultural property.

NATIONAL COMMISSIONS OF UNESCO

UNESCO is in a sense a governmental body since it is so closely related to the United Nations and is supported and controlled by the governments holding membership in it. Yet it is influenced by major considerations that are not primarily governmental in character. One such factor is the national commission. In the United States the commission performs certain constructive functions: advises the United States Government on UNESCO matters, is consulted on the appointment of United States delegates to UNESCO, advises with United States delegates to UNESCO on UNESCO matters, serves as a liaison with United States organizations, institutions, and individuals who are interested in, or who are cooperating with, UNESCO, and promotes an understanding of UNESCO among the peoples of the United States.

The commission is truly representative of the voluntary leadership within the United States. Of the 100 persons who may be members 60 are to be representatives of national voluntary groups active in educational, scientific, and cultural matters. Not more than 10 members may be officers or employees of the United States Government and not more than 15 members may be representatives of State and local governments. Furthermore, the important committee on membership consists of 5 persons, 3 of whom are chosen from among representatives of voluntary associations. This recognition of the principle of voluntarism in the commission has produced fruitful dividends in the form of increased interest in UNESCO among private cultural organizations and leaders, to a better informed discussion of international matters, to the creation of a selected manpower pool from which personnel are picked to participate in UNESCO programs, and finally to the opportunity for private higher education to make an impact on public educational life both on the national and the international levels.

THE UNIVERSAL DECLARATION OF HUMAN RIGHTS

UNESCO has the task of distributing information on the fundamental document known as the Universal Declaration of Human Rights. This declaration was approved by the U. N. General Assembly in 1948 with the full approval of the United States. The principles listed in this statement parallel closely the United States Bill of Rights. In many parts of the world, however, their application is still to come. Even in the United States there is still progress to be made.

UNESCO through pamphlets, displays, observance of December 10 annually as the anniversary of the adoption of the declaration, and in cooperation with schools and colleges on programs concerned with teaching respects for human rights has gone a long way in establishing good will among the peoples of the world. As our own Freedom Train recalled to American youth and all Americans the platform of ideals on which this nation was founded, so too, is this mission of UNESCO designed to further the spread of dedication among the young people of the world to a new and a higher set of values. Certainly such an effort should create the hope that good will and peace are attainable by the human race in spite of the Iron Curtain.

CULTURAL EXCHANGE

Areas of international cultural exchange indicative of UNESCO's leadership in the encouragement of global harmony are: publications, stimulation of contributions from professional groups, programs calling for the pooling of resources of two or more nations, and the holding of conferences to coordinate East-West thinking and discussion.

PUBLICATIONS

Of the many published works planned to increase the exchange of persons and ideas only two are chosen to illustrate the purposes of this paper: Study Abroad and Teaching Abroad. The former, printed in English, French, and Spanish, gives information—very complete—on more than 45,000 scholarships, fellowships, and other opportunities open to teachers, students, and others, for work and study in countries other than their own. This guide is probably the most complete and accurate of its kind in the world today. A second book, Teaching Abroad, in English and French, lists university staff members who wish to find teaching posts overseas. These and other works provide the data from which contacts, personal and professional, are being made all over the world.

BRINGING TOGETHER INTERNATIONAL PROFESSIONAL GROUPS

A second way UNESCO has stimulated the growth of international intellectual communities is seen in the techniques employed to establish ties among existing worldwide professional associations such as the International Council of Scientific Unions and the International Federation of University Women. In addition UNESCO has aided in the founding of some 20 international bodies, including the International Association of Universities and the Council for International Organizations of Medical Sciences.

STIMULATING NATIONS TO POOL THEIR RESOURCES

Over and above particular programs to which it may be committed UNESCO lends encouragement to the formation of research or other projects the nature and size of which are beyond the capacities of any one nation. Highlighting this development is CERN, the European Organization for Nuclear Research, a cooperative effort in which 12 European countries have joined together to explore the peaceful uses of atomic energy.[4]

CONDUCTING EAST-WEST CONFERENCES

The East and West are looked upon as the two poles of civilization. Today the peoples of the West do not have a sufficient knowledge of the contributions the East has made to the cultural heritage of mankind. On the other hand the eastern nations in their rush to raise their political and economic standards may minimize to the danger point their own cultural traditions and at the same time both the East and the West may overlook the lasting values of western culture. To offset this possible barrier UNESCO has sponsored in the past 5 years a series of studies and conferences among scholars of the two major areas. Out of these efforts has come one common basic understanding that fostering, protecting, and appreciating cultural diversities will lead more and more to the acceptance of fundamental values concerned with the dignity and the freedom of the individual.

SIGNIFICANCE OF UNESCO TO INSTITUTIONS OF HIGHER EDUCATION

Mention has already been made of UNESCO's interest in the International Association of Universities. Through the International Universities Bureau, aid to needy institutions of learning, regional scientific establishments that work closely with nearby universities, the more than 500 college and university teachers who are members of national commissions, and the growing number of scholarships, UNESCO is playing an important role in higher education. Of special help to teachers and librarians are the publications which are planned to be of service in the classroom and the laboratory. Deserving citation are studies and periodicals in the social sciences, languages, applied sciences, fundamental education, teaching methods, and law. Our colleges and universities as leaders of the intellectual community are in a unique position to utilize to the full the opportunities UNESCO provides in terms of international understanding and cooperation. Higher education and UNESCO could well be the subject of a separate study—and in this paper treatment of it is naturally limited because of the necessity of considering the general role of UNESCO as an instrument in the development of world understanding.

THE CATHOLIC VIEWPOINT ON UNESCO

There is abundant evidence behind the Catholic position that favors the program of UNESCO as a means of reaching agreement on cultural matters of concern to the world at large. One of the most recent examples was the international agreement, backed by the Holy See, to protect the world's cultural treasures in time of war. The document drawn up by UNESCO over 2 years ago was signed by representatives of 50 countries. Archbishop Giuseppe Sensi, now apostolic nuncio to Costa Rica, served as delegate of the Vatican to the sponsoring conference. He said at that time:

"The Holy See has been most sympathetic to the very idea of such an agreement, not only because of the priceless cultural treasures preserved in Vatican City, but especially because of its spiritual mission and its more than 1,000-year-old traditions."[5]

The Holy See is represented at UNESCO by a permanent observer, who assists at all public meetings of UNESCO organs with the right to speak. It was Cardinal Roncalli, patriarch of Venice, a former Vatican observer, who initiated the customs, which have been maintained, of inviting the Director General and his secretariat and the members of delegations to holy mass, offered to mark the opening of general conferences, and of holding social receptions and of speaking in complimentary terms at the opening and closing sessions of such conferences.

The international Catholic coordinating center for UNESCO, an organ of the conference of presidents of international Catholic organizations, maintains contact with the UNESCO secretariat and circulates memoranda and reports on its work, the program of UNESCO, and related matters to Catholic correspondents throughout the world.

Of more than passing importance in ascertaining the extent of Catholic leadership in UNESCO affairs is the caliber of American Catholics who have demonstrated a keen and an active interest in the organization. To list a few names: Rev. John Considine of the Maryknoll Fathers, Right Rev. Msgr. Frederick G. Hochwalt of the National

[3] Ibid., p. 3.

[4] United Nations Educational, Scientific, and Cultural Organization, An American View, Department of State Publication No. 6332 (Washington: United States Government Printing Office, 1956), pp. 26–27.

[5] National Catholic Welfare Conference News Service (Washington, D. C., August 3, 1956), p. 3.

Catholic Educational Association, Very Rev. Msgr. George G. Higgins and Harry Flannery of the Catholic Association for International Peace, Dr. Raymond F. McCoy of Xavier University, Cincinnati, Dean C. J. Nuesse of the Catholic University of America, Rev. Edward B. Rooney, S. J., of the Jesuit Educational Association, Dr. George N. Shuster of Hunter College, Rev. Edward V. Stanford of the Augustinians, and Alba Zizzamia, member of the NCWC UN staff in New York City. These persons have been active, directly or indirectly or both, in the United States National Commission on UNESCO, as participants in UNESCO projects, as delegates to UNESCO-sponsored conferences, or as writers and speakers on subjects related to UNESCO. They have added stature to the Catholic outlook toward UNESCO and its plans to promote world understanding.

In summary the Catholic view may be stated as follows:

1. The fundamental concept of UNESCO is in accord with international ethics.

2. The organization has merited the recognition of the Holy See.

3. The problems of Catholic participation in UNESCO are essentially similar to those involved in other secular organizations, whether national or international.

4. Withdrawal of participation by American Catholics would not harm UNESCO nearly so much as it would jeopardize the interests of the church. The opposition to such participation which is found in some Catholic circles in the United States does not exist in other countries.

5. Whenever Catholics have made an effectively organized effort to participate in activities of UNESCO or the United States National Commission for UNESCO, they have accomplished proporationate results.

SOME CONCLUDING STATEMENTS

In the light of the areas of emphasis covered by this presentation—and I would like to point out here that no attempt was made to give a complete picture or even a list of the salient objectives—may I bring this paper to a close by enumerating a few final conclusions and setting forth some exploratory questions.

Some final conclusions are:

1. UNESCO is encouraging international understanding. It may be imperfect in many ways, not the least of which are due to its youth. Given time and cooperation it is destined to give a still better account of its activities in the future than it has recorded so far.

2. UNESCO offers a clearing house, a channel, through which ideas, techniques, materials, and personnel are screened, selected, and distributed throughout the world—and thus to better promote basic principles of cooperation and understanding among the nations and peoples of the universe.

3. UNESCO provides opportunities for changes and improvements in its programs, directly through its own structure—the General Conferences and the Executive Board—and indirectly through the national commissions and other group and individual contacts. Particularly is the latter approach so applicable in the case of voluntary American cultural associations.

As part of the closing statement it is only natural to bring forth some exploratory questions the answers to which have not yet been found. Perhaps in the listing of them some encouragement may be given to those interested enough to pursue further the problem areas suggested by these questions. There are three of them:

1. What new challenges will be created with the sudden entrance into UNESCO of Soviet bloc states? In 1954 the U. S. S. R., Byelorussia, and the Ukraine joined UNESCO followed by Bulgaria and Rumania in 1956. The current Russian emphasis on cultural means may lead to a reappraisal of UNESCO's program.

2. Just how will the cultural affairs policies and programs of the United States be coordinated with or be complementary to the overall cultural plans and operations of UNESCO? There is room for both now and in the future. Yet long range as well as immediate objectives call for tact and understanding and cooperation on the part of both, the United States and UNESCO.

3. What steps are to be taken to pave the way for a wider and a more effective participation of American Catholics in UNESCO affairs? In a special way is this question directed to our colleges and universities. Surely there is an answer and one that is explainable and applicable to the foreseeable future.

The replies to these, and other, questions may well influence the practical application of UNESCO's objectives to the promotion of understanding among nations and peoples of the world.

It is fitting to end this discussion of UNESCO and its program by quoting from an address our holy father, Pope Pius XII, delivered to the members of Pax Romana, the international Catholic intellectual movement, gathered in Rome to celebrate the 10th anniversary of the organization's constitution with a plenary session, on April 27, 1957. Theme of the meeting was Intellectuals in Formation of the World Community.[6] In his talk the supreme pontiff urged Catholics to work with all persons of good-will, Catholic and non-Catholic, in the interests of achieving international peace and union. A pertinent paragraph follows:

"They will find in the organizations which propose a universal humanitarian goal for themselves, some generous souls and superior minds which are susceptible to being raised above material preoccupations and of understanding that the truly collective destiny of humanity presupposes the absolute value of each of the individuals who compose it, and the establishment outside of time of the true society, of which the earthly community can be merely the reflection and the rough outline."[7]

NEW DIFFICULTIES WITH THE USURY LAWS AND HOW THE BANKERS' BILL, S. 1451, ELIMINATES THESE LAWS—72 PERCENT INTEREST

Mr. PATMAN. 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 Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, Business Week of March 29 carries an account of how one of the country's biggest consumer finance companies has gotten into difficulties under the usury laws of Kansas.

The attorney general of Kansas has brought charges that automobile loans made by the Commercial Credit Corporation violate the usury laws of the State of Kansas. Judge Raymond H. Carr has granted a temporary injunction forbidding the Commercial Credit Corporation to collect further interest payments on 17 of these automobile loans. The key question is whether the Commercial Credit Corporation is a lending agency within the meaning of the laws of Kansas. And to answer this question, the district court will first have to answer two other questions. The first is whether the so-called "conditional sales contract" is a loan or an extension of credit within the meaning of the usury law. The conditional sales contract is the kind of paper by which most consumer and small business credit is extended these days.

The second question is whether a lending agency is subject to the usury laws when it purchases installment paper from the automobile dealer or from someone else.

Judge Carr has already given a tentative answer to these questions, and the attorney general of Kansas is asking the district court for a permanent answer.

If the court answers these questions the way the attorney general claims they should be answered, the finance company will be in violation of the State usury law. This law permits an interest rate of 36 percent per year, which would seem to be about as generous to the moneylenders as the law could get. But even so, if Business Week is correct, 36 percent a year does not satisfy this finance company; it has charged in some cases rates as high as 72 percent a year, or twice what the State law allows.

The tentative ruling already made by the court in Kansas seems clearly the outgrowth of a ruling in 1955 by the United States Court of Appeals for the Fifth Circuit in the case of Daniel against National Bank of Birmingham. The same questions were raised in that case, except that here the questions went to the Federal usury law, rather than the State usury law. The Federal court ruled that the conditional sales contract is indeed an extension of credit to which the Federal usury law applies. Furthermore, this court reaffirmed the rule that the law applies to indirect, back-door loans, just as it does to loans made over the counter. In other words, the national banks cannot evade the Federal usury law by doing business through a "fence."

This question of what interest the moneylenders may charge consumers and small-business people on installment credit is no longer just a moral question. It is a question which affects the functioning of the whole economy. At the end of last year consumer installment credit totaled $34.1 billion, of which the commercial banks held $12.7 billion and the finance companies $9.6 billion. These are staggering amounts, and interest charges which are loaded on this credit will have a lot to do with the volume of goods consumers can buy. When the moneylenders exact exorbitant interest charges, consumers have less money to spend for actual goods and services. Labor suffers, business suffers, and the whole economy suffers.

THE BANKERS BILL CONTAINS 271 SUBSTANTIVE AMENDMENTS TO BANKING LAWS

The Committee on Banking and Currency of the House is considering a bill that will for all practical purposes eliminate the usury laws—both State and Federal. This is the financial institutions bill, S. 1451, which passed the Senate last year. The bill was scheduled to

[6] C. A. I. P. News, the Catholic Association for International Peace (Washington, D. C., May 1957), 18:7.

[7] Ibid., 18:9.

pass the House last year too; it is officially titled "The Financial Institutions Act of 1957." The bill is, however, running a little behind the schedule which the bankers had planned.

This bankers' bill, which was written by a group of bankers, was presented to the Senate as a bill which would merely codify existing law. It never was explained why the United States Code is an inadequate codification of the banking laws. The bankers simply said they needed a new codification. Nor was it ever explained why the new United States Code which will be published at the end of this session of Congress will be inadequate. The bankers simply said they wanted a new codification, and they drafted a bill which was supposed to provide a new codification.

We now know, however—since the bill reached the House side—that this bankers' bill contains 117 substantive amendments to the banking laws, not counting 154 repealer provisions contained in title VIII of the bill. These are official counts. After the hearings on the bill were over, the distinguished chairman of the House Committee on Banking and Currency had the committee staff prepare a list of all the substantive changes in law contained in the bill, and this list shows the numbers I have cited.

All of these 117 amendments are not bad. One or two of the amendments in S. 1451 are pretty good and tend to strengthen the law in certain respects. But the other 114 or 115 are bad. They sweep away some of the traditional and most important safeguards and regulations on banking practices.

THE EBENEZER SCROOGE AMENDMENT

One of these amendments is what I call the "Ebenezer Scrooge" amendment. This is the amendment which repeals the Federal usury law and is found in section 35 (a) of title I of the bill. I call this the "Ebenezer Scrooge" amendment for the lack of a better name. The real author of this amendment is still a mystery; no one admits to having put the amendment in the bill.

When some of the bankers and other supporters of S. 1451 were testifying before the House committee, I asked them some questions about this "Ebenezer Scrooge" amendment, but all they would say is that the amendment will give the national banks what they call "parity" with the State banks. And they emphasized this word "parity" in such a way that you would think that the national banks are going to be put out of business because they cannot, in certain instances, charge interest rates as high as some of the State banks. In other words, the idea seems to be that all of the bank customers are going to flock to the banks that charge the highest rates and leave the banks that charge only reasonable interest rates without any loan business.

The fact of the matter is that the Federal usury law already gives the national banks the full benefit of any maximum interest rate provided in State law. The Federal law names a rate of 7 percent, but this 7 percent applies only where the law of the State in which the national bank is located gives the borrower no protection whatever. If the State law names 10 percent, or 25 percent, or 50 percent, or any percent, then the national bank can take that rate. It is only where State law gives the borrower no protection at all on the kind of credit being extended that the 7 percent comes into play.

But the "Ebenezer Scrooge" amendment reverses this principle, which is known as the principle of National Bank against Johnson, held by the Supreme Court more than 77 years ago. The bankers' bill says in effect that where State law does not protect the borrower, the Federal law will also not protect the borrower. In other words, it has the same effect as repealing the Federal law, because the Federal law would give no protection that State laws do not give, and Federal law would thus be surplus.

If we repeal the Federal law, the result will be that the national banks, the State banks and the finance companies will all raise interest rates. The State banks and the finance companies will lose their competitive yardstick which tends to keep their rates within reasonable limits. In other words, the parity argument, which is an idea that immorality should be allowed to compete with immorality, means that all of the banks and finance companies will charge higher rates.

PUTTING BANKERS ABOVE STATE LAW

Nevertheless, the Federal agencies which are supposed to be responsible for matters of this kind have all approved this parity idea. The Comptroller of the Currency, Mr. Gidney, who is responsible for supervising the national banks, is especially enthusiastic about the "Ebenezer Scrooge" amendment. He maintained before the House committee that States rights are involved, and suggested that the States ought to have sole responsibility.

Well, the States rights argument has some charm. But to show you how tricky the bankers can write a bill, when you flip over about 13 pages from the "Ebenezer Scrooge" amendment you will find another amendment which takes care of the State laws too. This is in section 51 of the bill. The new provisions say that the States cannot require any license of the national banks. They say that the State banking authorities cannot examine the national banks. Furthermore, these provisions also say that the States cannot have any laws, or take any action, which will interfere with their citizens going to the national banks and doing business with them, particularly on such matters as conditional sales contracts and consumer installment paper.

In other words, section 51 of the bill puts the national banks beyond the reach of any State law, although the argument for the "Ebenezer Scrooge" amendment is that the States, and not the Federal Government, should be responsible for setting maximum interest rates.

Now the bill does not say that the States cannot pass laws. It only says in effect that the States cannot enforce their laws, or take any steps to find out whether their laws are being complied with.

Who will enforce the State laws?

The answer is that a Federal official, and only a Federal official, can enforce the State laws insofar as the national banks are concerned. This official is the Comptroller of the Currency. Section 3 of the bill sets the Comptroller up as the sole supervisor of the national banks. Furthermore, there are still other new provisions in the bill which remove the Comptroller and his activities from any review, either by any other Federal official or by any court.

Section 50 of the bill says that the bank examination reports made by the examiners of the Comptroller of the Currency's office are to be privileged. They are to have absolute immunity from subpena by any court in the land. Not even if a life or a personal liberty depended upon one of these examination reports, could any court have that report.

Section 49 (c) of the bill likewise sets the Comptroller's office up as exempt and privileged from any audit control by the General Accounting Office. The Comptroller of the Currency does not come to Congress for appropriations, and he is subject to no budget control. So the bankers' bill proceeds to set his office up on the theory that it is privately owned by the banks which the Comptroller is supposed to supervise. The General Accounting Office can make no inspection to see whether the Comptroller of the Currency is complying with law, nor even audit his financial accounts to see how his funds have been handled.

SOVIETIZING STATES RIGHTS

Now I realize that these principles of the bankers' bill are a little difficult to comprehend. They are foreign to our way of thinking and foreign to anything we have ever run up against. But here is one way to understand them.

Suppose the Soviet Government said to one of the satellite countries:

> Now, we are not going to interfere in your country. We are not going to have any Federal law which regulates banking or anything else in your country. We are going to be democratic and let your legislature pass any and all the laws it wants to. But at the same time we are not going to let you enforce your laws. We will enforce them for you. But, of course, we don't want you giving us any suggestions about how we enforce your laws, so we are not going to let you find out whether your laws are being enforced. You just go ahead and pass your laws, and forget about all the rest.

My analogy to this imaginary Soviet system is no exaggeration. It is an exact parallel to this bankers' bill, except the bankers' bill goes even further along the same lines.

Now where were the defenders of States rights when this monstrosity was created?

Was there no lawyer within shouting distance of the Senate subcommittee when basic principles of Anglo-Saxon law were being perverted?

If any such grotesque proposal as this bankers' bill had slipped by the Senate in Thomas Jefferson's day, he would have without doubt gone to France and stayed there. I think George Mason would have burned Gunston Hall. Even Carter Glass, champion of the bankers that he was, must be turning in his grave.

On what theory can we set the national banks up as though they were agencies of the Federal Government and give them exemption from State law? There is none. The national banks are 100 percent private, profitmaking businesses; and if the Federal Government can exempt these banks from State law, it can exempt drugstores, farms, and other other business from State laws.

DANGERS OF PUTTING AMENDMENTS INTO A CODIFICATION BILL

Obviously, when the Senate passed this bill it did not know what was in the bill. I think we can be absolutely certain that no Member of that body would have approved anything like this bill, if he had known that such amendments were in the bill. The truth is that the bankers presented what was supposed to be a codification bill, and the Senate accepted it as a codification bill. The Federal agencies which are supposed to look after banking matters in the public interest sounded no warning that the bill contained boobytraps.

Furthermore, these boobytraps are not always easy to detect. They are written in obscure and tricky language.

For example, it has been only within the last few weeks that I learned that another amendment in this bill would allow the national banks to acquire nonnegotiable consumer paper, and allow these banks to invest depositors' money in such paper without limit. A new subsection 12 of section 34 (b) of the bill contains some language which permits this. But it was only after I learned about the position which Mr. Robert Neill has taken with reference to similar legislation recently considered by the Legislature of Missouri that the meaning of the language began to become clear. Mr. Neill, who was counsel for the committee of bankers who drafted S. 1451, represented the Missouri Bankers Association last fall on a bill which some of the State banks in Missouri wanted passed, and he got into conflict with the position of these State banks.

INVESTING DEPOSITORS' MONEY IN NONNEGOTIABLE PAPER

The State bankers wanted an amendment to the State law which would allow them to purchase negotiable consumer installment paper under the same terms and conditions that the national banks can now purchase such paper. The State banks did not, however, want the privilege extended so far as to allow them to purchase nonnegotiable paper. This was for the simple reason that this nonnegotiable paper is generally risky, and many of these bankers do not feel that the law should allow the banks to invest depositors' money in such highly risky paper. Certainly, not without limit as to the amount they might invest in such paper.

As I understand it, however, Mr. Neill's first position was that the Missouri Legislature should not pass the bill which the State bankers had presented. He urged the State legislature to wait until the financial institutions bill is passed, then conform State law with the new Federal law. The State bankers could not see any sense to this argument, however. All they wanted was a bill which would allow the State banks to do what the national banks could already do. So it began to look as though the Missouri Legislature would pass a bill. With that Mr. Neill insisted on amending the State bill to conform with the financial institutions bill, and, getting his way, he amended the State bill to allow the banks to purchase unlimited amounts of nonnegotiable paper as well as unlimited amounts of negotiable paper.

The extremely risky nature of nonnegotiable paper results from the fact that an endorsement or a guaranty by the seller of this paper does not mean what it would seem to mean. The auto dealer, or the finance company, or anyone else owning the paper, may endorse it to the bank, or guarantee it to the bank, but this does not mean that the endorser is obligated to pay in case the consumer defaults. Such endorsement or guaranty only means that the endorser guarantees the paper to be genuine. Furthermore, the maker of the paper has all the defenses against paying his contract when the bank owns it as he has when the auto dealer owns it. For example, if the auto dealer has misrepresented something, this may constitute a justification and a defense for the consumer's refusing to make payment. Similarly, if the auto dealer has given a warranty, say on a secondhand car, and fails to live up to the warranty, this may constitute a defense for the consumer's refusal to make payment.

Nevertheless, the bankers have drafted a bill which would permit the national banks to invest depositors' money, without limit, in this high-risk type of consumer paper. It is the other side of the coin, of course, to those sections of the bill which repeal the Federal usury law and make the State usury laws ineffective. Taken together these amendments will permit the national banks to become loan-shark offices.

And the national banks set the pattern for the State banks and the finance companies, just as State legislatures almost inevitably follow along in the pattern set by Federal law.

THE BANKERS' BILL SHOULD BE MADE HARMLESS

I hope and believe that by the time the House Committee on Banking and Currency reports the bill to the House, we will have discovered all of the boobytraps in this bill. I hope and believe that we will report a bill with most of the boobytraps taken out; and as to those remaining we will at least be able to make clear to the House where they are and what they mean, so that there will be no misunderstanding about what the Members are voting for.

MEDICAL RESEARCH

Mr. CANFIELD. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes and to revise and extend my remarks and include a newspaper article.

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

There was no objection.

Mr. CANFIELD. Mr. Speaker, the Washington Daily News yesterday carried an interesting, yes inspiring, byline story by John Herling, captioned "Koyne Came Out of Cancer Operation Heads Up." It featured the meeting here on Capitol Hill of a 53-year-old bricklayer named George Koyne, of Chevy Chase, Md., who had been cured of a throat cancer, with 45-year-old Congressman JOHN FOGARTY, of Rhode Island, a former bricklayer, who has become in the Congress the No. 1 champion of Federal medical research into the diseases of mankind, his ambition to see the United States Public Health Service and the National Institutes of Health triumph over cancer and other killers within a reasonable time.

JOHN FOGARTY and I were first elected to the Congress in November 1940, and we took our oath together in January 1941, at the opening of the 77th Congress. I shall always remember my colleague making his maiden speech. He started something like this:

> Hardly more than 3 months ago, I was laying brick in my home city of Providence, R. I. I carry in my pocket my membership in Bricklayers Local No. —, AFL.

I could see Members on both sides straighten up in attention and what they heard were very sincere, measured words, from the lips of a 27-year-old Congressman with big blue eyes, destined to go places.

What a pleasure it has been to see JOHN FOGARTY rise in stature in the House, mainly because of his love of people and his dedication to the cause of doing what he can as a legislator to promote their health and increase their span of life.

Here is what the Washington Daily News reported yesterday:

KOYNE CAME OUT OF CANCER OPERATION HEADS UP

(By John Herling)

Bricklayer George Koyne, who is 53, went proudly up Capitol Hill yesterday to tell 45-year-old bricklayer JOHN E. FOGARTY, Democratic Congressman from Rhode Island, about his operation.

Mr. Koyne is a laryngectomee, which means he was operated on for cancer of the throat.

Within a month of his operation 8 years ago, he was back laying bricks.

Within 6 months, he had learned to speak again.

Mr. Koyne, who comes from Chase, Md., is a member of Bricklayers Local 1 of Baltimore and delegate to the American Cancer Society's first Cured Cancer Congress.

Representative FOGARTY is chairman of the House Labor and Health Appropriations Subcommittee which passes on Government funds for medical research.

"You can't stop an Irishman from talking," Mr. Koyne told Representative FOGARTY. "It's no fun telling a fellow where he can go, on paper. The speech center at Johns Hopkins taught me how to speak again. Anybody can learn to do what I did."

NINE TESTS

Mr. Koyne said nine biopsies were taken of his throat before the surgeons at Johns Hopkins decided to operate. "It's hard to pinpoint this type of cancer and they don't want to alter a person this way until they're sure they have to.

"I was looking forward to playing and singing to my grandchildren. Then—bing—I get my throat cut. But you know, the kids

understand me and they even think I can sing. And if they think I can sing, I sing."

Mr. Koyne is bothered by wet weather but in any other kind, "I lay bricks with the best of them."

His wife has been clerking at the Martin Aircraft Co. for the past 5 years, so they make out financially.

SNEAKY

"You know," Mr. Koyne said on the way back to the Statler, "I thought it could never happen to me. But it's sneaky—that cancer."

His bricklayers local helped cover the cost of the operation.

He explained how he controls breathing and the use of the tracheotomy tube.

"I can do everything but swim," he said.

CONSTRUCTION OF DIAGNOSTIC OR TREATMENT CENTERS IN RURAL AREAS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Maine [Mr. COFFIN] is recognized for 10 minutes.

Mr. COFFIN. Mr. Speaker, I am today introducing an amendment to the Public Health Service Act. In 1954 when Congress expanded and broadened this act, title VI was modified so that a very special limitation was placed on applicants for funds to build diagnostic treatment centers. This modification restricted applications by nonprofit associations and corporations to the owners and operators of nonprofit hospitals.

I well appreciate that improved hospital care has been provided in the cities where the centers have been built. But I am aware, too, that vast rural areas where there is no hospital in or adjacent to small communities, are not benefiting under this program, which was intended primarily to reach them.

The basic need served by my amendment is for improved medical care in these rural areas where there is an urgent need for more, better qualified doctors. The basic theory, advanced by many doctors themselves, is that the establishment of rural clinics in communities where hospital services are not available will stimulate young physicians to take up rural practice if they have proper facilities and can maintain a high professional standard. Doctors are today rejecting a 24-hour-a-day rural practice. They find the returns are slim after a long, expensive education. They cannot make the required investment in facilities and equipment. They are remote from hospitals. They must strain to keep up with the tremendous changes taking place in their profession. The establishment of rural diagnostic and treatment centers would certainly go a long way toward helping to solve this problem and to meet the acute medical needs of remote communities where local citizens are willing and anxious to contribute to cost and maintenance of the centers.

The need for an additional approach is nationwide, as evidenced by the very meager funds that have reached rural areas where there is a shortage of doctors and medical facilities. Although for nearly 4 years existing law has provided for treatment centers if nonprofit hospitals apply, this provision has been very rarely used except in areas where hospitals and public-health services already exist. The fact is that the diagnostic centers have been built almost exclusively in urban areas as integral parts of hospitals.

Under the 1950 census, rural population covers those living in towns of 2,500 or less. Since the passage of the restricting amendment in subsection (e), section 654 in 1954, only two new diagnostic treatment centers not connected with existing hospitals, have been built in towns having a population of between 2,500 and 5,000 people, according to figures of the Public Health Service. In other words, the present machinery is simply not doing the job it was set up to do.

Under my amendment the purpose of bringing facilities and doctors to rural areas is carried out first by a technical change in section 631 of title VI to include the definition of a nonprofit teaching hospital. Subsection (e), section 654 of title VI is then amended to read as follows—new wording is in brackets:

(e) Notwithstanding subsection (a) of this section, no application for a diagnostic or treatment center shall be approved under such subsection unless the applicant is (1) a State, political subdivision, or public agency, (2) a corporation or association which owns and operates a nonprofit hospital, or (3) [a nonprofit corporation or association which has a formal affiliation with a nonprofit teaching hospital. In the case of projects referred to in clause (3) of the first sentence of this subsection no grant in excess of $25,000 shall be made, and no grant shall be made for a project which is to serve a town having, at the time the project is approved, a population of 10,000 or more persons, or a group of towns having, at the time the project is approved, an aggregate population of 15,000 or more persons].

My amendment, in short, would add a third category of applicants to the two now provided for in the act. This third category would consist of nonprofit associations or corporations which have a formal affiliation—a contractual relationship—with a nonprofit teaching hospital. Such a hospital would be one properly accredited for internship or residency training, or both. It is contemplated that the hospital under the formal affiliation would provide the diagnostic treatment center with certain services, technical assistance, training of laboratory aides, and post-graduate education to physicians who will practice in rural centers, as spelled out in regulations by the Secretary of Health, Education, and Welfare.

In adding a new category of applicants for funds for diagnostic treatment centers under the Hill-Burton Act, I propose also to add special safeguards to prevent the centers from competing with existing hospitals. My amendment would limit Federal grants to $25,000 and would confine the grants to towns with under 10,000 population, or groups of towns with a total population under 15,000.

In considering the introduction of this amendment, it was necessary for me to study three possible reasons for failure of the present program: First, the lack of a compelling need for the diagnostic treatment centers in rural areas; second, a stubborn refusal to build them; third, a practical inability to build them under existing law. I have concluded that the chief reasons for failure are rooted in the limitation in the existing law.

A diagnostic center owned by a political subdivision such as a town simply has not attracted and will not attract physicians of standing. Doctors under this arrangement, are in effect working for a governmental unit. Their day-to-day practice and their futures are dependent on the favor of the select men of a town, who are likely to change office frequently. Moreover, a town-owned and managed facility must be put to a variety of fringe uses decided on by town officials. This means that the functions of a diagnostic treatment center will be combined with other functions. The atmosphere is not one which will attract doctors who want to maintain high professional standards and, if possible, practice on a par with their colleagues in the cities where there are so many pre-existing advantages.

Another reason for the failure to build clinics under the existing law is that towns are not able to raise funds to match the Federal contribution. This is particularly true today when they are burdened, if not overburdened, with relief cases, demands for new schools, roads and other municipal services. Even if citizens could raise the initial money and turn it over to the town, the town would not in many instances be a reliable source of continuing funds to maintain and operate the center. Even if they could do so, the fact is that most towns do not want to make that commitment. And, bearing in mind the coincidence of low per capita income and rural areas, one can understand this attitude. One can hardly expect "Operation Boostrap" where the strap is often a tenuous thread.

The hospitals do not meet these particular needs of rural areas as they very understandably take the position that they cannot be responsible for the operation of a center 50 or 80 miles away. There does not appear to be any valid reason why under the amendment and by agreement and regulation, the hospital cannot be, first, relieved of legal responsibility; second, why the centers cannot be located where they would not compete with existing facilities. One of the chief purposes of the amendment is to place the centers where other facilities are not readily available.

I believe that the specific limitations that are coupled to my amendment will overcome (a) the danger that corporate groups or employee plans will monopolize funds for the treatment centers, (b) the danger that the centers will duplicate and compete with existing facilities. It will be administered under regulations of the Department of Health, Education and Welfare and in close cooperation with Hill-Burton advisory committees in each State. These should certainly provide sufficient safeguards to insure that the centers are located where the prospect of success is as great as the need in the local area.

OMNIBUS RIVER AND HARBOR AND FLOOD CONTROL BILL

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman

from Minnesota [Mr. BLATNIK] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. BLATNIK. Mr. Speaker, in the RECORD for April 1 there appears on pages 5954 to 5956 information inserted by minority members of the committee who oppose the enactment of S. 497 which is misleading. In that information a table appears in which the total estimated project cost is given for the projects objected to by the Bureau of the Budget or by the Secretary of the Army or the Chief of Engineers. Under title I in this table, rivers and harbors, there is a tabulation of seven projects and in each case the total project cost is given as though this was the amount objected to by the Bureau of the Budget. To show how misleading this is I would like to call attention to the following facts. One of the projects, that for Port Austin, Mich., listed in the table, is not even in the bill. It was in the bill as passed the Senate but was deleted by the House committeee for the very reasons which form the basis of the Bureau of the Budget's objections. This is an example of the inaccuracy which surrounds the contentions of those who believe that the President should veto this bill, S. 497. Other projects shown under the river and harbor, title I, are misleading in that it appears that the figures given are the amounts objected to whereas in most cases the amounts objected to are only a part of these figures. Just to take a few samples at random there is a project for Irondequoit Bay, N. Y., where the total cost is listed as $1,938,000. This is perfectly correct for the total cost but what is left completely unsaid is the fact that the part of this cost objected to by the Bureau of the Budget which claims that this part should be borne by local interests is only $73,000. In a similar fashion the project for the control of water-hyacinth is shown with a total cost of $5,062,500. The amount objected to, however, is $1,687,500.

There is no objection to a clean-cut difference of opinion regarding the merits of certain projects but there can be no proper presentation of the true facts in the case where the total project cost is given for those projects where the amount in controversy is only a small part of this cost.

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. HASKELL, for 5 minutes, today.

Mr. COFFIN, for 10 minutes, today.

Mrs. ROGERS of Massachusetts, for 5 minutes, on tomorrow.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. PATMAN, in the body of the RECORD at the close of the proceedings today and tomorrow and to include extraneous matter.

Mr. BEAMER.

Mr. FEIGHAN in two instances, in each to include related matter.

Mr. MULTER and to include related matter.

Mr. CURTIS of Massachusetts (at the request of Mr. ALLEN of Illinois) and to include extraneous matter.

Mr. HARRIS to revise and extend his remarks on H. R. 5124 and include letters.

Mr. CHAMBERLAIN and to include extraneous matter.

Mr. MACDONALD (at the request of Mr. ALBERT) and to include extraneous matter.

Mr. HERLONG (at the request of Mr. ALBERT) and include an address.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1562. An act for the relief of Winifred C. Lydick;

S. 1877. An act for the relief of Louis G. Whitcomb; and

S. 2132. An act for the relief of Leonard C. Fink.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 58 minutes p. m.), under its previous order, the House adjourned until tomorrow, Thursday, April 3, 1958, at 10 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1774. A communication from the President of the United States, transmitting amendments to the budget for the fiscal year 1959, involving increases in the amount of $1,455,747,000, for the Department of Defense military functions (H. Doc. No. 364); to the Committee on Appropriations and ordered to be printed.

1775. A letter from the Administrator, Small Business Administration, transmitting a report covering the progress made in liquidating the assets formerly held by the Reconstruction Finance Corporation which were transferred to the Administrator of Small Business Administration by Reorganization Plan No. 2 of 1954 and Reorganization Plan No. 1 of 1957, pursuant to the Reconstruction Finance Corporation Liquidation Act, as amended (67 Stat. 230), and Reorganization Plan No. 1 of 1957 (22 F. R. 4633); to the Committee on Banking and Currency.

1776. A letter from the Acting Secretary of the Treasury, transmitting a report of the Bureau of Customs covering restoration of balances withdrawn from appropriation and fund accounts under the control of the Treasury Department, pursuant to section 1 (a) (2) of the act of July 25, 1956 (70 Stat. 648) (31 U. S. C. Supp. IV, 701 (a) (2), 84th Cong.); to the Committee on Government Operations.

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. HOFFMAN: Committee on Government Operations. Part 2, additional views on H. R. 2767. A bill to amend section 161 of the Revised Statutes with respect to the authority of Federal officers and agencies to withhold information and limit the availability of records (Rept. No. 1461). Referred to the Committee of the Whole House on the State of the Union.

Mr. FALLON: Committee of conference. H. R. 9821. A bill to amend and supplement the Federal-Aid Road Act approved July 11, 1916, to authorize appropriations for continuing the construction of highways (Rept. No. 1591). Ordered to be printed.

Mr. HAYS of Ohio: Committee on House Administration. House Concurrent Resolution 305. Concurrent resolution providing for printing additional copies of general revenue hearings; without amendment (Rept. No. 1592). Ordered to be printed.

Mr. WILLIAMS of Mississippi: Committee on Interstate and Foreign Commerce. H. R. 11414. A bill to amend section 314 (c) of the Public Health Service Act so as to authorize the Surgeon General to make certain grants-in-aid for the support of public or nonprofit educational institutions which provide training and services in the fields of public health and in the administration of State and local public health programs; without amendment (Rept. No. 1593). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. S. 1708. An act to amend the act entitled "An act relating to children born out of wedlock," approved January 11, 1951; without amendment (Rept. No. 1594). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. S. 1841. An act to authorize the District of Columbia Board of Education to employ retired teachers as substitute teachers in the public schools of the District of Columbia; without amendment (Rept. No. 1595). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. S. 1843. An act to amend the act entitled "An act to create a Recreation Board for the District of Columbia, to define its duties, and for other purposes," approved April 29, 1942; without amendment (Rept. No. 1596). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. S. 3243. An act to permit certain foreign students to attend the District of Columbia Teachers College on the same basis as a resident of the District of Columbia; without amendment (Rept. No. 1597). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H. R. 7452. A bill to provide for the designation of holidays for the officers and employees of the government of the District of Columbia for pay and leave purposes, and for other purposes; with amendment (Rept. No. 1598). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

Mr. McMILLAN: Committee on the District of Columbia. S. 2725. An act to exempt from taxation certain property of the National Council of Negro Women, Inc., in the District of Columbia; without amendment (Rept. No. 1599). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASPINALL:

H. R. 11820. A bill to amend the Civil Aeronautics Act of 1938 in order to authorize free or reduced rate transportation for retired employees of air carriers, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BAKER:

H. R. 11821. A bill to authorize the Atomic Energy Commission to construct a modern administration and office building at Oak Ridge, Tenn.; to the Joint Committee on Atomic Energy.

H. R. 11822. A bill to amend the Atomic Energy Community Act of 1955 in order to authorize the Atomic Energy Commission to dispose of certain property for college purposes; to the Joint Committee on Atomic Energy.

By Mr. CARRIGG:

H. R. 11823. A bill to provide for approval under title X of the Social Security Act of State plans for aid to the blind without regard to the existence in the State of other plans for assistance to blind persons financed entirely by the State; to the Committee on Ways and Means.

By Mr. CELLER:

H. R. 11824. A bill to provide an immediate 3-months' moratorium on the imposition of the withholding tax on wages, and to provide a corresponding adjustment in individual income tax liability; to the Committee on Ways and Means.

By Mr. COAD:

H. R. 11825. A bill to amend the Internal Revenue Code of 1954 so as to prohibit the deduction of certain expenses incurred in the conduct of an illegal gambling enterprise; to the Committee on Ways and Means.

By Mr. COFFIN:

H. R. 11826. A bill to amend title VI of the Public Health Service Act, to encourage the construction of diagnostic or treatment centers in rural areas; to the Committee on Interstate and Foreign Commerce.

By Mr. GARMATZ:

H. R. 11827. A bill to require the expenditure of 75 percent of the funds expended for the conversion, alteration, and repair of naval vessels to be expended with private ship repair yards, and for other purposes; to the Committee on Armed Services.

By Mr. HILLINGS:

H. R. 11828. A bill to provide for an annual refund of a percentage of Federal taxes collected in each of the several States, Territories, the District of Columbia, and the Commonwealth of Puerto Rico for improvement of their public education systems, new school construction, and to increase salaries paid to public school teachers; to the Committee on Ways and Means.

By Mrs. KEE:

H. R. 11829. A bill to amend the national defense amendment, and for other purposes; to the Committee on Ways and Means.

By Mr. LANE:

H. R. 11830. A bill to provide for a Federal program of loans to encourage and assist able and needy students to continue their education beyond the high school level; to the Committee on Education and Labor.

By Mr. LIBONATI:

H. R. 11831. A bill to amend title 18 of the United States Code to prohibit traffic in obscene articles; to the Committee on the Judiciary.

By Mr. McCARTHY:

H. R. 11832. A bill to amend the public assistance titles of the Social Security Act to increase the portion of the Federal grants available for health care of assistance recipients; to the Committee on Ways and Means.

By Mr. MAY:

H. R. 11833. A bill to encourage expansion of teaching and research in the education of mentally retarded children through grants to institutions of higher learning and to State educational agencies; to the Committee on Education and Labor.

By Mr. PORTER:

H. R. 11834. A bill to authorize the exchange of land or timber within the Siskiyou National Forest, Oreg., for certain other land adjacent to such national forest; to the Committee on Interior and Insular Affairs.

By Mr. RODINO:

H. R. 11835. A bill to provide for holding a White House Conference on Aging to be called by the President of the United States before December 31, 1958, to be planned and conducted by the special staff on aging of the United States Department of Health, Education, and Welfare with the assistance and cooperation of other agencies of that Department and of other departments and agencies represented on the Federal Council on Aging; to assist the several States in conducting similar conferences on aging prior to the White House Conference on Aging; and for related purposes; to the Committee on Education and Labor.

By Mr. SAYLOR:

H. R. 11836. A bill to amend the national defense amendments, and for other purposes; to the Committee on Ways and Means.

H. R. 11837. A bill to prohibit the severance of a service-connected disability which has been in effect for 10 years or more; to the Committee on Veterans' Affairs.

By Mr. TEAGUE of California:

H. R. 11838. A bill to supplement the act of July 3, 1952, by providing for construction of a full-scale demonstration plant in Ventura County, Santa Barbara County, San Luis Obispo County, or Monterey County, Calif., for the production of fresh water from salt water; to the Committee on Interior and Insular Affairs.

By Mr. WRIGHT:

H. R. 11839. A bill to amend the provisions of the Public Health Service Act which relates to grants for hospital construction to include institutions for the care and treatment of the mentally retarded; to the Committee on Interstate and Foreign Commerce.

By Mr. YOUNGER:

H. R. 11840. A bill to amend the International Claims Settlement Act of 1949, as amended (64 Stat. 12); to the Committee on Foreign Affairs.

By Mr. BOYKIN:

H. R. 11841. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

H. R. 11842. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to make the transitional parity formula inoperative for basic agricultural commodities for 1958; to the Committee on Agriculture.

By Mr. COLLIER:

H. R. 11843. A bill to amend chapter 59 of title 10, United States Code, to authorize the granting to members of the Armed Forces of general discharges on the basis of conduct or activities engaged in before entrance into the Armed Forces; to the Committee on Armed Services.

By Mr. HAYS of Arkansas:

H. R. 11844. A bill to establish a Commission on Country Life, and for other purposes; to the Committee on Agriculture.

By Mr. HOLIFIELD:

H. Con. Res. 307. Concurrent resolution concerning a proposed arrangement for governmental assistance for a reactor project; to the Joint Committee on Atomic Energy.

By Mr. ARENDS:

H. Res. 520. Resolution providing for printing as a House document the statement entitled "Introduction to Outer Space"; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to flood control works on the Sacramento River from Chico Landing to Red Bluff; to the Committee on Public Works.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANFUSO:

H. R. 11845. A bill for the relief of Maria Giorgia Rotolo Sinatra; to the Committee on the Judiciary.

By Mr. BARTLETT:

H. R. 11846. A bill to confer jurisdiction upon the District Court for the Territory of Alaska to hear, determine, and render judgment upon the claim, or claims, of Scotty James, of Sitka, Alaska; to the Committee on the Judiciary.

By Mr. COLLIER:

H. R. 11847. A bill to provide for the conveyance of certain public lands of the United States to the board of trustees of the Alaska Methodist University; to the Committee on Interior and Insular Affairs.

H. R. 11848. A bill for the relief of Maria Fiore Vassarotti and Ernesto Riccardo Vassarotti; to the Committee on the Judiciary.

By Mr. LESINSKI:

H. R. 11849. A bill for the relief of Morteza Minui; to the Committee on the Judiciary.

By Mr. STAUFFER:

H. R. 11850. A bill for the relief of York Tabulating Service, Inc.; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

511. By Mr. BUSH: Petition of residents of Wellsboro, Pa., urging enactment of H. R. 4835 prohibiting the advertising of alcoholic beverages on TV, radio, and in magazines; to the Committee on Interstate and Foreign Commerce.

512. By Mr. CANFIELD: Resolution by the American Legion, Department of New Jersey, on March 8, 1958, opposing any curtailment of veterans' benefits; to the Committee on Veterans' Affairs.

513. By Mr. MORGAN: Petition of the members of Harveys Grange 1444, Graysville, Pa., and members of several other granges in the surrounding area, relative to the preservation of the National Grange headquarters here in Washington; to the Committee on Public Works.

514. By the SPEAKER: Petition of the executive secretary, the Public Service Commission of Delaware, Dover, Del., relating to the activities of the General Services Administration of the Federal Government; to the Committee on Appropriations.

EXTENSIONS OF REMARKS

The Quality of Leadership

EXTENSION OF REMARKS

OF

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 2, 1958

Mr. FEIGHAN. Mr. Speaker, last November, in the course of an inspection trip on behalf of the Committee on the Judiciary, I had the opportunity to visit and see firsthand the great work being done in the Noncommissioned Officers Academy of the Seventh United States Army in Germany. The Noncommissioned Officers Academy is under the command of Col. Richard J. Darnell. Colonel Murphy, deputy commander of the Noncommissioned Officers Academy, arranged for me to meet with the staff and faculty of the academy and to visit the classrooms during its active sessions. I was so impressed with the high quality of the staff and teachers at the academy and the enthusiasm shown by the noncommissioned men in attendance that I have prepared a summary of the highlights of the work being done at Munich, Germany.

Under leave previously granted, I insert this summary in the RECORD:

The Seventh United States Army Noncommissioned Officers Academy located in Munich, Germany, is one of the finest examples of a school for noncommissioned officers ever developed within the Army. The academy was originally established as the United States Constabulary NCO Academy due to a shortage of trained noncommissioned officers in the United States Constabulary. Lt. Gen. I. D. White, commanding general of the United States Constabulary, directed Brig. Gen. Bruce C. Clarke, commanding general, 2nd Constabulary Brigade, Jensen Barracks, Munich, Germany, to open a school for the purposes of training noncommissioned officers. The first class enrolled on October 17, 1949. The academy was redesignated the Seventh Army Noncommissioned Officers Academy on November 1, 1951, when Seventh Army absorbed the functions and facilities of the Constabulary.

The mission of the Seventh United States Army Noncommissioned Officers Academy is to develop within the noncommissioned officer:

1. An ability to recognize his responsibilities.
2. A willingness to assume his responsibilities.
3. The confidence to apply his technical knowledge.
4. The leadership techniques that apply to his office.
5. The high personal and professional standards that must be maintained.

The moment the student arrives he is directed toward understanding the meaning of that mission. The academy's main objective is to make noncommissioned officers aware of their responsibility and the noncommissioned officers' position in the United States Army. The job of the academy lies mainly in the area of refreshing and reevaluating those aspects of the noncommissioned officers' work that demand leadership and maturity. In essence, the academy receives a man who is already a noncommissioned officer and turns out a finished product who is a better man, a polished noncommissioned officer. The instruction at the academy is one of the finest types of professional instruction given by the Army, and it is important to mention, that for the most part, the instructors are noncommissioned officers. This exemplifies to the students the high degree of ability which can be attained by their own contemporaries. The staff and faculty of the academy, officer and enlisted, must maintain the highest military standards in order to set the example. The high standards demanded of the students, by the academy, in military appearance, conduct, and attitude are an integral part of the mission of the academy.

In addition to its primary mission as a school for noncommissioned officers in Europe, the academy has assumed an important position as an institution to be modeled and evaluated. As in any educational institution the methods of instruction are closely scrutinized by visiting military and civilian representatives of various schools throughout Europe. The weekly list of visitors is a long one, and it includes all foreign countries and American officials who come to observe the academy in action. The academy's operation and method of instruction have been the foundation for armywide adoption, as evidenced in the recent publication of a Department of the Army regulation.

The impact of the academy's influence is evident throughout the United States Army in Europe. Since its establishment in October 1949 the academy has graduated enough men to supply the noncommissioned officers positions in more than six Pentomic divisions. The many students who have returned to their units after completing the course at the academy have benefited these units by the wealth of knowledge and refreshed attitude attained at the academy.

The majority of the students have been from the Army; but there have also been students from the Navy, Air Force, and even the Women's Army Corps. Noncommissioned officer leadership knows no branch of service and this reemphasis of the principles of leadership is the basic philosophy of the mission of the Seventh United States Army Noncommissioned Officer Academy.

Hans Christian Andersen

EXTENSION OF REMARKS

OF

HON. ABRAHAM J. MULTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 2, 1958

Mr. MULTER. Mr. Speaker, today is the 153d anniversary of the birth of Hans Christian Andersen, Denmark's most famous author. Through his writing he has brought joy to generations in all parts of the world.

Andersen's life story is an inspiration and a tribute to the indomitable spirit of the Danish people. He was raised in poverty in the town of Odouse. At 14 he left home to seek his fortune in Copenhagen. His name was brought to the attention of King Frederick VI and he was sent to school at public expense. His first work was published at the age of 24 and 6 years later his first volume of fairy tales appeared. Andersen continued to write his world-famous fairy tales at the average rate of one volume a year. In 1875 this gifted life came to an end.

But Hans Christian Andersen's spirit lives on in his many stories. He has left a legacy for the entire world and I'm sure we all join with the Danish people today in commemoration of the birth of this genius of the fairy tale.

Suggestions Designed To Stimulate Business Activity and Increase Employment

EXTENSION OF REMARKS

OF

HON. JOHN V. BEAMER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 2, 1958

Mr. BEAMER. Mr. Speaker, it has been gratifying to me and I know to other Members to receive letters and suggestions from people in our respective districts who sincerely are interested in offering suggestions designed to stimulate business activity and increase employment.

One of the suggestions passed on to me is of special interest and I have forwarded it to various officials, not as my own suggestion but as an idea that is thought provoking.

The rather simple and perhaps incomplete suggestions to be used in meeting the present unemployment situation would involve three basic areas: First, automobiles; second, new homes; and third, industrial expansion.

First, a suggestion is offered that a tax credit, perhaps in the form of a refund, should be given to each person who purchases an automobile. This should have some limitation, perhaps $400 or $500 or whatever amount might be felt desirable to stimulate that particular industry.

A similar suggestion is made that a tax credit, not to exceed $1,000, should be allowed to each person who builds new houses.

For new industrial expansion, again it is suggested that a tax credit, perhaps not to exceed 50 percent of the present 52 percent corporation tax, should be allowed.

All of this, of course, would have a limitation of 6 months or 12 months, or whatever period would seem to be advisable. The basic philosophy is to release some of the large amounts of money in savings, in credit unions, in investments, in cash or lockboxes; to encourage purchases of hard goods and specifically, automobiles; for the construction of new homes; for industrial expansion to make it possible to employ many more people who presently are unemployed and, also, to increase the demand for goods that would be used in the manufacture and building of these specific items.

This is an interesting approach which comes from a businessman in the fifth district of Indiana and it seems to offer an immediate method or approach that could be put into effect without a long delay and, perhaps, without the necessity for long-delayed legislation.

Greek Independence Celebration

EXTENSION OF REMARKS

OF

HON. TORBERT H. MACDONALD

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 2, 1958

Mr. MACDONALD. Mr. Speaker, I had the privilege of delivering an address on the occasion of the 137th anniversary of the Greek independence celebration which was held at the Symphony Hall in Boston, Mass., on March 30, 1958.

This celebration was held under the auspices of the Greek Orthodox Communities of Greater Boston. Other speakers included the Ambassador George V. Melas; Thomas Pappas, Special United States Ambassador to Greece and head of the Greek war relief program; Charles Maliotis, president, Greek Orthodox Cathedral of New England; and the Right Reverend Athenagroas, Bishop of Elaias and Bishop of New England Diocese of the Greek Orthodox Church.

My remarks were as follows:

Mr. Chairman, Ambassador Melas, distinguished guests, and ladies and gentlemen, I feel very honored in having the opportunity to speak before this distinguished group this evening on the occasion of the 137th Greek independence celebration.

I do not have to remind you that the 25th of March 1821, is the day to be remembered by all the freedom-loving people of the world. It was on that day the Greek heritage of liberty took on a new meaning as the courageous Greek people threw off the yoke of the oppressors which had weighed them down for almost 400 years.

The heroism of Salamis, Marathon, and Thermopylae still excites the world. As with other freedom-loving people, the Greeks have had to fight for their freedom both governmentally and religiously. The heroic task of the people who kept both their religion and belief in their form of government alive is tremendous. The Greeks have also proved their devotion and skill in defense of their freedom. As a matter of fact, who can forget the courage of the Greek response to the Axis ultimatum and the heroism of the battles that followed in 1940 and 1941?

Today, Greece is a valued ally and a trusted member of NATO. Greece preached democracy to the world during the golden age of Greece and the lessons of that time have produced splendid results here in the United States. The foundation of American democracy is rooted deeply in the culture of ancient Greece. In fact, we of the West, owe much to them.

We are indebted to the Greeks for nearly all the noble ideals that have become distinct hallmarks of all civilized men. Perhaps the noblest of these are the ideas of liberty, of freedom, group, and national political independence.

I would like to point out that I had the privilege last fall of visiting Greece. I returned to the United States with vivid recollections of the courage and determination that are typical of Greece and her people. Greece has suffered, and has paid a tremendous price for freedom that has few parallels in the history of the world. Fortunately the Greeks are a resourceful people and the Greek-Americans have been most generous in their assistance. While in Greece I was told that over one-fourth of the population are now sustained by Greek-Americans. Much of this assistance has been on a private-citizen-to-private-citizen basis. CARE, the National Catholic Welfare Council, the Church World Service, and other voluntary agencies have also made notable contributions. American foodstuff distributed by these agencies is literally keeping alive thousands of people.

In spite of terrible hardships, Greece provides one of the most spectacular examples of the value of foreign aid. Aid to Greece, a proven friend of the United States, has not only helped our national interest, but it has greatly aided the cause of freedom generally. Our assistance has helped Greece to recover from the German occupation of World War II, win a bitter guerrilla war, and make a significant contribution to NATO.

In my opinion Greece and the Greek people desperately need our continued support. We must continue to see that Greece gets sufficient economic aid so that her friendly government is not jeopardized. We must redouble our efforts in aiding their program for vocational education. Greece also needs more food and additional electric power.

This celebration gives us an opportunity to pay tribute to the influence of Greece on our civilization and our life. We, in Massachusetts, are proud of our fellow citizens of Greek ancestry and of their many contributions to our State, just as we are proud of the enrichment which has come to us from Plato, Aristotle, Homer, Pericles, and many others.

As we are gathered here tonight on this occasion I cannot help but think about Cyprus. Events of the last few years there only emphasize the love of freedom which characterizes the Greek people. The people of Cyprus will inevitably gain the right to choose their own government, which is the cornerstone of freedom. I hope the lessons of Greek Independence Day will sink into the hearts of those who possess the power to solve this problem so that justice and freedom will prevail in Cyprus.

In joining with the people of Greece and their sons and daughters around the world who have themselves done so much to enrich our culture, I express my deep appreciation for the heritage they have given us. May it soon be not only a western heritage, but the heritage of all the people of the earth.

In conclusion, let me say that I wish the Greeks nothing but peace and prosperity in their homeland of glory and splendor. Let us all join in sending our best wishes and our assurances that their past sufferings will not have been in vain.

Do Not Increase Federal Share of Matched Grants for Highways From 50-50 to 70-30

EXTENSION OF REMARKS

OF

HON. LAURENCE CURTIS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 2, 1958

Mr. CURTIS of Massachusetts. Mr. Speaker, in extension of my remarks, I include a part of my current newsletter, as follows:

Last week the Senate made a change in the system of Federal grants-in-aid for highway construction which is disadvantageous to our area. Federal grants-in-aid for the regular road systems heretofore had to be evenly matched by the States. To receive a million dollars in Federal funds, a State had to match that with a million dollars of State funds.

The new Senate provision lowered the required State matching to 30 percent in some cases. This applied to a $400 million appropriation for primary, secondary, and urban roads.

Federal grants-in-aid for highway construction were originally intended to help the States build roads of national importance, and appropriations were for post offices and post roads. Federal highway aid is divided up among the States under a formula which takes into consideration the area, road mileage, and population of each State. This system of distribution tends to favor the more thinly populated States at the expense of the more thickly settled and more heavily taxed States.

This inequality is, of course, greatly increased when the matching grant basis is changed from 50 percent Federal and 50 percent State to 70 percent Federal and 30 percent State.

When Federal aid was confined to post roads some inequality in distribution was tolerable. But the tendency has been constantly to extend the program both in the amounts of money appropriated and in the types of roads covered.

In a speech to the House on the day following Senate passage of the bill making the above change, I vigorously opposed it, saying:

"With unlimited transferability, this new $400 million can be applied by some States largely to secondary roads, of which farm-to-market roads are a part. While sectional interest should not be overemphasized, the taxpayers of the more thickly populated States should not be asked to contribute indirectly on a basis of 70 percent Federal grants for this type of aid for highways of predominantly local interest."

Older Workers

EXTENSION OF REMARKS

OF

HON. HUBERT H. HUMPHREY

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Wednesday, April 2, 1958

Mr. HUMPHREY. Mr. President, for the past several years I have become increasingly alarmed about the policy of employers toward older job seekers. One has only to look at the help-wanted columns of our daily papers to learn how a man or woman's birth date is considered sufficient evidence to bar him from consideration for employment. In far too many instances no consideration is given to ability, experience, or the degree of willingness the applicant may possess.

Advertisements such as "wanted, secretary (under 40, please); draftsman—to 35; laborer (those over 40 need not apply); sales ladies—18 to 35" are common place. To the qualified worker beyond the specified age limits, such ads can mean only one thing—"We don't

want you—your services are not needed." This treatment is not only an unwarranted economic blow to the older worker, who in all probability must provide for several dependents, but, in addition, it is bound to be a severe test to the morale of even the strongest and most determined individual.

Mr. President, some months ago this situation was brought forcefully and personally to my attention. I have described it, and have listed a number of steps which I think we should take to help alleviate the harsh and unfair condition, in an article I wrote for the Eagle magazine. I ask that "A Challenge for All," which appeared in the April issue of the Eagle, be printed in the RECORD.

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

CHALLENGE FOR ALL

(By HUBERT H. HUMPHREY)

"You've got to help me, Senator."

The man sitting beside my desk in the Senate Office Building was husky and appeared to be in good health. I estimated his age at 50 years, perhaps a year or 2 either way. His ruddy complexion indicated that a good part of his life had been spent out of doors, and the calloused hands that gripped the edge of his chair told me this man had known hard physical labor.

"I know you are a busy man," he went on, "but I just don't know where to turn." There was a certain desperation in his eyes, and it was obvious that he had encountered a force that could not be pushed aside by his strong hands alone. My secretary had asked what he wanted to discuss with me, and he told her that it was personal, so at that point I knew nothing of his problem. I was not a little disturbed when I learned what it was, and since that time I have done considerable investigating, and what I have found has shocked me.

He told me his story, haltingly and with some embarrassment. Here was a strong man who had worked hard since childhood, and had always provided well for his family and to whom the word unemployment signified a lack of ambition. Yet, here he was, in good health, more than willing to work and still he had not had steady employment for more than a year.

"They say I'm too old. I am 53 and have two daughters in high school and a boy in junior high. My wife is not well, and she worries about this. What can I say to them, Senator? Can I say, I cannot support you any more because I am too old? Can't the Government do something?" he pleaded.

Well, perhaps the Government can do something. Yes, we may have to do something to alleviate the unhealthy practice that has grown in our society of job discrimination on the basis of age. Senators NEUBERGER, KEFAUVER, MCNAMARA, and myself have introduced a bill into the Senate providing for a White House Conference on Aging to be called by the President prior to December 31, 1958. One purpose of the conference will be to deal with the outmoded practices in the employment and compulsory premature retirement of middle-aged and older persons.

With the assistance of dedicated supporters such as Judge Robert Hansen and the Fraternal Order of Eagles, who have already done so much in this field, we will get this bill passed. However, our American employers can do much more and do it in a more efficient manner. Legislation is not always the final answer, but industry must realize that it is inevitable if the morale-destroying and economically foolish practice of job discrimination on the basis of age is not terminated.

Let us briefly analyze the background of this unfortunate situation. In the early days of our Nation, while our ancestors were fighting for survival in their battle with the elements, a high premium was placed on youth. Later on as we struggled for freedom and then began to push the frontier beyond the Mississippi, over the Great Plains, past the Rockies to the Pacific Ocean, the rugged life demanded a degree of physical prowess found only among the young. The rigors took their toll, and even as late as 1900 a man could expect to live only 46 years. So, of course, a person of 40 was old, and even a man of 35 had likely passed his most useful and productive years. Now things have changed, and a male child born in 1954 can reasonably expect to live 67 years and a female child 73 years. We have shifted from a country, largely agricultural, to a highly industrialized, essentially urban society. The physical challenges are no longer as great, and thanks to the wonderful progress in medicine and social services, our people can now not only live longer, but they are able to enjoy good health and extend their productive years far beyond the past expectations.

But unfortunately, the old ideas that persons of 40, 50, and 60 are not good employment risks, have remained with us. This is little more than a numbers game and an employer who arbitrarily limits the age of those he will consider for work is following a short-sighted policy. The shift in age composition has been dramatic and far reaching. The results have not yet been fully tabulated, but we do know that a very large part of our manpower resources now lies in this group of middle-aged and older men and women. Even though we were not faced with a battle for survival with the Communist countries, this productive force would be necessary to the continued economic growth of our Nation. Unfortunately, however, this is not the case.

Our Nation is faced with what is probably the gravest crisis in our history. We have fallen behind Soviet Russia in rocketry and other types of scientific military achievement. It is not an exaggeration to state that we could be in danger of becoming a second-class power. We will need all of our wisdom, courage, determination, and talent if we are to maintain our position as the leader of the Western World. Certainly, in a situation of this kind, the maximum utilization of the skills and productivity of all of our people no matter what their age, becomes essential.

Now, even were we to disregard the effect on the morale and lives of our older workers who encounter age discrimination and consider the problem only in an economic light, there is still no justification for this practice. The Department of Labor has made a number of comprehensive studies on the employment of older workers and among their findings they point out that these employees show a greater degree of stability and have fewer separations in proportion to their employment. In each of the seven large cities studied, this was the case. Also the investigators found out that the average output per man-hour shows no significant decline with age and that a great many older workers exceed the average output of younger age groups.

The University of Illinois bureau of business management, in a significant study of 3,077 persons, 60 years and older, went directly to the immediate supervisors to obtain evaluations of their older workers' performance. This is what they found:

1. Supervisors in business and in industry consider a majority of their workers, 60 years of age and older, to be as good as or superior to average younger workers with reference to overall performance, absenteeism, dependability, work volume, and human relations.

2. There is no specific age at which employees become unproductive.

3. Supervisors indicate that organizations which require employees to retire at a certain age, such as 65, are losing much valuable productivity.

4. Supervisors believe that one-fourth of their workers, 60 years and older, will be able to continue working indefinitely.

5. Supervisors said that they had experienced favorable results with new employees recruited from the ranks of the middle aged.

Almost without exception, studies have shown that the older worker experiences the greatest difficulty when his job is terminated for one reason or another through no fault of his own and then must seek new employment. It is at this point, when the ugly phrases such as "too slow, cannot meet production requirements, lacks skill and flexibility, cannot meet physical demands" are offered in the place of a job. It is little less than cruel and inhuman when an American citizen, in search of a job, must comb the columns of the help-wanted section of a newspaper to be greeted by "wanted, secretary (under 40, please); draftsman, to 35; laborer, those over 45 need not apply; sales ladies, 18 to 38." For the older persons who are seeking employment, this attitude can mean only one thing—we do not want you. You are no longer of value. I think that Dr. Edward L. Bortz, former president of the American Medical Association, has summed up the tragic paradox of forced unemployment, among older workers in periods of full employment, in one sentence. "With one hand, modern society does everything possible to extend the life of man; while with the other it writes him off as useless because of the date on his birth certificate."

So what can we do to alleviate this harsh and unfair condition?

1. Employers should be urged by citizens' committees and interdepartmental committees to investigate the advantages of flexible retirement policies. Many State governments are setting an example by establishing such practices for their employees.

2. States may pass legislation to ban discrimination due to age alone. Massachusetts, Rhode Island, and Pennsylvania now have such laws on the books. While we know that a law of this kind will not end discrimination, it will stop the discriminatory want ads, will aid in the education program, and most certainly will jar employers into taking a second look at their archaic employment practices.

3. States could and should provide special counselors in the State employment service to guide older persons in employment, assist other public and private agencies in employment opportunities, and to instruct employment interviewers in ways to help the older job-seekers. Massachusetts and New York have recently instituted this program with encouraging results.

4. States may wish to take the lead in retraining and reclassifying their own employee when skills or abilities in one vocation lessen or become obsolete. Part-time work for the semiretired is also an area that should be investigated thoroughly. In addition, many study commissions have also determined that it is wise for States to take leadership in setting up a system for counseling their older workers in retirement problems. Retirement eventually comes to all of us and an activity of this sort can be of great assistance in finding ways to creative leisure and in meeting problems of finance and time budgeting that will be unfamiliar to many newly retired workers. The Department of Civil Service in New Jersey has instituted such a program and all employees retiring during the next 5 years will be counseled.

5. Federal and State governments, State and local committees and commissions,

should undertake to a greater degree the task of educating employers and personnel directors to the desirability of giving the older worker a trial.

6. All of us must recognize the danger inherent to our people and our country if we permit an expanding and growing segment of our population to lapse into a feeling of rejection, loneliness, and insecurity. Mental deterioration is a real and terrible danger, unpleasant even to contemplate, but it is a threat unless our society makes sure that our older people enjoy their rightful role as contributors to our way of life, and live their twilight years with a feeling of pride in their day-to-day accomplishments. Human resources are the Nation's most valuable assets, and we cannot possibly afford to continue the shameful waste of the past. The still secret Gaither report and the Rockefeller report (recently made public) should be fair warning that we must act and act now to pull together all of the resources at our command. We need the skills and productivity of our older workers as never before.

Fortunately, we were able to locate a position in a fine Minnesota firm for the man whom I described at the beginning of this article. He is doing an excellent job and his employer is well pleased with his performance, but he was only one of the thousands and thousands of workers who are unemployed simply because they are over 40. All of us must do more. Business, Government, labor, and citizens groups can contribute in important ways. The problem is not insurmountable, but neither can we merely look the other way and wait for it to disappear.

Questionnaire Results From Michigan's Sixth District

EXTENSION OF REMARKS

OF

HON. CHARLES E. CHAMBERLAIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 2, 1958

Mr. CHAMBERLAIN. Mr. Speaker, under leave to extend my remarks, I would like to include the results of a questionnaire sent to nearly every family in Michigan's Sixth Congressional District. The overall response of more than 11,500 questionnaires and the thousands of comments I received on a wide range of legislative subjects reflect the tremendous interest of my fellow citizens in the problems of their Government.

The results of the poll also indicate impressive support for President Eisenhower as well as his major foreign and domestic policies. The tabulation, conducted by an impartial agency of IBM, showed that 68 percent of the respondents approve of the manner in which President Eisenhower is doing his job, with 21 percent opposed, and the remainder giving no opinion.

In view of the fact that the Sixth District is considered to have more automobile workers than any other single Congressional District in the United States, I feel that the reply to a question dealing with the administration's recommendations for labor-management legislation has particular significance. The tabulation shows that 87 percent of the respondents are in favor of this legislation, with 6 percent opposed, and the remainder giving no opinion.

I appreciate the cooperation of the many volunteer workers as well as the thousands of Sixth District residents who responded to make this survey such a resounding success. While I accept the final responsibility for casting my vote on the issues that come before the House, I am conscious that, in the results of this survey, I have a valid and very helpful indication of how the people back home are thinking. The results of the tabulation are as follows:

Poll results

Questions	Percent		
	Yes	No	No opinion
1. In your opinion, does the world situation demand that we forego a balanced budget for reasons of national security?	51	39	10
2. Do you feel that Federal taxes should be reduced now?	35	57	8
3. Do you favor continuance of the mutual security program of military and economic aid to friendly nations?	62	25	13
4. Do you favor the extension of the Reciprocal Trade Agreements Act?	59	7	34
5. Should a separate Department of Science (with a Secretary of Cabinet rank) be created to promote and coordinate scientific research?	51	33	16
6. Do you feel a need exists for some form of Federal assistance to encourage scientific education?	55	36	9
7. Should college education be encouraged by allowing income tax deductions to parents?	62	31	7
8. Are you in favor of the Federal Government retaining its present regulatory control over prices which producers can charge for natural gas?	81	9	10
9. Do you favor Secretary Benson's proposal for a flexible program of Federal price supports for basic farm products, ranging from 60 to 90 percent? (Answer only if engaged actively in farming, please.)	7	5	88
10. Do you favor, at this time, a Federal flood-control project for the Flint River (cost $2,500,000) and Grand River (cost $13,000,000)?	28	54	18
11. Do you approve of the proposal to establish pay television on a trial basis?	11	81	8
12. Do you favor the President's labor-management program?	87	6	7
(1) Filing public reports of welfare and pension funds.			
(2) Financial reports by labor unions.			
(3) Secret ballots for union elections.			
(4) Employer reports of financial dealings with unions.			
(5) Establish office of labor reports.			
(6) Make misuse of union funds a Federal offense.			
(7) Amend secondary boycott provisions.			
13. Do you feel that a nationwide civil defense atomic shelter program is needed now?	29	54	17
14. Do you favor increasing social-security benefits with corresponding increases in individual and employer contributions?	57	36	7
15. Do you favor a summit conference between President Eisenhower and Soviet leaders on current East-West differences?	54	29	17
16. In general, do you approve of the manner in which President Eisenhower is doing his job?	68	21	11

The Right To Work Slogan

EXTENSION OF REMARKS

OF

HON. JOHN A. CARROLL

OF COLORADO

IN THE SENATE OF THE UNITED STATES

Wednesday, April 2, 1958

Mr. CARROLL. Mr. President, I have been reading Colorado press reports about the prospect of a long, hard-fought, bitter campaign involving the false and misleading slogan, "the right to work." Such a campaign will divide our people by creating hostility and animosity at the very time when we are just beginning to understand each other's problems.

I want the people of Colorado to know that these deceptive campaigns have been carried on in other States and it is crystal clear that the ideas, the propaganda, the plan, and pattern of action were mastermined from a national headquarters. Simply stated, this is an important part of a national plan to destroy the basic principles of collective bargaining between management and labor in the State of Colorado. I am happy to report that in most of the forward-looking, progressive States these deceitful campaigns have failed.

I am confident that the people of Colorado will continue our leadership as one of the most intelligent, constructive, and progressive States of our Nation. I believe the people of Colorado will resent this outside interference in the internal affairs of their State. I ask unanimous consent that the statement be printed in the RECORD.

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

For my part, I am amazed at the colossal gall of these carpetbaggers who dare to spread their mischievous influence throughout the great and growing and prosperous State of Colorado in a bold and brazen attempt to sow the seeds of distrust, discord, and discontent at a time when management and labor are peacefully and harmoniously working together under present State and Federal laws.

I commend Gov. Steve McNichols, Mayor Will Nicholson, other public officials, civic and business leaders, and the leading newspapers of Colorado for their forthright stand against these troublemakers.

Five million Americans are pounding the streets today looking for work. Their families are suffering; so is their State and our Nation. They are not interested in a specious, phony discussion about the right to work; they want the opportunity to work; they want a job, a paying job. This is what they bargained for, collectively. The President, the Congress, and the people of the United States, collectively, will see to it that these unemployed Americans regain the opportunity to work. This is the democratic way, the majority way, the American way. This is the way we, as a people, have become the leader of the free nations of the world.

We in Colorado are especially fortunate and should be thankful that management and labor and our people in Colorado have not, as yet, been caught in the serious economic depression which exists in other parts of the Nation. All of us are deeply concerned with the very real and live pocketbook problems which must be solved in our own self-interest. Why, then, waste our time and our energy and our thinking on foolish questions. This is no time to tinker, in this fashion,

with our State laws dealing with labor and management. Both have learned through bitter experience that collective bargaining is the best way, the democratic way, to settle our differences.

I realize that there are those in Colorado who have an honest difference of opinion about this matter and I defend their right to express their convictions. But I remind them that Colorado has been blessed with a minimum of labor strife, thanks to the enlightened attitude of employers, employees and those government officials whose responsibility it is to supervise existing laws. And I also say to them that if they persist in pressing for this type of an amendment to the Colorado Labor Peace Act they may easily sow the wind that reaps the whirlwind.

As for these outside masterminders, these buttinskis, let them mix and serve their devil's brew elsewhere, Colorado doesn't need it, Colorado doesn't want it.

Citizens and Government Economy

EXTENSION OF REMARKS

OF

HON. A. S. HERLONG, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 2, 1958

Mr. HERLONG. Mr. Speaker, the struggle for real economy and efficiency in the operations of the Federal Government is a never-ending one. Bureaucracy has an inbred capacity for expansion. Scores of governmental activities which were undertaken years ago as temporary expedients have become permanent elements in the Washington scheme. The Federal establishment has become so extensive that it is virtually impossible for the individual citizen to comprehend the scope of its operations.

Most Americans are conscious of waste and duplication of effort in Federal bureaus, but few of them are able to devote time to a study of specific cases. In this connection, an important service in public information is being performed by the Citizens Committee for the Hoover Report, a private organization campaigning for the effectuation of Hoover Commission recommendations on economy in Government.

Many of these recommendations called for action within the executive branch. Others urged legislation. While those of us in Congress who believe governmental functions should be held to the minimum demanded by the public interest may not agree with each and every Hoover Commission proposal, I think all of us recognize that we shall achieve just so much economy as public opinion demands and no more. The easy way is to leave things as they are—to reconcile ourselves to a steady growth in the Federal establishment.

In continuing to inform the public as to specific areas of waste and inefficiency in Government, therefore, the citizens committee shows that economy is practical—that it can be accomplished if citizens want it to be, and are articulate in their views.

The citizens committee has been particularly helpful in focusing attention on the thousands—yes, there are literally thousands—of Federal operations which compete with private enterprise. This week, at its climax drive workshop program in Washington, our Virginia colleague, BURR P. HARRISON, spoke to this point. Under leave to extend my remarks in the RECORD, I include his significant remarks on this occasion.

A year ago, I was privileged to take part in a conference similar to this. We met then, as we do today, to assess the progress, or lack of progress, made with respect to the various recommendations of the Hoover Commission. The atmosphere, then, seemed encouraging for real progress in the drive for greater efficiency and economy in the operation of the Federal Government. Citizens were aroused. They were taking pens in hand to write to the White House, and to Members of Congress, to demand vigorous action. The Appropriations Committees of the Congress took a stern view of Presidential budget estimates, and there was reason to hope that it was the year—the year in which we finally might reverse the tide.

Now, in the near-panicky preoccupation with trying to spend our way out of a recession, depression, or readjustment—call it what you will—we meet again in Washington. Presumably, we are here because, irrespective of political faith, we hold in common the conviction that the very future of our economic system may well depend on whether or not the citizens of the United States really want to part with the expensive socialism which is centered in the bureaucratic citadels of their Nation's Capital.

I did not come here to preach defeatism, but there is no point in denying that, if we are the defenders of the faith, we are sorely beset. There is something pathetically analogous to the proceedings in Lewis Carroll's Through the Looking Glass in our meeting to discuss economy in a city where talk of a balanced budget now draws only a cynical smile. It is grimly appropriate, perhaps, that we meet on April Fool's Day to urge again a reduction in the size and scope of Government, while all around us rage demands that the Government take a bigger hand in the manipulation of what we still claim is a free enterprise system.

The Federal Government continues to be the biggest lender, the biggest insurer, the biggest producer of electric power, the biggest promoter of housing projects. The Government has become so enmeshed in the construction industry that the economic well-being of this great industry, and of all its suppliers, is dependent on how many dams, office buildings, and post offices the Government plans to build, and how liberal it will be in guaranteeing home loans.

The Government is the biggest investor and subsidizer. It uses taxpayers' money in the support of steamship lines and airlines. Through unrealistic postal rates, it helps pay the operating costs of highly profitable national magazines. The direct mail advertisers insist they cannot survive without the Government as a financial backer.

I was assigned the topic, Government Competition Is Not Competition. Obviously, Government competition is not competition as we know it in the sphere of private enterprise. There it is a contest for consumer acceptance on the basis of relative production and merchandising ingenuity, with the competitors presumably starting the game all even. When the Federal Government takes a hand however, the cards are stacked, and the new player's pile of chips is virtually unlimited.

There are all sorts of excuses, of course, for putting the Government in business. In one instance, it may be contended that the operation is a "yardstick" to protect the Government from being gypped when it deals with private suppliers for similar merchandise or services. In another case, it may be contended that the operation is essential to keep Government employees happy, as in a commissary-type enterprise. The clincher argument, with which we are not supposed to differ, is defense necessity.

Nearly 2 centuries ago, William Pitt, a British statesman of some asperity, declared in the House of Commons:

"Necessity is the plea for every infringement of human freedom."

As recently as 1956, a worldwide inventory of business-type governmental operations conducted by the Budget Bureau, turned up no less than 19,771 such operations. Undoubtedly, each one of these could be defended at length by the bureaucrats engaged in managing, or mismanaging it.

In 1933 a special committee of the House of Representatives studied Government competitive enterprises and located 232 such activities created to meet the emergency demands of World War I—but still existing 15 years after the war ended.

You might be interested in the conclusions this committee drew from finding 232 business-type operations. I quote from its report:

"The evidence in general indicates that the operations of the Federal Government in the field of private enterprise have reached a magnitude and diversity which threatens to reduce the private initiative, curtail the opportunities, and infringe upon the earning powers of taxpaying undertakings while steadily increasing the levies upon them."

That was a straight-from-the-shoulder observation calling public attention to a national problem. Imagine what this committee might have said had it discovered not 232 business operations, but upward of 19,000 with a capital investment twice as great as the entire Federal budget in that long-ago year.

Last year, I was honored by an invitation from the citizens' committee to sponsor one of the bills intended to carry out recommendations of the Hoover Commission. This bill, H. R. 5826, is designed to pin down claimed justifications for any new business-type enterprises proposed to be established under Federal auspices, and to encourage the orderly liquidation of existing ones. Ten other Members of the House, from both sides of the aisle, offered similar bills, and companion measures were introduced in the Senate.

I do not happen to be a member of the committee to which my bill and its companions were referred. Before we waste any time in castigating the committee for inaction, however, let us recall that the advancement of legislation is a competitive enterprise. You and I might agree here and now that we have gotten together behind a fine bill; that there is no question about the desirability of its becoming the law of the land. But we have to face the fact that, so far, this legislation, in the argot of show business is not "box office." It has not generated widespread public excitement. At the moment, a bill to open a post exchange on the moon to serve our first space exploration expedition might have a much better chance.

The success of legislation to limit the Government's incursion into business endeavors depends on two things; first, evidence of an aroused public opinion which insists on Congressional action—for, whatever its faults, Congress remains responsive to what it believes to be the public will. And, second and even more important, evidence of a determination in the executive branch to move vigorously to place the legislative policy in effect.

It has been estimated that 10 percent of the civilian personnel of the Federal Government are on the payroll of business-type activities. We know, too, that these activities generally fail to reveal their true cost to the

taxpayers: that, except in rare instances, these activities pay no taxes and little or no interest on investment capital; that they seldom charge depreciation, and that they sometimes fail to carry their directing personnel on the payroll.

The citizens committee refers hopefully to 1958 as the climax year—the year in which really substantial progress could be made toward effectuating the Hoover Commission recommendations. There have been a few glimmers of light, such as the Congressional action on the budget reform proposals.

But let us make no mistake—this could be a climax year of another sort if we do not succeed in meeting and besting the forces of benevolent quasi-socialism now seizing on the business downturn as the ideal lever with which to raise public support for new Federal adventures in business. We could lose the game once and for all.

I said at this meeting last year, and the present clamor for the Government to do more about the state of business impels me to reemphasize it today—private enterprise, despite the vaunted prowess of its Madison Avenue sales psychologists, has not yet done the wide-spectrum selling job which must be done among all citizens if the Government is to be put out of business—out of business which could and should be handled by private capital and private management.

Any businessman, any trade association running to Washington today to plead for extended or increased subsidization, whether by liberalized Federal credit or by any other means, should pause and consider whether another shred of the tattered fabric of free enterprise is being bargained away to relieve an immediate economic pinch. Whenever business goes to Washington with pleas for financial cushions or bailing buckets, it is seeking to unload on taxpayers generally a poor business risk, a risk it admits it cannot get underwritten within the business community.

There does not seem to be much sex appeal any more in the old virtues of frugality, individual initiative and balanced budgets. Deficit financing, a horrid word a year ago, is viewed with complacency today.

Yes, this may well be the climax year, but a tremendous job of public education remains to be done if it is to be a climax favorable to the cause of lean and efficient government as envisioned by Thomas Jefferson. Public indignation built this Republic. Public indignation has spurred its defense in times of crisis. An aroused public still could chop the Government down to size, but the hour is late.

Ireland and the Irish

EXTENSION OF REMARKS

OF

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 2, 1958

Mr. FEIGHAN. Mr. Speaker, under leave previously granted, I insert in the RECORD the address I delivered on March 17, over radio station WERE in Cleveland, titled "Ireland and the Irish":

IRELAND AND THE IRISH

The virtues of St. Patrick have been extolled by enlightened speakers for many centuries, particularly on the historic occasion which we celebrate today. It is on this day that the Irish the world over claim all of the great virtues of St. Patrick as a birthright and laud the great benefits he brought to all mankind.

The world of our times is gripped by tensions, the intensity and scope of which have never before been known. These tensions result from issues which go to the very root of civilization and challenge every essential of the existing order. The world is cruelly divided. This division is represented on the one side by the many nations and millions upon millions of people who are subjected against their will, to the humiliations of life under atheistic communism. On the other side are the still free nations of the world who are struggling to maintain those great human values which St. Patrick inculcated in the Irish race and which formed the foundation of the civilization of which we, as Americans, are a part. Never before has the world been so divided into two opposing camps in which there appears to be no room for compromise without abandoning our principles and in which there is so much at stake.

This cruel division of humanity did not occur by accident or overnight. It has been long in the making and traces itself to the rise of materialism as a philosophy of life, when men began to take the position that there was no place for God or the laws of God in the affairs of men. With the advancement of these concepts, the struggle in which we are now engaged began. Long before Karl Marx and his perverted concept of life was enunciated in the Communist manifesto, others had advanced the notion that man was nothing more than an animal who was born to die without responsibility to a Creator and without the necessity of accounting to that Creator when the toils of this life are done. It was Karl Marx, however, who formulated all these ill-conceived concepts into a doctrine and added to it unworkable economic theories which spring from the belief that man is no more than a pawn in the industrial age.

The roots of the present crisis began when Karl Marx and his handful of associates issued the Communist Manifesto in 1848. This Manifesto was the rule book of gross materialism and the guidebook for the militant atheists of all hues and colors. Historically, it is important to note that it was at this time that the great human values epitomized by the life and times of St. Patrick were brought into sharp and open conflict with the new dogma of atheistic materialism.

The greatest gift St. Patrick brought to the people of Ireland, and thus to the world, was an appreciation of the individual dignity of man. St. Patrick taught that man as a creature of God, held a sacred place, and therefore, demanded respect and reverence from his fellow man. Man, as St. Patrick taught, was the highest creature of God, being imbued with an immortal soul and being on earth for a few fleeting years during which he is given the free will to perform good acts or evil acts in relation to himself and to his fellow man. It was thus that the Irish people learned of the special dignity of man and the great responsibility that accompanies that dignity. The responsibility being that each of us would be required to give an accounting to our Maker for our stewardship.

From these teachings of St. Patrick the Irish race became imbued with the belief in the dignity of man. This belief, in times of great trial and tribulation, is supported by their belief in the fatherhood of God. Both by teaching and by hard experience they learned that they could not fail in the great mission which had been assigned to them by St. Patrick. That is, the Irish could not fail in their mission on earth, so long as they remained steadfastly attached to the teachings of St. Patrick.

This explains the happy fact that everywhere the Irish went in the world—and there is scarcely a place on earth untouched by the influence of the Irish—they brought with them this great and inspiring message of the dignity of man. It is understandable therefore, how the Irish quickly became a part of their newly adopted lands, rising to offices of the highest public trust in practically every new country. Possessed of great physical and mental vigor they were endowed with many other human characteristics which make them lovable to their fellowman. By nature they were always prepared to make whatever sacrifice was necessary for the good and betterment of their fellowman, but above all else, the Irish brought the message of the dignity of man to their daily work, in the discharge of their responsibilities, and indeed even in their humiliation in the face of intolerance and persecution. It is dedication to that belief which made the Irish revolutionaries and fighters for those inspiring ideals which cause men to rise above the ordinary.

The Declaration of Independence reflects the desire of the Founding Fathers to build a nation under law based upon a recognition of the dignity of man while seeking protection of Divine Providence in the pursuit of a better and happier life for all. The challenging words of the American Declaration of Independence struck the hearts and minds of men all over the world—so strong was its appeal for justice, individual liberty and human freedom. It was natural that millions of Irish would flock to the shores of America and would seek to play their part in the fulfilment of the great dream expressed in that Declaration by our Founding Fathers.

It has always been the mission of the Irish in the United States, no matter how many generations removed from the old sod, to give life and meaning to the inspiring promises of the American Declaration of Independence. With each passing generation this opportunity brought new challenges and sacrifices, together with epics of heroism and sadness which grow out of periods of severe trials and national crises. In these circumstances, the Irish have made their indelible mark in the annals of American history.

Today our Nation faces its greatest test as we seek the path of justice and freedom for ourselves and all our fellow men. The cruel division of humanity caused by the application of atheistic materialism by the Russian Communists to almost one-third of the population of the world is forcing decisions upon us which could well spell the difference between peace and another war in our times. It is this unnatural division of humanity which is responsible for the dangerous political tensions which grip the world. The sad experiences of our own lifetime teach us that such political tensions, unless checked, lead to war.

The Russian leaders have been clamoring for another conference at the summit with leaders of the free world. They claim that such a conference is necessary to remove political tensions. In their vast public propaganda drive to force such a summit conference, they hold out both the threat of atomic warfare and a skillfully disguised illusion of disarmament. The technique of threat and escape, for which the Russians are historically notorious, is offered to the people of the world who hunger for a just and lasting peace. The threat is that unless the Russian terms for peace are accepted, all mankind will be doomed to the spectre of atomic warfare, delivered by intercontinental missiles. The escape offered is that by accepting the Russian terms we in America and other free people will be spared the horrors of atomic missiles only to be taken over and ruled by the Russian Communists through more peaceful methods. This is precisely what the Russians mean by their offers of peaceful coexistence, the technique through which they would cause us and other free nations to abandon our

national defenses and after a few humiliating years be forced to surrender our individual liberties and meekly submit to the tyrannical rule of atheistic materialism.

The Russian package deal is as follows:

1. That the United States give formal recognition to the status quo as it now exists in the world. In other words, we are being asked to recognize the right of the Russians to occupy, exploit, and destroy all the many nations now under occupation by the Red army or controlled by the Communist puppet regimes set up by the Russians. We are thus being asked to sanction the cruel division of humanity which is responsible for world tensions. This would mean turning our backs upon our proven allies, the oppressed people behind the Iron Curtain, and deserting all the moral and political principles which rest at the very foundation of our civilization. In a very special sense this would mean condemning our brethren now suffering under the heel of atheistic communism to a perpetual hell on earth.

2. That a general disarmament agreement be entered into, which hard experience tells us would not be worth the paper it was written on, whereby the free world would denounce the use of the weapons of defense which alone have stood in the way of further Russian armed aggression against the nations on the periphery of the vastly expanded Russian empire. We are being asked to trust the Russian Communists, to believe that they will abide by such an agreement. The record shows that any agreement entered into by the Russians is good only so long as it serves their objective of world conquest, and no longer.

This is the package deal the Russians are presenting as their price for peace. They have it well disguised but only the most naive fail to see this pattern.

If, in a moment of weakness, we acceded to such package deal, we would set our country and the entire world upon an unavoidable course of war. Freemen will never surrender peacefully to the tyrant, and war would thereby result at a time selected by the Russian leaders and in circumstances which they believed promised swift and certain victory.

Nevertheless, there are strange voices in our midst calling for a try at peaceful coexistence with the Russian Communists. Others support recognition of the status quo on the basis that by so doing we would in some mystic manner wipe the slate clean and cleanse the world of all tensions and strife. But these strange voices seem unmindful of and have no concern for the dignity of the individual and the inherent right of all people and nations to liberty, freedom, and self-government.

The road to a just and lasting peace, at best, is not an easy one. It demands patience, courage, sacrifice, and unwavering support of those basic ideals and principles which grow out of a recognition of the essential dignity of man. It permits no room for compromise of those ideals and principles and rejects secret agreements arrived at in the tempting atmosphere behind closed doors.

It is dedication to this spirit which causes the Irish Government to be denied membership in the North Atlantic Treaty Organization, because to gain membership she would be required to sign an agreement to recognize the status quo in Ireland for a period of 20 years. Ireland by right belongs in NATO but the price of admission would have required her to desert her ideals and principles. She could not more recognize the right of the British Government to maintain the unnatural division of Ireland than we Americans would wish NATO to recognize the unnatural division of Europe caused by the Russian Communists.

It is paradoxical that NATO, by proclamation has adopted the principle of the right of all people and nations to self-determination and self-government, yet the British as members of NATO refuse this right to Ireland and thus exclude her from membership in NATO.

SENATE

THURSDAY, APRIL 3, 1958

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

O Thou God of our salvation, in the holy pilgrimage of this sacred week we fain would join devout multitudes, under all skies, treading the way of sorrow. We lift our eyes to man's Best Man, as with steadfast face, in lowly majesty, He rides on to a waiting cross on a green hill outside a city wall. May that cross of the Redeemer, which in these days of the Passion is the mystic magnet for millions, be for us, as never before, as we watch Him there, the sublime symbol that truth will conquer error, that light will dispel darkness, and that life at last is lord of death.

In our personal lives and in our national and global relationships, may we face whatever the future holds, calm and confident that the third day comes. May we hold that faith, and hold it fast. We ask it in the ever-blessed name of the Risen Redeemer. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, April 2, 1958, was dispensed with.

MESSAGE FROM THE PRESIDENT

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the bill (S. 1386) to authorize the Interstate Commerce Commission to prescribe rules, standards, and instructions for the installation, inspection, maintenance, and repair of power or train brakes, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H. R. 776) to permit temporary free importation of automobiles and parts of automobiles when intended solely for show purposes.

The message further announced that the House had severally agreed to the amendments of the Senate to the following bills and joint resolution of the House:

H. R. 5005. An act to suspend for 2 years the duty on crude chicory and to amend the Tariff Act of 1930 as it relates to chicory;

H. R. 8794. An act to provide an exemption from the tax imposed on admissions for admissions to certain musical performances; and

H. J. Res. 347. Joint resolution authorizing and requesting the President to invite the several States and foreign countries to take part in the Fourth International Automation Congress and Exposition to be held in the New York Coliseum at New York, N. Y., from June 9 to June 13, 1958.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9821) to amend and supplement the Federal-Aid Road Act approved July 11, 1916, to authorize appropriations for continuing the construction of highways.

The message further announced that the House had agreed to a concurrent resolution (H. Con. Res. 305) providing for printing additional copies of general revenue hearings, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

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

S. 497. An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes; and

S. 2120. An act to authorize the Secretary of the Interior to construct, rehabilitate, operate, and maintain the lower Rio Grande rehabilitation project, Texas, Mercedes division.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Preparedness Subcommittee of the Committee on Armed Services was authorized to meet today during the session of the Senate.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. MANSFIELD. Mr. President, under the rule there will be the usual morning hour for the introduction of bills and the transaction of other routine business. I ask unanimous consent that statements made in connection therewith be limited to 3 minutes.

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

EXECUTIVE COMMUNICATIONS, ETC.

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

PROVISIONS OF CERTAIN ADMINISTRATIVE AUTHORITIES FOR NATIONAL SECURITY AGENCY

A letter from the Secretary of Defense, transmitting a draft of proposed legislation to provide certain administrative authorities for the National Security Agency, and