thereby a different service than is presently provided, so that they—

Answer. This proposal has come up before and it may well have merit as a means of making FNMA a more truly secondary market. We certainly will study it.

HOUSING FOR THE AGED

Question. Mr. Congressman, there has been a great deal of interest, the past 2 or 3 years particularly, and a growing interest both in and out of Government about the problem of appropriate housing for our aged. In fact, I understand that the President has recommended that section 207 of FHA be separated so that there will be an independent rental housing program for elderly persons. May I ask whether you would favor such an action and whether you believe there is enough need for a specific Federal program to justify special legislation in this field?

Answer. To put it rather bluntly, I think—and I have said so in the hearings—that the administration's proposals on housing for the elderly are just mere window dressing. Rents are too high. Under the present proposal the mortgages are not long enough. Several years ago I submitted in a bill, which unfortunately did not get through the Congress, a proposal that would provide for long-term, low-interest loans to nonprofit corporations for the building of homes for the elderly, somewhat along the line of the college housing program.

Actually, that is the only way that we are ever going to get rents the elderly will be able to pay out of their social security and various other retirement income. I think that housing for the elderly, because of the ever-increasing number of elderly people, is one of our very urgent problems, and I think we are going to have to approach it with much more realism than has been done by the administration.

Question. You have indicated your concern about the current state of the economy and probable growing unemployment. Would you care to comment on your views about the long-range future of American economy?

Answer. I am always an optimist on the long-range future of the American economy. I expect the economy to turn up considerably before the end of this year if the proper steps are taken by the present administration to combat the recession. In the long range, with the ever-growing demand and the ability to produce that we have in America, and with the great increase in population that we are witnessing, and the technological advances that we are sure to make, I think we are headed for prosperity in the days to come.

Question. Do you believe that any action will be taken by the Congress at this session on any of the several proposals for partial insurance of conventional loans?

Answer. Yes; there likely will be some action on those proposals. There are, of course, several different types of proposals. I doubt if any of them are enacted in the form in which they are now proposed, but there will very likely be worked out some legislation along that line which will be incorporated in the general housing bill.

Question. One final question—with all of your experience in the field of housing, Mr. RAINS, what do you regard as the largest unsolved housing problem?

Answer. It is my judgment that the largest unsolved housing problem is the one you mentioned a moment ago, the inability of the Federal programs, we will say, to reach the low-income group. I really mean that group that is sometimes referred to as the lower half of the middle-income group. It has been the inability of our programs to reach that group that I regard as the greatest unsolved problem we have.

MORE MORTGAGE CREDIT VITAL

Question. What do you think is the major measure or the major remedy that could be used to solve that problem?

Answer. The only answer is to make available more mortgage credit in that particular field, and in that I am sure the Government—because of the inability of the people to pay high rents based on high mortgages—is going to have to take a hand to help.

Question. I wonder, as we close, if Congressman RAINS might tell us what he thinks time-wise, might happen to the housing legislation in the session this year?

Answer. You all have been around here a long time. The truth is that the housing bill has a habit of being studied all year long [laughter], and then finally being passed in the long, hot, closing hours of the last days of the session. [Laughter.]

I judge that it will follow its usual course. However, the Senate hearings, as I understand it, are going to start sometime in March. We have held some hearings. We plan some other hearings on specific items, and the legislative mills affecting housing are beginning to grind.

I would like to say sincerely that those of us in housing on the Hill, my associates on the committee, and my good staff members, feel that you have given us a great deal of help and assistance, and that while we do not always agree, we are certainly able to work together, and that the end and aim of your great organization, as the end and aim of our efforts, is to get more and better housing for the American people. I want to congratulate your great organization.

SENATE

WEDNESDAY, APRIL 16, 1958

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

Our Father, God, to the white altar of Thy grace in the brightness of this new morning we come, bowing in our ignorance and weakness, praying for strength and wisdom to face with courage the somber specters that stalk the darkened earth. Open our inner eyes, that with all our seeing we may not miss the beauty and strength of a spiritual world more real even than the blossoming boughs, now that April's here, or the feathered songsters that wing their trackless way above our heads.

Make us fit vessels to receive the glory and the good Thou dost desire to give to us and, through us, to all the waste places of this stricken earth, we ask in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, April 15, 1958, was dispensed with.

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. 6283. An act for the relief of Dr. Gordon D. Hoople, Dr. David W. Brewer, and the estate of the late Dr. Irl H. Blaisdell;

H. R. 6390. An act for the relief of Bernard J. Hoffman, doing business under the trade name Pyro Guard Service Co.;

H. R. 7186. An act for the relief of the estate of Richard Anthony Nunes, Jr.;

H. R. 7718. An act for the relief of Roy Hendricks, of Mountain View, Alaska;

H. R. 9362. An act to provide for the conveyance of certain real property of the United States to Post 924, Veterans of Foreign Wars of the United States;

H. J. Res. 576. Joint resolution to facilitate the admission into the United States of certain aliens; and

H. J. Res. 580. Joint resolution for the relief of certain aliens.

ENROLLED BILLS SIGNED

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

S. 280. An act for the relief of Agapito Jorolan;

S. 1708. An act to amend the act entitled "An act relating to children born out of wedlock," approved January 11, 1951;

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;

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;

S. 2230. An act to authorize the Secretary of the Interior to convey certain lands to the Charlotte Rudland Dansie Association;

S. 2725. An act to exempt from taxation certain property of the National Council of Negro Women, Inc., in the District of Columbia; and

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.

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. 6283. An act for the relief of Dr. Gordon D. Hoople, Dr. David W. Brewer, and the estate of the late Dr. Irl H. Blaisdell;

H. R. 6390. An act for the relief of Bernard J. Hoffman, doing business under the trade name Pyro Guard Service Co.;

H. R. 7186. An act for the relief of the estate of Richard Anthony Nunes, Jr.;

H. R. 7718. An act for the relief of Roy Hendricks, of Mountain View, Alaska;

H. J. Res. 576. Joint resolution to facilitate the admission into the United States of certain aliens; and

H. J. Res. 580. Joint resolution for the relief of certain aliens; to the Committee on the Judiciary.

H. R. 9362. An act to provide for the conveyance of certain real property of the United States to Post 924, Veterans of Foreign Wars of the United States; to the Committee on Armed Services.

COMMITTEE MEETINGS DURING SESSION OF THE SENATE

On request of Mr. MANSFIELD, and by unanimous consent, the Subcommittee

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on Constitutional Rights of the Committee on the Judiciary was authorized to meet during the session of the Senate this afternoon.

On request of Mr. HUMPHREY, and by unanimous consent, the Subcommittee on Disarmament of the Committee on Foreign Relations was authorized to meet during the session of the Senate this afternoon.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. 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 communication and letters, which were referred as indicated:

REORGANIZATION OF DEPARTMENT OF DEFENSE (H. Doc. No. 371)

A communication from the President of the United States, transmitting a draft of proposed legislation to promote the national defense by providing for reorganization of the Department of Defense, and for other purposes (with accompanying papers); to the Committee on Armed Services.

REPORT PRIOR TO RESTORATION OF BALANCES, DEPARTMENT OF THE ARMY

A letter from the Engineer Comptroller, Corps of Engineers, Department of the Army, transmitting, pursuant to law, a report prior to restoration of balances, as of March 31, 1958 (with an accompanying report); to the Committee on Government Operations.

APPLICATION REPORT, SOUTH DAVIS COUNTY WATER IMPROVEMENT DISTRICT, UTAH

A letter from the Under Secretary of the Interior, transmitting, pursuant to law, an application report of the South Davis County Water Improvement District, Utah, dated June 10, 1957 (with an accompanying report); to the Committee on Interior and Insular Affairs.

REPORT ON BACKLOG OF PENDING APPLICATIONS AND HEARING CASES, FEDERAL COMMUNICATIONS COMMISSION

A letter from the Chairman, Federal Communications Commission, transmitting, pursuant to law, a report on backlog of pending applications and hearing cases in that Commission, as of February 28, 1958 (with an accompanying report); to the Committee on Interstate and Foreign Commerce.

PETITIONS AND MEMORIALS

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

By the VICE PRESIDENT:

The petition of Ellwood B. Jones, of Forest City, Pa., praying for the enactment of legislation to outlaw the union shop; to the Committee on Labor and Public Welfare.

REPEAL OF EXCISE TAX ON TRANSPORTATION—RESOLUTION

Mr. THYE. Mr. President, I present a resolution adopted by the Minnesota State Legislative Committee of the Brotherhood of Railway Clerks, of St. Paul, Minn., favoring the enactment of legislation to repeal the excise tax on transportation. 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:

BROTHERHOOD OF RAILWAY AND STEAMSHIP CLERKS,
St. Paul, Minn., April 12, 1958.

Hon. SENATOR EDWARD J. THYE,
Senate Office Building,
Washington, D. C.

The following resolution was adopted at our quarterly meeting held in St. Paul Saturday, April 12, 1958. We sincerely request your assistance to repeal these transportation excise taxes.

"Whereas an excise tax of 3 percent on freight and 10 percent on passengers is in effect; and

"Whereas said excise tax was originally imposed as a war-time measure to discourage unnecessary use of transportation facilities; and

"Whereas said tax is added to freight bills and the cost of materials and supplies and is paid by the consuming public; and

"Whereas the repeal of the same would be an aid to small businesses which are not able to provide their own transportation facilities; and

"Whereas the revenue derived from said transportation excise tax is small and would be largely, if not entirely, supplemented or replaced by revenues from income tax sources by reason of the stimulation of business activity by repeal of said transportation excise tax: Therefore be it

Resolved, That the Minnesota State Legislative Committee of Brotherhood of Railway Clerks, go on record for repeal of the transportation excise tax and that copies of this resolution be sent to the members of Congress from the State of Minnesota."

FLORIAN J. ANFANG.

RESOLUTION OF MINNESOTA VALLEY COOPERATIVE LIGHT & POWER ASSOCIATION, MONTEVIDEO, MINN.

Mr. HUMPHREY. Mr. President, I have just received a resolution adopted by the members of the Minnesota Valley Cooperative Light & Power Association, Montevideo, Minn., protesting any increase in interest rates on REA loans.

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

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

Be it resolved, That at this annual meeting of members of the Minnesota Valley Cooperative Light & Power Association, Montevideo, Minn., this 24th day of March 1958, with approximately 1,300 members present, that we go on record to vigorously oppose any new legislation to increase the present 2 percent interest rate on REA loans to the rural electric cooperatives, and that we oppose any law enactment by Congress which would force REA cooperatives to obtain loan funds from private sources; be it further

Resolved, That copies of this resolution be sent to our Senators and Representatives in Congress.

RESOLUTION OF CITY COUNCIL OF CITY OF ROCK FALLS, ILL.

Mr. DOUGLAS. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution recently adopted by the City Council of the City of Rock Falls, Ill., opposing the Harris natural gas bill.

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

Whereas there is pending before the Congress of the United States a bill known as the Harris-O'Hara natural gas bill; and

Whereas the passage of said bill would cost more than 27 million gas-consuming families $1 billion a year in increased rates; and

Whereas the effect of said bill would be to remove the producers' price for natural gas from effective Federal regulation and would cause an increase in gas prices and leave the consumer completely unprotected; and

Whereas in the event said bill were passed, consumers could not be protected against excessive rates; and

Whereas there is no element of competition in the sale of natural gas which would protect consumers: Now, therefore, be it

Resolved by the City Council of the City of Rock Falls, Ill., That said city council is opposed to the bill known as the Harris-O'Hara natural gas bill new pending before the Congress of the United States, and that copies of this resolution be sent to Senators PAUL H. DOUGLAS, EVERETT MCKINLEY DIRKSEN, and Representative LEO E. ALLEN.

RESOLUTIONS OF ORGANIZATIONS OF THE STATE OF NEW YORK

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the RECORD a series of resolutions adopted by organizations of the State of New York.

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

Whereas the railroads are an essential element in the economy of the Elmira area and a vital factor in both our national prosperity and our national defense; and

Whereas if the Elmira area and the Nation are to continue to reap the benefits of this essential, free-enterprise transportation system, relief from some of the legislative restrictions of the railroads is imperative: Now, therefore, be it

Resolved, That the council of the city of Elmira requests that prompt affirmative action be taken by the Congress of the United States to make the necessary practical changes that will permit the Nation's railroads to improve their financial condition.

Resolved, That the City Council of Watertown go on record to petition the Federal Government and the duly elected Senators, the Honorable IRVING M. IVES and the Honorable JACOB K. JAVITS and Congressman CLARENCE E. KILBURN to include funds and make same available if a Federal works program is put into action for the construction of public works projects such as fire stations, jail, municipal office building, sewage disposal plant, incinerator, and public recreational facilities for the city of Watertown.

RESOLUTION URGING FEDERAL AID FOR THE SHELLFISH INDUSTRY TO COMBAT AN INVASION BY STARFISH

Whereas the shellfish industry in and about the waters of Long Island contributes greatly to the economy of Suffolk County, and this industry is threatened by an invasion of starfish; and

Whereas the Oyster Institute of North America has proposed Federal and State aid to save this industry, and to institute measures to prevent and control this menace: Therefore, be it

Resolved, That this board express its deep concern over this threat to shellfish, and urge that all appropriate Federal relief by way of funds, control measures, or otherwise be given immediate consideration by this Congress; and be it further

Resolved, That copies of this resolution be sent to Hon. STUYVESANT WAINWRIGHT, Representative in Congress, Hon. IRVING IVES, and Hon. JACOB JAVITS, United States Senators.

Whereby this grange shall go on record as disapproving any form of daylight saving time. It is most detrimental to farming and to the welfare of our Nation; and

Whereas factories, office help, and so forth wish to take advantage of longer daylight hours, let the working hours begin and end accordingly on standard time: Therefore be it

Resolved, That a copy of this resolution be forwarded to Otsego County Pomona Grange to be acted upon at their regular meeting March 25, 1958, and copies sent to Senator JACOB JAVITS and Congressman BERNARD KEARNEY.

Whereas there are employed as railroad workers 473 residents of Putnam County; and

Whereas any further reduction of railroad passenger service will greatly increase unemployment in Putnam County and also would present a serious problem for hundreds of Putnam County commuters; and

Whereas it is in the province of the Federal Government to grant tax relief and ease regulations affecting railroad transportation: Now, therefore, be it

Resolved, That the clerk of the board be directed to send a copy of this resolution together with a covering letter requesting Senator JACOB K. JAVITS, Senator IRVING M. IVES, and Congressman RALPH W. GWINN to support legislation that alleviates the plight of the railroads.

RESOLUTION OF CITY COUNCIL OF LA SALLE, ILL.

Mr. DOUGLAS. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution urging legislation to increase public works projects to alleviate the unemployment situation, which was recently adopted by the City Council of the City of La Salle, Ill.

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

Resolution

Whereas unemployment has been on the increase throughout the entire Nation; and

Whereas the City Council of the City of La Salle, Ill., believes that certain action must be taken to alleviate the unemployment situation: Now, therefore, be it

Resolved by the City Council of the City of La Salle, Ill., That we hereby recommend that the Federal Government continue its program for public works projects for the purpose of alleviating the unemployment problem, and that we urge the Congress of the United States to pass all necessary legislation to provide for the increased public works projects and that the city clerk of the city of La Salle, Ill., forward copies of this resolution to the Members of Congress from this District, the President of the United States, and the Governor of the State of Illinois.

This resolution was passed and adopted at a regular meeting of the City Council of the City of La Salle, Ill., held on the 3d of March 1958.

Approved this 3d day of March A. D. 1958.

B. D. BRUNO, *Mayor*.

Attest:

GENEVIEVE KUDLA, *City Clerk*.

THE HARRIS NATURAL GAS BILL—MEMORIAL

Mr. DOUGLAS. Mr. President, I ask unanimous consent to have printed in the RECORD a memorial signed by a number of citizens of Chicago, Ill., opposing the passage of the Harris natural gas bill.

There being no objection, the memorial was ordered to be printed in the RECORD, without the signatures attached, as follows:

We, the undersigned citizens and voters of Illinois, do hereby entreat you, most emphatically, to use your influence in voting against the infamous Harris bill, the passing of which would unjustly raise our gas bills for the use of natural gas in our homes.

(Signed by Veronica Kalemba and sundry other citizens of the city of Chicago, Ill.)

REPORTS OF COMMITTEES

The following reports of committees were submitted:

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

S. Res. 287. Resolution authorizing a study of the textile industry of the United States; referred to the Committee on Rules and Administration.

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

H. R. 11019. An act to permit articles imported from foreign countries for the purpose of exhibition at the Kentucky State Fair, to be held at Louisville, Ky., to be admitted without payment of tariff, and for other purposes (Rept. No. 1436).

REPORT OF JOINT COMMITTEE ON CONSTRUCTION OF BUILDING FOR A MUSEUM OF HISTORY AND TECHNOLOGY FOR THE SMITHSONIAN INSTITUTION (S. REPT. NO. 1437)

Mr. ANDERSON. Mr. President, on behalf of the Joint Congressional Committee on Construction of a Building for a Museum of History and Technology for the Smithsonian Institution, I submit a report, pursuant to section 4 of Public Law 106 (84th Cong., 69 Stat. 189). I ask that the report be printed.

The VICE PRESIDENT. The report will be received and printed, as requested by the Senator from New Mexico.

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

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

Vice Adm. Alfred C. Richmond to be Commandant of the United States Coast Guard, with the rank of vice admiral.

Rear Adm. James A. Hirshfield to be Assistant Commandant of the United States Coast Guard, with the rank of rear admiral;

Richard F. Eiden, and sundry other persons, for appointment in the United States Coast Guard; and

Russell A. Serenberg, and sundry other persons, for appointment in the United States Coast Guard.

BILLS INTRODUCED

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

By Mr. HILL:

S. 3624. A bill to amend the act "An act to authorize a permanent annual appropriation for the maintenance and operation of the Gorgas Memorial Laboratory," approved May 7, 1928, as amended; to the Committee on Labor and Public Welfare.

By Mr. CHAVEZ:

S. 3625. A bill for the relief of Belle Kligerman; to the Committee on the Judiciary.

By Mr. SMITH of New Jersey (for himself, Mr. PURTELL, Mr. JAVITS, Mr. CASE of New Jersey, and Mr. IVES):

S. 3626. A bill to establish a teaching hospital for Howard University, to transfer Freedmen's Hospital to the university, and for other purposes; to the Committee on Labor and Public Welfare.

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

By Mr. BEALL:

S. 3627. A bill for the relief of Anna Marie Van Rooy; to the Committee on the Judiciary.

By Mr. HUMPHREY:

S. 3628. A bill to amend the Davis-Bacon Act, and for other purposes; to the Committee on Labor and Public Welfare.

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

By Mr. IVES:

S. 3629. A bill to authorize certain beach erosion control of the shore of the State of New York from Fire Island Inlet to Jones Inlet; to the Committee on Public Works.

STATUE OF CHARLES M. RUSSELL

Mr. MANSFIELD. Mr. President, today I am pleased to announce to the Senate that the State of Montana will place its first statue in Statuary Hall in October of this year. Statuary Hall, in the United States Capitol, is perhaps the finest memorial to outstanding Americans. As all of us know, each State is entitled to place two statues in Statuary Hall. To date, Montana is one of the few States that has not placed at least one statue in the Capitol.

After a number of years of planning and fund raising, Montana has decided to honor a great Montanan—not a statesman, politician, or philanthropist, but an artist—Charles Marion Russell—who recorded in oils, charcoal, and sculpture a vanishing era and a vanishing race. He was an artist, illustrator, and writer who recorded the old West during its transition to civilization.

Russell was an adopted Montanan, who came to Helena in 1880, when the total population of the Montana Territory was less than 40,000. He lived the West; he worked as a trapper and wrangler. He lived with the Indians; and it was during those years, as a young man, that he was painting and modeling

more and more of the experiences he was living. In 1892, he moved to Great Falls, and settled down as an artist. Four years later he married Nancy Cooper, who was to exercise a most helpful and beneficial influence during their life together. Thereafter, he built a studio in Great Falls; and his work as an illustrator became in greater demand; and his paintings, which were very popular locally, were beginning to draw attention from far away places.

No artist captured the West with such devotion and fidelity as did Russell; and he continued to do so until his death in 1926.

The sculptor of the statue of Charles Russell is John B. Weaver, a native of Butte, Mont., and curator of the Montana Historical Museum. The statue is now being cast into bronze. It is a 7-foot high representation, and shows Russell with a palette on his left arm and a brush in his right hand. It is 1 of 5 selected in a statewide contest.

The bronze statue of the cowboy artist will be placed in Statuary Hall in October, the same month that the National Museum of Fine Arts will feature an exhibit of Charles Russell's original paintings and illustrations. October will truly be Montana Month in the Nation's Capital.

On behalf of Montana's distinguished senior Senator [Mr. MURRAY] and myself, I submit three concurrent resolutions which authorize the acceptance of the statue of Charles Marion Russell, to be placed in Statuary Hall; the temporary placement of the statue in the rotunda of the Capitol; and the printing of the installation proceedings.

In conclusion, Mr. President, I ask unanimous consent that there be printed in the RECORD, at the conclusion of my remarks, three commendations of Russell: Charles Marion Russell, a Brief Commentary by Old Friends; Russell, Artist or Illustrator? by K. Ross Toole; and, C. M. R., He-Man Artist of a Raw-Boned Era, by Michael Kennedy.

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

CHARLES MARION RUSSELL, A BRIEF COMMENTARY BY OLD FRIENDS

Will Rogers once said, "Charlie Russell wasn't just another artist. He wasn't 'just another' anything."

And J. Frank Dobie, the sage Texan who has chronicled the West so well, has written:

"One cannot imagine Charles M. Russell living in a world without horses. If the wheel had never been devised, he could have been content. The steamboat had carried traders and trappers up the Missouri River and become a feature in the pageant of the West before he was born; he accepted the steamboat, respected it. When, in 1880, at the age of 16, he went to Montana, he traveled by the railway to its end and then took the stage. The Far West was at that time still an unfenced and comparatively unoccupied expanse of grass and mountains; he accepted and respected the steam engine as one of its features. As it hauled in plows, barbed wire, and people, he would, had he had the power, have Joshuaed the sun to a permanent standstill. The Russell genius was adverse to change.

"Russell's devotion to old times, old ways, the old West did not come from age. It was congenital. Even in infancy he pictured the West of Indians, spaces, and outlanders, and knew what he wanted. * * * He wanted room; he wanted to be left alone; he believed in other people being left alone. * * * In one respect he was far ahead of his contemporaries, who generally said that the only good Indian was a dead Indian. He had profound sympathy for the Plains Indians. * * * When sometimes he spoke of 'my people,' he meant the horseback Indians. He called the white man nature's enemy. The Indians harmonized with nature and had no more desire to conquer it or alter any aspect of it than a cottontail rabbit.

"Over and over, he pictured schooners, freight wagons, packhorses, Indian buffalo hunters, cowboys, Northwest mounted police, horse thieves, stage robbers, and other horseback men. Bull whackers, muleskinners, stage drivers, and their contemporaries of the frontier were as congenial to him as 'Nature's cattle,' among which the coyote and the tortoise were in as good standing as the elk and the antelope. * * *

"Russell's opposition to change was but the obverse of his concentration upon the old. His art can be comprehended only through an understanding of his conservatism. It was not the conservatism of the privileged who resent change because change will take away their privileges. It was the conservatism of love and loyalty," Dobie says.

Will Rogers also said: "He loved nature—everything he painted God had made. In people, he loved human nature. In stories, he loved human interest. You never saw one of his paintings that you couldn't tell just what the Indians, the horse, and the buffalo were thinking about. * * * He was a great story teller. * * * He not only left us great living pictures of what our West was, but he left us an example of how to live in friendship with all mankind. A real, downright, honest-to-God human being."

Montana is proud of her adopted son, Charlie Russell. No one has ever painted her portrait so vigorously or so well. No one, in word, picture, or by any other device, has yet captured the pioneer flavor of the West's formative years more vividly.

The Charles M. Russell Room at the new Historical Society Museum in Helena, Mont., houses one of the world's finest collections of C. M. R.'s imperishable art; more than 100 choice items. Many of these are now being reproduced exclusively by the U. O. Colson Co., of Paris, Ill.

RUSSELL, ARTIST OR ILLUSTRATOR?

(By K. Ross Toole)

There has long been an argument in certain circles as to whether Charles M. Russell was an artist or an illustrator. He thought of himself as an illustrator, but it is doubtful that he would ever have entered in the argument himself, pro or con. He painted what he saw and what he knew. And he painted with a fidelity that has seldom been matched by any illustrator. Yet Russell's works are notable not merely because he knew the horse, the Indian, and the Montana landscape. Russell was painting and sculpting a vanishing era and a vanishing race, and he knew it. Unlike the vast majority of his contemporaries, he saw the inherent dignity in the Indian and he was acutely conscious of the tragedy involved in the Indian's plight. In the 1880's, when the sentiment that "the only good Indian is a dead Indian," was still strong in the West, Russell lived with the Bloods and came to understand them. More, he came to admire and respect their way of life. This is either explicit or implicit in all his paintings of Indians.

While many a story about Russell has pictured him as a cowboy first and an artist second, such is not the case. He was more a philosopher than a cowhand, more a translator than a doer, and all these elements of his nature came out in his brush and fingertips.

He was immensely conservative; he detested the change that was putting an end to the way of life he loved and to the open range that gave him a sense of freedom he could find nowhere else. There is a poignant nostalgia in most of his work subsequent to 1900 which is a reflection of a genuine sadness. It is this feeling in his work that sets him apart from his imitators.

Charles Russell was a strange mixture of strength and weakness. He was no businessman and he left the matter of commercializing his work to his shrewd wife. He drank too much whisky with old cronies. His loyalty to the old things and the old times was intense and he was always an easy touch. His humor was much like that of his good friend, Will Rogers—wry, often turned on himself, sometimes a little satirical. In short, Charles M. Russell, as Will Rogers put it, was "a real downright, honest-to-God human being." And that is another thing that separates Russell from his imitators.

Russell has become part myth, part legend in Montana, and he is rapidly coming to occupy a similar position throughout the country. This is the case not merely because he was a good painter and sculptor of romantic subjects, but because behind his work was a man in love with a vanishing age and its people.

C. M. R., HE-MAN OF A RAW-BONED ERA

(By Michael Kennedy)

Charles M. Russell was born with an inherent love of the western frontier. That was in St. Louis, Mo., historic river town, on March 19, 1864; the year that Montana Territory was created. His heritage was deeply rooted. Russell's paternal grandparent, Silas Bent, later a noted frontier judge, arrived in St. Louis in 1804, as the Lewis and Clark Expedition was departing for the uncharted northwest wilderness to explore the vast new lands acquired under the Louisiana Purchase.

Four of the Bent offsprings—Charles, George, Robert, and William—quickly became identified with the hazardous frontier fur trade. George was among the early white Americans to trod what was to become Montana soil, trapping for the American Fur Co., as early as 1816. William and Charles achieved the greatest fame. William was identified with the famous adobe outpost known as Bent's Fort. He built a trading post in 1824 on the Arkansas River and was considered one of the first permanent white settlers in what later became Colorado. An intimate of such mountain men as Kit Carson and the intrepid Jim Bridger, William Bent was a prototype of the rugged breed who first peopled the Rocky Mountain region. It was inevitable that he should be the boyhood hero of Charley Russell; even though Charles Bent, who was active in the Santa Fe trade, achieved a higher station in life. He was Governor of New Mexico Territory when killed by Pueblo Indians, at Taos, in 1847.

Charley Russell started sketching and modeling at an early age. He sketched from live models and preferred clandestine visits to the teeming river front where the bearded buckskin men were unloading furs from mackinaws and bullboats; or loading vital cargo aboard the river craft headed back to the frontier—to school. He preferred almost anything to school. Even a term in a New Jersey military academy failed to distract his fanciful mind from things western. So Charley's merchant father devised a scheme; sent him to the raw hinterland and cure him, once and for all, of those romantic notions. Traveling by way of the Utah Northern Railroad and stagecoach with an adult family friend named Pike Miller, the 16-year-old boy rolled into the gold mining

city of Helena, in the spring of 1880. As related, many years later, by his wife Mame:

"When they arrived there, the streets were lined with freight outfits. He saw bull teams, with their dusty whackers, swinging 16-foot lashes with riflelike reports over 7 or 8 yoke teams; their string of talk profane and hide blistering as their whips, but understood by every bull, muleskinner or jerkline man. * * * It was also ration time for the Indians, so the red men were standing or riding in that quiet way of theirs, all wearing skin leggings and robes. * * * The picturesqueness of it all filled the heart and soul of this youthful traveler."

The total population of Montana Territory was less than 40,000 at that time.

Pike Miller had a sheep ranch in the newly opened Judith basinland just wrested from the Indians and buffalo and made more secure by the building of Fort Maginnis. Charley soon left Miller and teamed up with Jake Hoover, hunter, trapper, and compatible companion. In 2 years, under able tutelage, he learned much about wildlife, the raw country, and its inhabitants, both white and red.

His father's plan had gone astray. Money for Charley to return home with was returned. When the boy had saved enough of his own earnings from trapping, he did return in 1882. But St. Louis was dull and colorless now. Charley left after 4 months, never to leave his adopted State of Montana again, except for infrequent visits here and abroad.

"Kid" Russell hired out as a night wrangler to the first cow outfit he struck after his arrival in Billings. They trailed a thousand cattle into the Judith Basin. Then came jobs with other cow outfits. In the winter of 1886–87 he painted his fabulous postcard-size Waiting for a Chinook, which informed Stadler and Kaufman, in Helena, that the tragic hard winter which marked the decline of open-range ranching, had wiped out their herd of 5,000 Bar R cattle.

In 1888, Russell, who was painting and modeling more and more of the experiences he was living, rode into Canada to live with the Blood Indians. He returned to his beloved Judith Basin in 1889. But the range was filling with homesteaders, towns, and civilization. Trying to remain on open range, Russell moved to the Milk River area just south of Canada. He came to Great Falls in the fall of 1892, to live thereafter as an artist; although it was mighty slim pickings for several years. Four years later he found the only thing needed to round out his genius—his beloved wife Nancy Cooper or Mamie Mann; a real business manager.

In 1903, Russell built a log studio in Great Falls. He was in wide demand as an illustrator of magazine articles and books. His painting was popular, regionally, and beginning to create interest in far places. Nancy insisted on what Charley called deadman's prices and got them—several hundred dollars for a canvas worth $25,000 on today's market. He started to travel and eventually visited the large cities of this country and Europe; but his heart was always in Montana. And as he grew older he became more and more nostalgic for the distant past and more caustic of the so-called march of civilization. A thorough knowledge of all things early western, a deep emotional feeling for them and the genius to interpret, distill, and bring fine essences back to life on board, on canvas, and in clay, resulted in C. M. R.'s acceptance during the first quarter of this century as the Cowboy Artist of the West. No one will ever again recapture the time and the place as graphically, as devotedly, and with such fidelity, as did Charles Marion Russell, right up to his death in 1926.

The VICE PRESIDENT. The concurrent resolutions will be received and appropriately referred.

The concurrent resolutions, submitted by Mr. MANSFIELD (for himself and Mr. MURRAY) were received and referred to the Committee on Rules and Administration, as follows:

S. Con. Res. 80. Concurrent resolution accepting the statue of Charles Marion Russell, presented by the State of Montana, to be placed in Statuary Hall.

The concurrent resolution (S. Con. Res. 80) is as follows:

Resolved by the Senate (the House of Representatives concurring), That the statue of Charles Marion Russell, presented by the State of Montana, to be placed in the Statuary Hall collection, is accepted in the name of the United States, and that the thanks of the Congress be tendered said State for the contribution of the statue of one of its most gifted and colorful citizens, noted for his artistic skill; and be it further

Resolved, That a copy of these resolutions, suitably engrossed and duly authenticated, be transmitted to the Governor of Montana.

S. Con. Res. 81. Concurrent resolution to place temporarily in the rotunda of the Capitol a statue of Charles Marion Russell, and to hold ceremonies on said occasion.

The concurrent resolution (S. Con. Res. 81) is as follows:

Resolved by the Senate (the House of Representatives concurring), That the State of Montana is hereby authorized to place temporarily in the rotunda of the Capitol a statue of the late Charles Marion Russell, of Montana, and to hold ceremonies in the rotunda on said occasion; and the Architect of the Capitol is hereby authorized to make the necessary arrangements therefor.

S. Con. Res. 82. Concurrent resolution to print the proceedings in connection with the acceptance of the statue of Charles Marion Russell, late of Montana.

The concurrent resolution (S. Con. Res. 82) is as follows:

Resolved by the Senate (the House of Representatives concurring), That the proceedings at the presentation, dedication, and acceptance of the statue of Charles Marion Russell, to be presented by the State of Montana in the rotunda of the Capitol, together with appropriate illustrations and other pertinent matter, shall be printed as a Senate document. The copy for such Senate document shall be prepared under the supervision of the Joint Committee on Printing.

SEC. 2. There shall be printed 3,000 additional copies of such Senate document, which shall be bound in such style as the Joint Committee on Printing shall direct, and of which 100 copies shall be for the use of the Senate and 1,200 copies shall be for the use of the Members of the Senate from the State of Montana, and 500 copies shall be for the use of the House of Representatives and 1,200 copies shall be for the use of the Members of the House of Representatives from the State of Montana.

REQUEST FOR RESIGNATION OF EZRA TAFT BENSON, SECRETARY OF AGRICULTURE

Mr. YARBOROUGH. Mr. President, on behalf of myself, and the Senator from Wisconsin [Mr. PROXMIRE], I submit for appropriate reference a resolution stating that it is the sense of the Senate that Ezra Taft Benson should resign as Secretary of Agriculture.

This 16-point resolution is necessary because other means of obtaining relief for farmers from the oppressive policies of Ezra Taft Benson have failed. This is a proper resolution, grounded on historical precedent. Such a resolution has been used several times in the history of this Republic. One of the most recent uses was by Senator Couzens, of Michigan, a Republican Senator, directed to the tenure of the Secretary of the Treasury, Andrew W. Mellon, also a Republican, and addressed to a Republican President, recorded on page 5145 of the CONGRESSIONAL RECORD for 1928, at the 1st session of the 70th Congress.

So this resolution is not an innovation. It is a nonpartisan appeal, addressed alike to Senators on both sides of the aisle who are desirous of saving American agriculture, the family-sized farm, and a way of life in rural America that produced Washington, Jefferson, Jackson, Lincoln, Lee, and Grant. It is time for action now. Mr. President, I ask appropriate action on the resolution.

The resolution reads:

Whereas the present Secretary of Agriculture, Mr. Ezra Taft Benson, has depressed the prices received by farmers for the products of all farms of America until the gross amount received for the products of the farms of America represent only 4 percent of the gross national product; and

Whereas Mr. Benson has incited dissention, created ill will, and stirred up economic civil war between producer groups of different farm commodities, setting farm commodity producer group against farm commodity producer group; and

Whereas the Secretary of Agriculture has diligently carried on a propaganda campaign in an effort to turn the American consumers against the American farmers; and

Whereas Ezra Taft Benson has tried to make farmers believe that their low income troubles have been caused by labor, and has tried to set the farmers against labor, thus creating more dissention in America; and

Whereas Secretary Benson has reduced the locally elected farmers' committees to a mere advisory role (they were formerly administrative), thereby centralizing control in the hands of full time paid politically appointed office managers, at a considerable expense to the Government; and

Whereas the Secretary of Agriculture has loaded administrative costs into crop insurance premiums, thereby raising the cost of crop insurance to farmers; and he has canceled out all crop insurance and refused to insure crops in a number of counties because of losses caused by natural disasters, thereby denying farmers the benefit of the laws passed by Congress for their protection; and

Whereas in 4 of the past 6 years Ezra Taft Benson has attempted to tear down the agricultural conservation practices program by attempting to reduce appropriations to support it, and by actually rewriting the manual of approved practices so that the program would be valueless to most farmers; and

Whereas Secretary of Agriculture Ezra Taft Benson abolished the Soil Conservation Service regional offices on a publicity claim that he was decentralizing organization, but he actually destroyed these effective local regional agencies, transferring their functions to Washington and further centralizing control of agriculture in Washington; and

Whereas the Secretary of Agriculture has tried to force the rural electric cooperatives to cut the private power companies in on Government loans to build REA generation and transmission facilities; and

Whereas Secretary Benson is now holding up use of $74½ million in approved loans to REA co-ops, by stop orders he has issued,

many of these stop orders being issued because the co-ops have not yet agreed to let private power companies operate the REA plants; and

Whereas Secretary of Agriculture Ezra Taft Benson is resorting to duress on rural electric co-ops, by withholding loans to rural electric co-ops in an effort to force them to agree to let private power companies operate their plants if built; and

Whereas Secretary Benson has virtually wrecked the rural telephone cooperative program; and

Whereas Secretary of Agriculture Ezra Taft Benson has sent to the Congress recommendation after recommendation designed to kill the REA program by raising interest rates and by putting the REA in the hands of investment bankers; and

Whereas Secretary Benson has recommended against credit to develop the REA program; and

Whereas Secretary Benson has repeatedly tried to reduce, discredit, and thereby destroy the Farmers' Home Administration, with its services and credit to small farmers; and

Whereas Secretary Ezra Taft Benson has tried to eliminate the small family-type farm in America: Therefore be it

Resolved, That it is the sense of the Senate that Ezra Taft Benson should resign as Secretary of Agriculture.

The resolution (S. Res. 289), submitted by Mr. YARBOROUGH, was received and referred to the Committee on Agriculture and Forestry.

Mr. PROXMIRE. Mr. President, I should like to join the distinguished Senator from Texas [Mr. YARBOROUGH] with respect to the resolution. I think it is a very well drafted measure. The points made by the Senator from Texas are sound. I agree with him. I wish him well. I hope the Senate will adopt the resolution by an overwhelming vote.

Mr. DIRKSEN subsequently said: Mr. President, I listened with interest to the description by the distinguished Senator from Texas [Mr. YARBOROUGH] of the resolution which he submitted, expressing the sense of the Senate that Secretary Benson resign. He indicted him on 16 counts and specifications.

I believe the distinguished Senator from Texas forgot a few things. While he was about it, he might just as well have indicted the Secretary for responsibility for the Asian flu.

He might just as well have included the police action in Korea.

Perhaps he should have indicted him for the air disaster at Flint, Mich., last week.

The Senator from Texas probably should lay at the doorstep of Secretary Benson responsibility for the Indonesian imbroglio, and the civil war now raging in Cuba.

I respectfully suggest to him that the resolution be amended in many particulars. Let us throw in the kitchen stove while we are about it, because it would make just as much sense.

In my judgment the resolution will rank as a high piece of senatorial humor in our legislative annals.

TRANSFER OF FREEDMEN'S HOSPITAL TO HOWARD UNIVERSITY

Mr. SMITH of New Jersey. Mr. President, on behalf of myself, the distinguished Senator from Connecticut [Mr. PURTELL], the distinguished Senator from New York [Mr. JAVITS], the distinguished Senator from New Jersey [Mr. CASE], and the distinguished Senator from New York [Mr. IVES], I introduced, for appropriate reference, a measure concerning the transfer of Freedmen's Hospital, in the District of Columbia, to Howard University, and the establishment of a teaching hospital at the university.

This bill would carry out the recommendations of a study commission of distinguished citizens appointed by the Secretary of Health, Education, and Welfare in 1955, pursuant to an authorization by the 83d Congress, and the recommendations made by the President for both fiscal year 1957 and fiscal year 1958.

The proposed legislation would transfer the Freedmen's Hospital to Howard University and remove the Federal Government from the position of operating a community hospital. It would also authorize appropriations for the construction of new facilities to replace the existing hospital, and it would provide some support, for a time, for Howard University's medical teaching program, a program of outstanding merit which is attempting to alleviate the disproportionate shortage of Negro medical and allied personnel in the Nation.

Federal funds would be provided for partial support of the new 500-bed hospital, but, so far as consistent with good medical teaching practice, the hospital would be expected to become progressively self-supporting.

I ask unanimous consent to have printed in the RECORD as a part of my remarks a letter from the Secretary of Health, Education, and Welfare to the Vice President in relation to the bill.

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

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
Washington, D. C.

Hon. RICHARD NIXON,
Vice President of the United States,
Washington, D. C.

DEAR MR. VICE PRESIDENT: Enclosed for your consideration is a draft of a bill to carry out the President's recommendation, made in his budget messages for both fiscal year 1957 and fiscal year 1958, to transfer Freedmen's Hospital to Howard University, with provision for construction of a new teaching hospital.

Bills for this purpose were introduced in June 1956 (H. R. 11788 and S. 4132) but died without hearing on adjournment of the 84th Congress.

The transfer of Freedmen's Hospital from the Federal Government to Howard University, with provision for a new hospital to replace the obsolete and uneconomical plant now in use at Freedmen's, was recommended in 1955 by a study commission of distinguished citizens appointed by the Secretary of this Department on authorization by the 83d Congress.

Construction of new facilities for Howard University's medical teaching program and for proper care of the patients of Freedman's Hospital is urgently needed, and has been delayed for determination of the future role of Freedmen's Hospital. The disproportionate shortage of Negro medical and allied personnel makes Howard University's medical teaching program of national importance.

The proposed legislation would, at the same time, give essential support to Howard University's program of medical education and end the anomaly of the Federal Government's operating a community hospital. It would make the hospital an integral part of the University without the divided responsibility and control now existing. Under private control and with new facilities it could become progressively more self-supporting.

Opposition to the bills introduced in the 84th Congress was expressed by representatives of employees at Freedmen's Hospital because of the loss of civil-service employment. After extensive discussion with officials of Howard University and with employees of the hospital, new provisions have been included in the present draft which are intended to preserve, for the employees affected by the transfer, as much of the advantages of civil-service employment as is practicable without infringement upon Howard University's status as a private, self-governing institution.

It would be incompatible with Howard University's status for the transferred employees to be in civil-service employment at the university, but the new proposals will minimize disadvantage to them.

The bill as now drafted would, in substance:

1. Direct the Secretary of Health, Education, and Welfare to transfer the present Freedmen's Hospital to Howard University pursuant to agreement with the Board of Trustees, the transfer to be effective within the calendar month after the month in which construction of the new hospital is started.

2. State as the intent of the Congress (A) to complete the transfer as soon as practicable, (B) to assure the well-being of patients at Freedmen's Hospital during the transition, and (C) to effect the transfer with minimum dislocation of the present staff and maximum consideration of their interests as employees.

3. Specify that the agreement between Howard University and the Secretary of Health, Education, and Welfare include provisions to assure that career and career-conditional employees at Freedmen's Hospital will be offered an opportunity to transfer to Howard University (except for personnel notified at least 6 months in advance that their positions are to be abolished) and that Howard University will continue the salary levels of transferred employees and provide other benefits for them as nearly equivalent as may be practicable to those prevailing in the Federal civil service at the time of transfer.

4. Require the Department of Health, Education, and Welfare to make every reasonable effort to place in other comparable Federal positions those employees who do not transfer to Howard University.

5. Provide for continued coverage under the Civil Service Retirement Act and the Federal Employee's Group Life Insurance Act of 1954 for transferred employees who are covered under these acts on the date of enactment of the transfer legislation.

6. Authorize appropriation of funds necessary to carry out the foregoing provisions, and for new construction and remodeling of existing buildings to provide teaching hospital facilities for Howard University, with a capacity not to exceed 500 beds.

7. Authorize annual appropriations, in a separate appropriation account in the Howard University budget, for the partial support of the operation of the new teaching hospital, but declare it to be the policy of the Congress that, to the extent consistent with good medical teaching practice, the new facilities shall become progressively more self-supporting; and provide further for submission by the President to the Congress of a report, within 2 years after the year in which the new hospital is completed, containing his recommendations for carrying out this policy.

Supplementing the legislation as proposed, the Civil Service Commission will extend its separated career employees program to give career and career-conditional employees who transfer to Howard University 3 years from the transfer date (instead of the 90 days generally allowed) in which to claim reemployment priority in the Federal civil service if separated in good standing from the university; upon filing such a claim an eligible employee would remain on the Separated Career Employee Roster for a further period of either 2 years (for career employees) or 1 year (for career-conditional employees).

The legislation as now drafted will, we believe, achieve the beneficial purposes of the transfer with a minimum of temporary disturbance for those most directly affected.

We shall appreciate it if you will refer the enclosed draft proposal to the appropriate committee for consideration.

In compliance with Public Law 801, 84th Congress, 2d session, there is enclosed a statement of cost estimates and personnel requirements which would be entailed by enactment of the proposed legislation. You will note that no additional personnel costs are involved.

The Bureau of the Budget advises that enactment of this proposed legislation would be in accord with the program of the President.

Sincerely yours,

——— ———,
Secretary.

Mr. SMITH of New Jersey. Mr. President, I ask unanimous consent that the bill lie on the table for the remainder of the day in order to afford other Senators an opportunity to join in its sponsorship.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the table for the remainder of the day, as requested.

The bill (S. 3626) to establish a teaching hospital for Howard University, to transfer Freedmen's Hospital to the university, and for other purposes, introduced by Mr. SMITH of New Jersey (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

AMENDMENT OF DAVIS-BACON ACT

Mr. HUMPHREY. Mr. President, we are all familiar with the Davis-Bacon Act. Yesterday the Senate added provisions of the Davis-Bacon Act to the community-facilities bill, and I actively supported those provisions.

Briefly, the Davis-Bacon Act requires any contractor and any subcontractor on all Federal Government construction contracts, amounting to more than $2,000, to pay their laborers and mechanics the wages prevailing on similar projects in the area of construction, as determined by the United States Secretary of Labor.

The way the Davis-Bacon Act is administered today is like a model A Ford blocking a superhighway. We have a 1935-style administration in 1958. My purpose is to bring this act up to date by legislation in terms of present-day realities.

Much of this Davis-Bacon modernization could be carried out by the Secretary of Labor right now without any legislation at all, and I respectfully urge the Secretary to do so. However, the act itself has fallen behind the times; therefore, Congress must give to our industry a modern statute for effective future use.

On January 3, 1957, Congressman FOGARTY introduced House bill 657. In order to expedite action here in the Senate, I introduce a companion bill and ask that it be appropriately referred.

Mr. President, this proposed legislation would do three things: First, broaden coverage; second, modernize prevailing wage and overtime; and, third, centralize enforcement. Let me spell out precisely what I mean.

First. Broaden coverage: Today the Davis-Bacon Act can only be applied to direct Federal construction contracts and certain federally assisted construction, as required by special laws passed by Congress, such as Federal-aided hospital, airport, or highway construction, or certain FHA-insured construction.

The purpose of this bill is to have the Davis-Bacon Act apply to all federally aided or assisted construction.

Second. Modernize prevailing wage and overtime: Today, the Secretary of Labor says that the word "wages" in the Davis-Bacon Act only means the basic hourly wage rate. He says this word should not include overtime payments or "fringe" benefit payments such as those to health and welfare or vacation funds. I believe that virtually all of these payments could be considered by the Secretary of Labor as a part of "wages" under the law as it stands today. Maybe it was unnecessary to consider all these payments in 1935, but they are so large a part of wages in 1958 that prevailing rates are in danger of being undermined unless these payments are also taken into account.

My aim is to have all overtime, premium, and fringe benefit payments considered by the Secretary of Labor wherever they prevail.

Third. Centralize enforcement: Today, enforcement of the Davis-Bacon Act is spread throughout the Government.

The law states that the Secretary of Labor determines the prevailing rate.

Then the contracting officer has the duty in the first instance of seeing that the proper wages are paid. He is directed to withhold contract payments in amounts necessary to cover unpaid wages. He may terminate the contract in the event he finds a violation of Davis-Bacon provisions.

The Comptroller General is directed to pay, from contract payments withheld, the wages found due because of a violation of the Davis-Bacon Act. He is also directed to blacklist the violating contractor from receiving Federal Government construction contracts for a 3-year period. Aside from provisions authorizing contracting officers to find violations, however, no provision of the act expressly places the duty to find violations on any Government official.

Reorganization Plan No. 14 of 1950 attempts to make enforcement duties more clear but still places prime responsibility on the contracting officer to find violations. Under this plan the Secretary has acted from time to time to find violations; but he can, and, in cases of politically powerful contractors, actually has "passed the buck" back to the contracting officer and the contracting agency.

My aim, provided in the proposed amendments, is to place primary and central responsibility for Davis-Bacon enforcement directly in the Secretary of Labor in the same way he is charged with this type of responsibility under the Walsh-Healey Public Contracts Act, requiring prevailing minimum wages under Government supply contracts. The Secretary is clearly directed to find violations. The Secretary is directed to enter premises and to inspect and investigate for this purpose. The Secretary is directed to blacklist violating contractors.

At the same time, the amendments would leave unchanged the functions of the contracting officer to see that contracts are carried out, and to terminate in case of violation, and the duties of both the contracting officer and the Comptroller General to withhold from contract payments the amounts due as wages under the Davis-Bacon Act.

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

The bill (S. 3628) to amend the Davis-Bacon Act, and for other purposes, introduced by Mr. HUMPHREY, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

ADVANCE PROCUREMENT APPROPRIATIONS FOR FISCAL YEAR 1958—AMENDMENT

Mr. MARTIN of Pennsylvania submitted an amendment intended to be proposed by him, to the joint resolution (H. J. Res. 583) making advance procurement appropriations for the fiscal year 1958, and for other purposes, which was ordered to lie on the table, and to be printed.

STUDY OF UNITED STATES TEXTILE INDUSTRY — ADDITIONAL COSPONSOR OF RESOLUTION

Mr. COTTON. Mr. President, I ask unanimous consent that the name of the Senator from Vermont [Mr. FLANDERS] may be added as an additional cosponsor of the resolution (S. Res. 287) to authorize the Committee on Interstate and Foreign Commerce to undertake an investigation of the textile industry of the United States, submitted by me on Monday, April 14.

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. JOHNSON of Texas:

Telegrams received from citizens of Texas regarding the veto by the President of the rivers, harbors, and flood-control bill.

By Mr. SCHOEPPEL:

Address delivered by Senator MUNDT before the Kansas Young Republicans convention, at Topeka, Kans., on December 7, 1957.

By Mr. DOUGLAS:

Statement prepared by him regarding Byelorussian Independence Day, March 25, 1958.

IMPROVEMENT OF HEALTH STANDARDS FOR NORTHERN CHEYENNES

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an article entitled "Federal Agency Seeks To Improve Health Standards for Northern Cheyennes," which was published in the Billings Gazette on March 23.

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

FEDERAL AGENCY SEEKS TO IMPROVE HEALTH STANDARDS OF NORTHERN CHEYENNES

(By Roger Davis)

Without an adequate standard of health, individuals generally find it difficult to progress to a point where they can become solid links in society even though sociological barriers may drop and economic opportunities become abundant.

To assist in preparing the Indian citizen for the future when he will become fully integrated is the job with which Indian Health Division of the United States Public Health Service is faced.

A comparison of health statistics of the Indian population and the general population today, indicates that this job probably will not be accomplished on a short-term basis.

Today when the average life span of the non-Indian is between 65 and 70 years, that of the Indian is less than 40 years. Of every 1,000 Indian babies born, 65 or more die before their first birthday. The overall national death rate for infants under 1 year of age is 27 for each 1,000 live births.

Communicable diseases such as pneumonia, influenza, dysentery, enteritis and tuberculosis are the major causes of illness and death among Indians. Pneumonia is the only one of these diseases that is listed among the 10 leading causes of death in the general population, according to the Indian Health Division Billings area office.

An example of what this Federal health agency is attempting to do to assist Indians in preparation for the future can be studied on the Northern Cheyenne Reservation in southeastern Montana.

FIGHT DISEASE

A two-pronged attack on disease has been launched. Efforts are being made to provide medical care of the highest professional standards. Field health stations are being established. Public health or preventive medicine service has been provided on the reservation. A sanitarian is working with the people to eliminate environment conditions that contribute to disease. Nurses counsel families in infant care, control of communicable diseases and help conduct well-child and prenatal clinics.

All of these services are coupled with a growing program of health education which the area office considers vital to the development of a greater understanding of problems.

Meeting the needs of the Northern Cheyenne people is a large undertaking and like all federally operated projects, it can move only as fast as Congressional appropriations are made.

The needs are great. The reservation consists of about 444,000 acres and has a population of about 1,800 people. Most of the families live in 1-, 2-, or 3-room cabins near Lame Deer, Busby, Ashland, and Birney. The average family income is less than $1,500 annually.

Sanitary facilities are substandard. Most families carry water to their homes from community wells, many of which still lack adequate protection from contamination. Outdoor toilet facilities contribute to a fly problem which the health service is battling on a wide scale. Few families can boast of electricity. These factors all contribute to a heavy medical care load on the reservation.

FACE TRANSITION

It must also be remembered that the Northern Cheyennes are proud people who have clung to a heritage that dates back long before the opening of the West. They resisted and battled efforts to keep them on this reservation for a long time. Their culture means much to them. Cultural transition, which they are now being forced to face, is not and never has been an easy task. Gaining their confidence is a job that is far from being complete.

To gain this confidence, which is essential, the Billings area office of the IHD is continuing to make efforts to meet their needs.

It created the Crow-Northern Cheyenne health unit in July 1956. The administrative center of this unit is at the Crow Agency Hospital which also serves members of both tribes.

Creation of this health unit has made it possible to provide medical staff and equipment necessary to expand medical services on the Northern Cheyenne Reservation. This includes a 24-hour ambulance service from the reservation to the hospital for people who cannot be cared for at the Lame Deer health station.

At the present time, there are four medical care clinics held on the reservation each week. Three are held at Lame Deer and one in Birney. The health station at Lame Deer is housed in temporary buildings. One is used for medical facilities and the other for dental facilities.

The clinic staff includes a physician, who is assigned 3 days each week from Crow Agency, a full-time clinic nurse, a dentist and dental assistant.

So far the area office must speak of work being done on the Northern Cheyenne Reservation in terms of efforts. It is a little early yet to speak of accomplishments, Dr. Charles S. McCammon, area medical officer, said.

"However," he continued, "when the clinic is completed at Lame Deer late this spring, we then can begin to speak in terms of accomplishments."

The clinic will occupy half of the old reservation hospital building which is being remodeled at a cost of approximately $75,000. The building has been vacant for 10 years. The other half of the building will be used to house Indian Bureau Agency offices.

The clinic will have the latest available equipment. There will be two examining suites, one of which will contain an operating table for minor surgery. One will have an examining table with built-in scales designed especially for infants. New sterilizing equipment is being installed.

A new X-ray unit will be in operation with complete darkroom facilities. A laboratory, with equipment equal to what can be found in a well-run small hospital, will also be a major addition.

A large waiting room with new furnishings will be provided. A conference room, which will be large enough to accommodate small classes for health education, will also be a feature of the new clinic. The dental clinic will be increased to two chairs and will have its own laboratory and darkroom facilities.

When these new facilities become operative, Dr. McCammon is confident more can be done to aid the people whom it will serve.

Dedication to a job and an ability to improvise when facilities are limited are among qualities that people engaged in public health work in the field must either possess or soon develop. They are as essential as medications and instruments if the job of providing medical care is to be done.

Dr. Martin A. Gruber, who came West last March, has devoted much time to extending medical care on the northern Cheyenne Reservation.

Unlike many young doctors in today's era of medicine where even small communities can boast of modern hospital facilities, Dr. Gruber has been faced with limited facilities and staff. Such limitations, however, have not prevented him from extending medical care to a people whom he sincerely believes are in great need of it.

An example of improvisation which has permitted him to branch out on the reservation is the cloakroom clinic.

When he was first assigned to the reservation as medical officer, he recognized the need of reaching out. The clinic facilities at Lame Deer were not enough. Something had to be done to assist Birney area residents.

The school was the only place available to set up a temporary installation. A 12 by 4½ foot cloakroom in the building was the space in which he could work.

No equipment could be found in medical supply catalogs that would meet the demands of the situation so Dr. Gruber turned to a mail order catalog. For an examining table, he purchased a folding aluminum picnic table. A metal tool chest was pressed into service for a drug repository. A portable aluminum icebox was included in the clinic kit.

Drawing upon his internship experiences in New York's Bellevue Hospital, where the corridors run for miles, Dr. Gruber duplicated a laboratory kit which he had used at Bellevue. This coupled with a file for medical records completed the equipment. All of it can be stored in the rear seat of an automobile.

The challenge was met and the cloakroom clinic has been in operation one day each week since. During their Birney visits, Dr. Gruber, and the clinic nurse, Mrs. Stella Peters, the other member of this dedicated health team, treat between 15 and 25 patients weekly.

Dr. Gruber, who will leave in June to take a residency in orthopedic surgery, said that his experiences with northern Cheyennes have given him an awareness of the importance of mutual understanding between the Indians and those who serve them.

He meets regularly with the tribal council. He supports their demands for a better medical service program.

"We cannot meet the medical care needs of the northern Cheyenne people with our present staff and facilities. When the new clinic is completed in Lame Deer, we will be able to provide more complete laboratory services, take our own X-rays and perform surgery that now must be done at Crow Agency," he said.

He pointed out that facilities at Crow Agency Hospital are good. Equipment is available there that will take care of such procedures as exchange transfusions for Rh factor infants.

Gaining the confidence of the people is essential. The young medical officer has proven its importance. He pointed out that more women on the reservation are now coming in for prenatal care. Some of them have had as many as 5 children before ever seeing a doctor during a pregnancy. The number of cases treated monthly at the reservation clinics has increased from about 250 to almost 500 during the last year.

He said that tuberculosis is a pressing problem on the reservation and that considerable education will be necessary to help

Indians overcome hostility toward confinement in a sanitarium.

"It will not be an easy job because it is difficult for the people to accept it because of cultural ties," he said.

Demands are great for preventive medicine and health education which is being provided under contract with the Montana Health District I with headquarters in Hardin.

Dr. Gruber said he had recommended that a physician be assigned full time at Lame Deer and an additional clinical nurse be employed and that emergency hospital beds be made available at the new clinic.

Dr. Charles S. McCammon, director of the United States Public Health Service, Indian Health Division area office in Billings, said he agrees with Dr. Gruber's recommendations and hopes to see them fulfilled when the new clinic building is ready.

Dr. Gruber considers his tour of duty with the United States Public Health Service as a valuable experience. He indicated that he had considered remaining with the agency. He was frank in a criticism. He pointed out that promotion often removes a doctor from clinical medicine to administration and clinical medicine is the field in which he wishes to remain.

This factor has been cited as one of the reasons for the difficulty in recruiting physicians and nurses. In the case of the northern Cheyenne Reservation, the service is also faced with a problem of housing for its personnel.

THE DOMESTIC SITUATION AND FOREIGN POLICY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that a speech which I delivered before the Northwestern region conference of Soroptimist Clubs, at Great Falls, Mont., on April 11, 1958, be printed in the body of the RECORD.

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

THE DOMESTIC SITUATION AND FOREIGN POLICY

(Speech of Senator MIKE MANSFIELD, of Montana, to the Northwestern Region Conference of Soroptimist Clubs, Great Falls, Mont., April 11, 1958)

In the Senate of the United States, there is a distinguished Member from the State of Maine. You know her name—Mrs. MARGARET CHASE SMITH. Senator SMITH's distinction arises in the first instance from her able contribution to the work of the Federal Government. She has an additional claim to fame as the only woman in the Senate. Mrs. SMITH has managed to establish and to hold a feminine beach-head in what is otherwise masculine-occupied territory. The achievement is all the more remarkable since she is outnumbered 95 to 1.

I feel that I am in a somewhat reverse position tonight. Together with the few other men present I hope to retain a masculine foothold in what is otherwise a feminine domain, at least for the duration of my remarks.

I hasten to add that the subject which I shall discuss with you tonight does not fall within the province of men alone or women alone. It concerns all Americans who seek, in the language of the theme of your conference, to "achieve through work, wisdom and fellowship."

When your able governor, Miss Burks, wrote me about the conference, she indicated that a discussion of foreign relations would be in order for this evening. Foreign relations is a subject to which I have given a great deal of thought during many years in Congress. It is a subject with which, I know, your organization has been deeply concerned and to which you have devoted a highly constructive effort.

I hope that Miss Burks and all of you present will forgive me, then, if what I say does not sound like a talk on foreign relations. My remarks are closely related to that question even though at first they may not seem to be.

When we think of foreign relations, we think of well-known international questions, questions which have been before us for many years. We think of the problems of dealing with the Russians, with the nations of the Far East, with the situation in the Middle East, Europe, Asia, and Africa. We think of foreign aid and international trade. We think of the penetration of outer space and the ever-present danger of nuclear conflict right here on earth, in inner space, so to speak.

It is to the benefit of the Nation that thoughtful citizens reflect and reflect deeply on these great international problems and that officials of the Government seek solutions to them. If I do not go into these problems in detail tonight, it is not because I have forgotten them or overlooked them or wish to avoid them. It is because I think it may be helpful for your conference to consider still another aspect of foreign policy, one that is not generally thought of as being a part of that subject. It may be helpful for you to consider what might be termed a neglected dimension of foreign policy.

I refer to conditions within the United States, to the domestic situation. This inner state of the Nation has a great deal to do with how we approach the well-known issues of international relations and with our effectiveness in dealing with them. The domestic situation acts to contract or to enlarge the horizons of the Nation's foreign policy. It is out of these roots, out of the well being, the unity and creativity of our people, out of the vitality of our beliefs and our institutions—in short, out of the domestic condition of the Nation—that the validity of our position in the world is ultimately established.

Poor administration of the Government's foreign policy can make of us, for a time, less abroad than what we are at home. Conversely, I suppose, highly able administration, for a time, might make us more. In the long run, however, this Nation's capacity to deal courageously, constructively and capably with the rest of the world depends on our capacity to deal in the same fashion with our problems at home.

If we sink at home, sooner or later, we shall sink abroad. If the Union is strong, cohesive, and dynamic, there is at least a chance that foreign policy will be able to safeguard the Nation's security, advance the welfare of our people, and further the hope of peace. If the Union is weak, divided, and fearful, foreign policy can do little to uphold our position as a nation among many nations. In short, to the extent that we face the difficulties within our borders and deal effectively with them, we shall be able to act on the much more complex difficulties that beset us abroad.

Let me try to illustrate what I have in mind by reference to some of the problems which confront us at home at the present time. Let us start with the obvious. None of these problems is more pressing than the economic recession. Now there are some people who believe that it is a bad thing to talk about the recession, that to talk about it may make it worse.

I respect that opinion but I do not share it. I do not believe that it is possible to talk this Nation into a depression or out of a depression. The recession is neither a laughing matter nor a crying matter and it is certainly not a silent matter. It cannot be swept away by sweeping it under the rug. The recession is a problem of human and institutional shortcomings and, like other such problems, it must be faced if it is to be dealt with constructively.

The first step is to take an honest look at the impact of this recession on our people, the Nation and the world. Some of the consequences of the recession are readily visible. Indeed, here in the northwest corner of the country they are all too evident. What we see in our home States, largely as a result of the decline in the lumber and mining industry, is duplicated elsewhere. The grim specter of the shutdown industries, declining wages and profits and heavy unemployment is found in many parts of the land. It is not a pleasant picture.

While we ought not to despair in this situation, we cannot overlook or ignore its seriousness. For one thing, I am sure that you share with me a full appreciation of its human costs, the cost to countless American families. As a Senator of this State, I have received communications from thousands of citizens who have been adversely affected by the recession. In many cases, these citizens are in acute and immediate distress. In all cases, they are deeply anxious about the future. For these people it matters little to be told by economists that this recession is not as grave as others which the country has experienced. For them, personally, it is painful, as painful as any, in terms of their material well-being and their hopes for the future. As responsible American citizens we cannot shut our eyes to the plight of other citizens who may be injured by circumstances beyond their control, regardless of how little we, ourselves, may be affected at this time.

I should also like to point out to you that in addition to human consequences, the economic setback gives rise to serious national problems. With over 5 million unemployed, the Nation has already lost hundreds of millions of hours of labor that can never be recovered. Because of the decline of production in many parts of the country, the Nation has not added millions of tons of steel, thousands upon thousands of pounds of lead, zinc, copper, and countless other products to the Nation's supplies. These products could have been produced over the past few months but were not produced. The factories and mines which could have produced them have stood idle or semi-idle. In the steel industry, for example, production has been at about 50 percent of capacity for weeks.

We might well ask ourselves what this lost production has meant to the Nation. How many schools and hospitals does it equal? How many dams? How many thousands of miles of roads? What would it have meant to all of us in terms of increased supplies of consumer goods and consequent lower prices?

I believe you will see what this recession has cost the Nation. It has acted, as all recessions act, to arrest our national economic growth. We can ill-afford what has already been lost at home in the light of the unfilled needs of many Americans, in the light of a mutual need of all Americans for a dynamic, progressive nation, in the light of future needs of an expanding population.

If the recession continues for very much longer, moreover, the time is not too distant when its international repercussions will begin to be felt. This Nation is at the center of the economic complex of the non-Communist world. How important and extensive these relationships are is indicated by the fact that our exports to other countries amounted to $20 billion last year. Our imports came to $13 billion. About 5 million jobs for Americans are at stake in this trade. It represents the difference between profitable operation and loss to many businesses in this country.

That is even more the case elsewhere. Indeed for some of the free nations of Latin America, Europe, and Asia this trade provides

the margin of choice between tolerable survival in freedom or economic collapse and dictatorship.

It is not difficult to estimate what a prolonged slump in this country will do to international trade. It will sharply curtail its flow, deepening the recession at home and spreading its repercussions in ever-widening waves to other free nations. Indeed, there are indications that it may have already begun to act in this fashion.

If the economic consequences of a continuing recession here will be serious to us and to all free nations, the effect of a continuing slump on political freedom and on peace may well border on the disastrous. You are aware, I am sure, of the relationship between economic stability and political stability in any country. This relationship is close in the United States; it is even closer in Europe. In the newer countries of Asia and Africa economics and politics are virtually inseparable.

We may well ask ourselves what will happen to the political complexion of the free nations and to their close relations with one another and with us—relations on which peace heavily depends—if the strongest free economy in the world continues to stagger. Some of the implications are not very far over the horizon. We may expect a breakdown in the common effort of free nations to preserve peace. We may expect the spread of an attitude of "devil take the hindmost" in international political matters as well as international economic matters. We may expect a further surge of totalitarianism in the world.

What would lie at the end of this tragic chain of events? Does not past experience tell us that world war III may well be at the end of it? If we ask these questions now, we shall at least have an opportunity to act to break the chain that leads to war. If we do not look ahead in this fashion we may awake one day to find war suddenly upon us. Given the nature of modern weapons, we may not even have the time or opportunity then to reflect on how the war began.

What I have been trying to show in my remarks to this point is, in effect, the relationship between the plight of a miner in Butte or a timberjack in Kalispell and the plight of the United States and, ultimately, the peace and the freedom of the world. At first glance, this relationship may seem remote. Most people may not even be aware of it. Nevertheless, the relationship is there. Those who are concerned with the safety and well-being of the Nation, with the peace of the Nation, not only at this moment but in the years ahead, cannot afford to overlook this relationship. I know that your organization will not overlook it.

If the economic recession should concern us, because of its damage to millions of Americans and to the Nation and our international position, there are social problems within the United States which should concern us for the same reasons. In the last few years we have moved forward a long way in realizing the American ideal of equal opportunity for all regardless of race, creed or religion. I need hardly remind you, however, that there is unfinished business in this field.

I need hardly remind you of the appalling national crime rate, 315 major crimes per hour during 1957. I need hardly remind you that millions of older people are still without adequate income to live out their years in decency and without adequate opportunities to use their skills and willingness in a constructive fashion. I need hardly remind you that too many households in this country still live in legitimate fear of the catastrophic illness with its ruinous medical and hospital costs. I need hardly remind you of the disturbing situation in physical and mental fitness, in this country; there are now some 16 million Americans—1 of every 11—suffering from some form of mental illness and many of these are not receiving adequate care and treatment. I need hardly remind you that our educational system in many parts of the country has suffered from serious neglect in recent years, that millions of boys and girls are not getting the kind of education which will best fit them to live in the Nation and world of the second half of the 20th century. I need hardly remind you because your organization has been in the forefront in directing public attention and action to many of these problems and others of a similar nature.

I realize, as you do, that these problems are not going to be solved in a day. Like yourselves there are any number of conscientious people in private life and in Federal, State, and municipal governments, giving of themselves with great dedication to combat these ills.

Nevertheless, the continued existence of these problems, in their present magnitude, approaches the dimensions of a national disgrace that cries out for corrective action. It is an indictment, not against free institutions, but against their neglect and misuse by those who profess to support them. It is a reflection of a social irresponsibility which freedom never licensed.

I mention these social problems tonight, not because you are unaware of the human toll which they exact among Americans. You fully appreciate, I am sure, what inadequacies in health, educational, and welfare services mean to those who suffer directly from them.

You know the direct cost of these inadequacies to the Nation as is brought home by such indicators as the crime rate and a high rate of mental and other controllable illnesses. You will appreciate, too, the indirect cost to the Nation in the wasted talents and potentialities of poorly educated youth, of older people, and of others who, for whatever social disability, are not participating as fully as they are able in the fellowship and in the constructive work of the Nation.

You may also recognize the international significance of these social ills of the Nation. Their persistence in their present dimensions saps the strength of the Nation. They stand as a vivid reminder to us and to all of the gap between our ideals and practice. In short, they weaken us at home and hence undercut our position in the world.

The domestic situation, as I have tried to illustrate for you tonight, is important in itself and it is, as I have noted, in a very real sense the neglected dimension of our foreign policy. For years we have looked without and above for danger signals to the Nation and well we should. At the same time we have overlooked the warning signs within. These inner difficulties do not disappear simply because there may be more complex difficulties confronting us from outside. Internal difficulties cannot be swept out of sight by sweeping the skies with a radar screen.

This country shall not survive in recognizable form in the world of today and tomorrow, much less lead it, if we build Maginot lines out of alliances and bases around the world and stud the skies with artificial stars, only to permit disunity, inertia, and fear to produce decay at the core. We will survive and we may lead if we face honestly our shortcomings at home and act with determination to meet them.

That is the first requisite for the survival and growth of the United States in the complex world of the 20th century. It is not the only requisite. We shall not remain a Nation with hope for future generations of Americans and with a message for the world unless, at the same time we face the responsibilities of living on this earth of many nations, unless we face these responsibilities with quiet courage, with wisdom, and with deep human understanding. We will survive and grow, in short, only if we keep alive the meaning, the creative and the compassionate meaning of a free America both at home and in the world.

Let me say, finally, that I believe this meaning of a free America is not going to die. As free men and women, we are not going to sweep our domestic difficulties under the rug. We are not going to put aside our responsibilities for the peace of this generation and future generations. We are going to face these difficulties. We are going to accept these responsibilities. Properly led, this Nation is going to act to meet them.

TENTH ANNIVERSARY OF THE ORGANIZATION FOR EUROPEAN ECONOMIC COOPERATION

Mr. WILEY. Mr. President, today, April 16, marks a most important milestone in the history of Europe, for it was on this day, in 1948, that 16 far-sighted European countries, and allied representatives on behalf of Western Germany, signed the convention for European Economic Cooperation.

This was the successful climax of the intense diplomatic and economic negotiations which had followed the historic offer of the Marshall plan, as made at Harvard University in the world-famous address on June 5, 1947.

I should like to convey my warmest congratulations to all the members and friends of the OEEC on this occasion. Today should serve as a fitting rejoinder to the gloomy pessimists who had, in their own minds, condemned Western Europe to "endlessly repeating the mistake of the past."

The fact of the matter is that Western Europe has, by and large, learned its lesson. It has learned that it can no longer afford a war every generation. Nor can it afford a depression or an economic war, fought from behind impossibly high "Chinese Walls" of tariff protectionism.

The constructive antidotes—achievements such as the OEEC, the European Payments Union, the Benelux Community, the Coal and Steel Community, the Common Market, Euratom—represent European statesmanship at its best. By making their economy so interdependent, Western European countries have signified that never again will they go to war with one another and never again will they develop the kind of blind economic barriers which can lead only to international economic havoc.

The result of OEEC has been improved opportunities, higher standards of living, increased economic stability, sounder currencies, easing over temporary financial crises which, from time to time, have developed.

It is in the interest of the United States that her Western European friends be strong and healthy. Thanks to OEEC, a sounder Western Europe is a better customer for the United States, and a better supplier of goods to the United States. To those who said "It can't be done" the OEEC is a dramatic demonstration that it not only could be done, but has been done.

The integration of Western Europe is still facing many opportunities and challenges. Blind protectionism is a long

way from dead. But the hope for a completely integrated free Europe is also a long way from dead. There is no reason why there cannot be a United States of Western Europe. In moving toward this integration and unity, the highest goals of each of the respective nations can be served.

Congratulations, then, to OEEC.

Mr. DOUGLAS. Mr. President, I should like to say a few words on the occasion of the 10th anniversary of the Organization for European Economic Cooperation, usually referred to as the OEEC. This is, as Senators know, an organization including 17 European governments which was formed on April 16, 1948, in response to an American initiative, the Marshall plan, and whose first aim was to enable Europe to emerge from the economic devastations caused by World War II.

One of the first tasks of OEEC was to divide the Marshall aid funds between its various European member countries. After having screened the needs of the various countries concerned, the Organization presented to Washington a unanimously agreed to view on the way in which Marshall aid should be divided, and it was one of its first successes.

However, the preparation of a European recovery program based on American aid was essentially designed to put Europe back on its feet. Another task of a longer term nature which the OEEC had to tackle was to build up between its 17 European member countries some kind of permanent mechanism through which it would be possible to achieve progressively a greater integration of Europe. This mechanism would, in the long run, lead to the establishment of a large and strong economic area, which would replace the series of small European units protected by barriers to the movement of goods, capital, and labor.

This was done, within the OEEC, through various arrangements like the code of liberalization of trade and invisible transactions, and the European Payments Union, which is a central clearance and credit system for the settlement of all payment transactions between the member countries and their associate monetary areas, such as the sterling area.

The results are eloquent: In 10 years industrial production in the OEEC area increased by 90 percent, and agricultural output by more than 50 percent. Intra-European trade expanded by 250 percent, and this was accompanied by a significant increase of trade with the outside world of roughly 80 percent. These gains are, of course, due to many factors, but to a large extent they are the result of the new intra-European cooperation spirit which so fortunately has followed the prewar period of economic nationalism.

Today, as Senators are aware, the OEEC countries have assigned themselves even more ambitious tasks: They are negotiating the possible establishment of a European free-trade area, which would associate the six member countries of the so-called common market with the other members of OEEC on a multilateral basis. If these negotiations are successful, it will mean that there will be in Europe a large economic unit of about 280 million people, with a better division of work, production on a larger scale, substantially improved standards of living, and, very likely, a rapidly growing economic activity. Such achievements, we can hope, will help to improve the balance-of-payments position of the European countries, and this should create conditions which would enable them to greatly reduce their barriers on imports of United States goods. They will also increase the opportunities for profitable investment by American corporations in Europe.

I should like to stress that the permanent cooperation which is taking place within the OEEC is made all the more fruitful by the fact that the United States and Canada are closely associated with its work, and have the possibility of participating in all its important discussions.

ANTIRECESSION MEASURES

Mr. SYMINGTON. Mr. President, on March 27, 42 of the 49 Democrats in the Senate signed a resolution to the President, prepared by the able majority leader, asking the President to prevent the Secretary of Agriculture from continuing to use "the powers of Government to force farm income down below 1957 levels."

That resolution stated:

> We believe that this measure is an act of simple justice, and would represent an important weapon in the battle against increasing unemployment.

The President ignored this plea for the American farmer, and vetoed Senate Joint Resolution 162.

Likewise, the Congress now has conclusive evidence of growing desperation among our city people, millions of whom have been out of work for months. Just yesterday, further impressive evidence on this serious situation was placed in the RECORD.

On the same day that these facts were given the Senate, the President vetoed the rivers and harbors bill.

And also yesterday, the Republican leadership in the Senate defeated a measure designed to authorize the lending of money to our own communities at 3 percent, despite the fact they have previously approved loans to foreign countries at interest rates as low as 2.38 percent.

Mr. President, the Congress has developed a number of constructive proposals for action toward a healthy economy. Either the administration should accept them, even though they may not be perfect in all respects, or come up with positive proposals of their own.

We have the right to know what, if anything, is the administration's current plan for getting us out of this recession. Are we going to continue to sit on our hands until we have a real depression, and then try to work our way out of it only at the expense of the health and welfare of millions of our own citizens? That is the way it was handled in the past, which many of us remember only too well.

As one who, in 1931 and 1932, searched desperately for funds to prevent men and women from going through the sufferings which always result from continued unemployment, it is difficult for me to understand the lack of action in this field now characteristic of this administration.

Our economy, and therefore our national security, would now seem to be faced with the risks of indecision and inaction.

Recently there has been a great deal of talk about getting to the summit. But I believe Americans are now becoming at least as anxious to get out of a pit, the pit of the unemployed in which so many of our people now find themselves, through no fault of their own.

Millions of our citizens from the towns and from the cities are now joining their neighbors on the farms, in the unnecessary process of losing their homes, their savings, and hence some of their pride in their citizenship.

Therefore I ask again, what are the plans and programs of this administration?

They do not approve our suggestions. What are their suggestions?

IMPACT OF UNEMPLOYMENT

Mr. PROXMIRE. Mr. President, the noted columnist, Joseph Alsop, has today written a second column which brilliantly dramatizes the human misery that is resulting in this country from the failure of the Federal Government to extend and improve unemployment compensation.

Mr. Alsop tells an individual human story that will burn into the conscience of America more deeply than any statistics, the tragedy and human misery flowing throughout America today because of the failure of the Government to act to help our unemployed.

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

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

ON THE NEVER-NEVER

(By Joseph Alsop)

DETROIT.—It is a little hard to believe in people like John and Jeannette; but they really exist—barely exist at the moment—in a gray little street of gray little houses in East Detroit.

John is a fine-looking fellow, 11 years an auto worker, who was doing setting-up exercises when I rang his doorbell "because it's easy to get out of shape when you're laid off." Jeannette is a sturdy young woman whom John met on the assembly line at one of the Chrysler auto plants. They are not highly skilled workers, but they had over $160 a week of take-home pay between them before Jeannette lost her job last September.

"I wouldn't of believed it until it happened," she said. "Seemed like you'd never be laid off when you'd worked steady for 7 years, like I had."

At that time John had the car paid for (it was a cash bargain from a fellow worker). But the house, the washer, the dryer, the television set, and the furniture were all on the never-never. Altogether the payments then amounted to $83 a month (although John and Jeannette had never added them up, and Jeannette commented, "Gee, that's

awful" when I did the sum for them). Yet, with Jeannette already jobless, they went in hock for another $200 to buy Christmas presents at one of the cheap Detroit stores that will almost sell toilet paper on time. Three weeks later John, too, was laid off.

"If I'd knew that, I'd never of went so deep at Christmas," said John ruefully. But the deed was done. Today Jeannette's unemployment benefits have run out and the family has nothing but John's benefits of $43 a week. With time payments swollen to $108 a month by the Christmas splurge they and their boy live mainly on spaghetti. Worst of all, John's benefits will also run out in another 13 weeks. But even now they seem to have no sense of onrushing catastrophe.

What makes John and Jeannette hard to believe in, of course, is the curious combination of industriousness—for both have always been hard, steady workers—with almost total, lotus-eating improvidence. They are not unusual either. I ran into one young auto worker who had lost his job, had got married on his unemployment benefits 2 months later, and had gone on the never-never for $850 worth of furniture and appliances, with no job prospect and only 17 weeks of benefits to go. He is on welfare now. The wife is pregnant, and their whole wretched little apartment smelled of ruin.

There was another brisk, bustling woman who had gone to work at Chrysler against her husband's will "because you don't never get ahead unless the woman works." With a big combined income, they had signed a really big note to a fly-by-night contractor for finishing their attic as an extra bedroom. Now their time payments were $160 a month, or exactly half what the still working husband earns. The woman commented: "Anyway, we still got a little comin' in, so we're better off than a lot of people."

At first one hardly knows which is more shocking, the rapacity of the never-never traders who prey upon these simple people, or the shortsighted folly of the people themselves. Nothing, certainly, can excuse the dealers selling trash for nothing down, easy terms, whose easy terms are such that the trash is generally paid for at least twice over.

But if you reflect on the matter, you cannot put the whole blame on these industrial workers for their fantastic uses of easy credit. They live, after all, in a society that measures achievement not by inner standards but by material objects.

Day after day, there are the voices, sometimes very respectable voices, warning them they have achieved nothing if their plumbing merely flushes but is not orchid colored, or if their cars merely get them from here to there but do not look like dropsical jukeboxes.

Then, too, the really monstrous use of credit they have been making has been permitted, and even encouraged by the society leaders. The auto manufacturers were not the least powerful of those who pressed the Federal Reserve Board to relax installment-buying rules. And if tens of thousands of the General Motors workers, for instance, have outrageously mortgaged themselves because of overconfidence in their job security, they have judged their job security by the forecasts of General Motors' president, Harlow Curtice, who so often swept aside every suggestion that the American automobile market might perhaps become saturated.

NUCLEAR FALLOUT

Mr. PROXMIRE. Mr. President, the distinguished Senator from Minnesota [Mr. HUMPHREY] has been rousing the country to the intense importance of American imagination, initiative, and action to solve the terrible problem of nuclear fallout. This morning's Washington Post carries a splendid editorial commending the Senator from Minnesota for pointing out the deep disadvantages to the country and the whole Free World in our past failure to inform world opinion as we have detected Soviet tests and the fallout danger that they constitute.

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

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

MISLEADING OURSELVES

One of the problems in dealing with the Russians, it is often assumed with considerable plausibility, is that they tend to believe their own propaganda. There is now a danger that the same thing may be happening in the United States on the question of nuclear-test detection.

For many months a principal argument used by those opposing suspension of nuclear tests is that the United States and its allies could not be sure they had detected camouflaged Soviet tests. This has been at best a tendentious argument, because the practicability of detecting significant tests has long been demonstrated. Now Senator HUMPHREY has disclosed that this country detected an underground Soviet explosion 5,650 miles away on March 25. Mr. HUMPHREY also has been divulging a great deal of information about fallout from recent dirty Soviet tests which the administration itself has declined to make public.

The contention is that the administration could not publicize all it knows of Soviet tests without compromising its means of detection. There may be some point to this, but we suspect that it is by no means the whole reason. Disclosure of the accuracy of the detection system might also undercut the position of those who insist on no compromise in continuing nuclear tests. The explanation that this country must keep the Russians guessing as to how much it knows makes no sense.

Think of the disadvantages the West is suffering by failing to inform world opinion. If in fact the Russians seriously contaminated the atmosphere with their recent test series, why should this not be told to the Japanese and anxious Europeans? Certainly such knowledge would undercut the propaganda effect of the recent Soviet gesture in unilateral suspension. Moreover, it would supply some useful leverage to the Western Allies as they dicker with the Russians on the diplomatic preliminaries to a summit meeting.

Dr. James R. Killian has made a report to the President on the feasibility of inspection to detect nuclear tests. If there are genuine security reasons why the entire report cannot be made public, surely it ought to be possible to release the substance. The administration would be in a lot better position to justify what it does on the nuclear-test question if it would be candid. Let those who want more tests of "clean" weapons state their case honestly, without the artificial shield of the detection argument; and let the administration tell the essentials of what it knows about the Soviet tests. Why in heaven's name should this country be covering up for the Russians?

GOVERNMENT RESPONSIBILITY IN THE CURRENT RECESSION

Mr. JAVITS. Mr. President, I have heard with the deepest interest the remarks made by the Senator from Wisconsin [Mr. PROXMIRE] with relation to the letter he has asked to have printed in the CONGRESSIONAL RECORD. The Senator from Wisconsin is always very eloquent. I notice he has left the Chamber, and I am sorry that is so.

I listened with very great interest to the remarks of the Senator from Wisconsin on the question of the attitude of the President and what he calls the minority as to recession measures.

Mr. President, I will yield to no one in my own recognition of the seriousness of the present recession, in terms of its implications to our people and my determination to do everything I humanly can as a Senator in supporting governmental measures to deal with the recession. But I believe that is quite different from an uncritical acceptance of every piece of legislation which is laid upon the desk and which is stamped an antirecession measure. I believe that by taking the action suggested we would only hurt further the people who are harmed by the recession. We must not join in any such uncritical acceptance of everything which is said to be justified as an antirecession move.

To be very practical, unemployment compensation should and must be extended to those whose benefits have expired. We on this side of the aisle have sponsored a bill for that purpose. The President has asked enactment of such legislation. I see, however, we are debating the community facilities bill, and we are not debating the bill we should be debating, which is a bill to make possible unemployment compensation where such has expired for the people who through no fault of their own are unemployed.

I suggest, Mr. President, it is the other side—not we—who control the Congress. The President has vetoed a bill which he labeled as an irresponsible expenditure of large sums of money for certain rivers and harbors projects.

I might point out that some urgently necessary projects for the State of New York were included in the bill, but, Mr. President, that is not going to induce me to spend money which must be husbanded exactly for the purpose of fighting the recession or to support a bill which contains irresponsible provisions simply because it is labeled an antirecession measure.

Mr. President, I believe it is high time we made the record perfectly clear in regard to this matter. I may disagree with some of my colleagues on this side of the aisle upon one measure or another. I often do, and I undoubtedly will do so in the future. However, I cannot stand by and allow criticism to be made broadly and generally of the fact that every time a Senator votes "no" on some measure, it means he is not trying to stem the recession. I do not believe that is true at all; and I think the American people are much too adult to take such an uncritical attitude with respect to the performance of their Senators.

HUMANE SLAUGHTERING

Mr. MONRONEY. Mr. President, I think it is high time for the Senate Committee on Agriculture and Forestry

to take some definite action on a bill which has been pending before the Congress for many years. I speak of the humane slaughtering bill, H. R. 8308, which has passed the House and is now pending in the Senate. Legislation of this character is urgently needed and it seems to me that the Senate Committee on Agriculture and Forestry should expedite consideration of the bill.

In view of the strong and forceful stand of the New York Times on this proposed legislation, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a recent editorial from that great newspaper.

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

HUMANE SLAUGHTER

If you have beef, pork, or lamb for dinner today you may be interested to know that the animal from which it comes was very probably slaughtered in a process so revoltingly brutal as to nauseate you if you stopped to think about it.

There is no good reason why the American people should put up with the kind of needless cruelty practiced in most, though not all, of our slaughterhouses. It is a hopeful sign that, in reporting a moderate humane-slaughter bill, the House Committee on Agriculture noted that the volume of mail * * * on this subject is the largest the committee has ever received on any single matter."

This measure (H. R. 8308) recently passed the House. It is admittedly a compromise; but it does establish for the first time as national policy that livestock should be slaughtered only by the "most humane practicable methods." It requires the Secretary of Agriculture to determine such methods, and it provides that the Federal Government shall purchase meat only from packers who use such methods. This kind of pressure should eventually force the entire industry to abandon present cruel practices.

The House bill is now awaiting action in the Senate Committee on Agriculture, of which Mr. ELLENDER, of Louisiana, is chairman. Alternative measures to provide for additional study of the situation are merely devices for delay and are entirely unsatisfactory. The humane-slaughter legislation ought to be reported and passed as is. And after that, another mild bill (S. 2489) providing for humane trapping deserves equally favorable consideration, to put an end to the unspeakable agonies suffered by millions of fur bearers every year in the merciless jaws of the steel trap.

VETO OF RIVERS AND HARBORS BILL

Mr. SMITH of New Jersey. Mr. President, partisan critics have already charged that President Eisenhower's veto of the rivers and harbors bill yesterday is an example of administration inaction. The truth, it seems to me, is just the opposite: That the President's veto is another demonstration of his courageous leadership and his determination to act in the best interests of the Nation.

To emphasize the facts in this case, I ask unanimous consent to have printed in the RECORD at this point in my remarks an editorial in this morning's New York Times entitled "Passing Up the Pork," which praises the President for his courage and high sense of public interest in vetoing the bill.

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

[From the New York Times of April 16, 1958]

PASSING UP THE PORK

President Eisenhower has again shown the courage of his convictions and a high sense of public interest by vetoing for the second time in 2 years a rivers-and-harbors bill containing more than its quota of succulent tidbits scooped straight out of the pork barrel.

If he had signed this measure in the ultra-political form passed by Congress, the President would have been giving his approval to a number of projects on terms which, as he said in his brief and pointed veto message, would have destroyed "some of the most important governmental policies in the field of water-resources development." He mentioned some projects, for instance, on which local sharing of costs with the Federal Government would have been inadequate; some on which full reports had not yet even been submitted to Congress "under legally established procedures"; some which "have no economic justification," and so forth.

On the question of local participation in cost-sharing, the President made an especially telling argument: "Authorization of water-resources projects on the terms provided for in the bill would result in the loss of the best test yet devised for insuring that a project is sound—the willingness of local people to invest their own money in a joint enterprise with the Federal Government."

In urging a month ago that the President veto this bill when it reached him, we pointed out that even as an antirecession measure it made no sense. It would take months or even years for many of the projects it would authorize to get under way. Furthermore, there is already an authorized backlog of several billion dollars' worth of such public works.

However, to be against this particular rivers-and-harbors bill, envisaging expenditure of some $1.7 billion, is not to be against all such bills. The President himself urged Congress to pass separate legislation authorizing some of the projects contained in the bill he just vetoed. It was the all-inclusive character of this measure, containing much that is bad along with much that is good, to which he justifiably and effectively took exception.

Mr. BRIDGES. Mr. President, I commend President Eisenhower for his courage and judgment in vetoing the Rivers and Harbors bill.

It was unfortunate that many entirely worthy projects were included in such an omnibus bill and had to be disapproved along with other proposals for spending that were unwarranted at this time. However, this was an unavoidable situation, and the President had no choice but to veto the entire measure.

The President's action was notable for two very simple reasons: First, there is great pressure on the Government these days to indiscriminately accelerate public spending under the mistaken notion that this will somehow miraculously revive the economy; and second, because there are many "pet projects" included in this legislation.

However, the overall economic welfare of the country must be kept uppermost in mind. In his veto message, Mr. Eisenhower adequately outlined eight of the major defects of the bill. He made a very convincing argument against the theory of the spenders that such legislation is needed to stimulate the economy. He pointed out:

At the present time there is a backlog of public-works projects estimated to cost nearly $5 billion. With a few minor exceptions, it would be many months, even years in the case of larger projects, before the necessary plans could be completed and actual construction started on the new projects which this bill would authorize.

Furthermore, as the President said, significant steps have already been taken to accelerate Federal construction activities—that is, worthy projects which will in the immediate future, and not 5 or 10 years from now, prove a stimulus to the national economy.

Now is not the time, Mr. President, to give in to panic or pressure, to be swayed by the arguments of the spenders who are always impatient with the fiscally sound approaches to our long-range problems. Nor is it the time to be thinking first of our own areas and districts and of the national well-being only as an afterthought.

The President has shown courage and wisdom in vetoing this bill.

THE IMPACT OF THE MUTUAL-SECURITY PROGRAM ON THE UNITED STATES ECONOMY

Mr. SMITH of New Jersey. Mr. President, on Thursday, April 10, Hon. C. Douglas Dillon, Under Secretary of State for Economic Affairs, delivered an excellent address entitled "The Impact of the Mutual-Security Program on the United States Economy," before the National Security Industrial Association at its meeting in Washington.

After carefully describing the intimate relation of the mutual-security program to our Nation's safety, Under Secretary Dillon then set forth with clarity the meaning of the program for the national economy and our own well-being.

I ask unanimous consent that this informative address be printed in the body of the RECORD at the conclusion of my remarks.

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

THE IMPACT OF THE MUTUAL SECURITY PROGRAM ON THE UNITED STATES ECONOMY—SPEECH BY THE HONORABLE C. DOUGLAS DILLON, DEPUTY UNDER SECRETARY OF STATE FOR ECONOMIC AFFAIRS, AT THE NATIONAL SECURITY INDUSTRIAL ASSOCIATION, WASHINGTON, D. C., APRIL 10, 1958

I appreciate the opportunity of talking to members of the National Security Industrial Association. The strength of your organization and the reputation which you have earned constitute another monument to James Forrestal. His hope that the Military Establishment and American industry would work as partners in peace as they do in the crisis of war is being fulfilled through the NSIA. I know that he would be proud of this partnership.

It was suggested that I speak on the mutual security program, a subject as timely as it is important. In the time at my disposal, I doubt if I could cover the many aspects of this program and do justice to any of them. I would prefer to discuss certain of our objectives and give you some idea of

the impact of the mutual security program on the economy of the United States.

This is a subject that falls rather directly into my bailiwick. Under a recent reorganization at the Department of State, I was assigned responsibility for coordinating the mutual security program with other related foreign policies and programs. This coordinating responsibility includes the activities of the International Cooperation Administration and the military assistance program of the Department of Defense.

The objective of this newly assigned responsibility is to insure that our foreign economic policy travels in the same direction as our foreign policy. As I am sure you gentlemen know, both policies have the same goal and that goal is to advance the security and well-being of the United States and its people.

In my travels and talks in various parts of the country—and in Washington, too—I frequently get the impression that people think there is nothing "mutual" in the mutual security program. They seem to feel that we take our national budget, decide somewhat arbitrarily that 5 percent of it should be allotted to this thing called foreign aid and that we then hand over this sum of money for the nations of the Free World to spend as they see fit—with perhaps a modest amount of supervision.

The exact opposite is the truth of the matter. This year we are asking the Congress for $3,942,000,000. Of this amount, $2,635,000,000 is for military assistance and defense support.

The estimates of the needs of the Free World nations in building up their defensive strength are not supplied by the recipient countries. The military estimates are drawn up by the Department of Defense acting through military assistance advisory groups assigned to the country or area. The United States makes the final decision of who gets how much in every instance. And we control the purse strings and continue to control them every step of the way.

The estimates for technical cooperation and the other forms of grant assistance are made by specialists within the International Cooperation Administration, with the help of area and country specialists from the Department of State. And again let me say—we control the spending.

The purpose of the mutual security program can be simply stated. We seek peaceful progress among the entire community of nations. There is nothing altruistic about this. Peace is in our national self-interest.

We face two challenges to peaceful progress in the world we live in. The first of these is the military challenge of the Soviet bloc. To meet this challenge we have entered into a system of defensive alliances with 42 nations of the Free World. And, as the strongest link in this defensive chain, we are playing the dominant role in building total strength to deter further Communist expansion. We do not play the dominant role from a money or manpower standpoint—only in materiel. Since 1950 we have spent approximately $20 billion to build the military strength of our Free World allies. During this same time these allies have spent more than $122 billion—or better than $6 for every dollar we have spent. Their contribution in manpower comes to more than 3½ million men under arms, a total considerably larger than the entire Armed Forces of the United States.

The second challenge we face in striving for peaceful progress is an economic one. Since World War II, 20 new nations have come into being. These 20 nations have about 750 million people. They total nearly one-third of the world's population. Each of these nations has emerged from years, sometimes centuries, of colonial status. Each has had a close, intimate, personal relationship with disease, ignorance, and poverty.

The United States has been trying to help the peoples of the less developed nations since the end of World War II. During Joseph Stalin's lifetime, Russia showed not the slightest interest in the hopes and aspirations of these peoples. But since Stalin's death in 1953, the Soviet Union has "discovered" the existence of the 750 million people in these 20 nations. Instead of bluster, bullying, and bullets, the Communists have turned to blandishments in an effort to win the newly independent countries. In some places they have made considerable headway.

The Communists are mounting this offensive with the same zeal, the same determination, and the same disregard for truth that seems to characterize their actions. They tell the less-developed nations that our democracy is a freak, a phony. They don't tell them that 6 percent of the world's peoples living under this democracy produce 40 percent of the world's goods. As Winston Churchill might say, "Some freak, some phony."

This economic cold war between the Soviet Union and the United States is waxing warm. They have wooed the less-developed nations with $1.6 billion in loans and grants during the past 3 years with the obvious purpose of leading them away from the Free World and into the Soviet camp. We cannot afford to lose this cold war without gravely endangering our national security. The challenge is fully as important as the military challenge. If these new nations slip one by one into the Soviet orbit, we will become beleaguered, encircled, and finally strangled. It is certain that our standard of living will change radically if the immense raw material resources of the Middle East and Far East are denied us. It is certain, too, that the Soviet Union does not intend to fight this economic war according to any Marquess of Queensbury rules.

Our chief reliance in this economic competition is on the development loan fund, through which we can lend mutual-security funds to the newly developing countries for projects that will help them along on the road toward industrial development. These loans can be made on an attractive basis, often repayable in local currency, and they fill a need which cannot be met by other loaning agencies such as the Export-Import Bank and the World Bank. We are asking $625 million for this project. Without these funds we would be entering the ring against the Soviets with one hand tied behind our backs.

Most people in America today appear to have given up on the 19th century concept that the Atlantic and Pacific Oceans constitute a heaven-sent protection from attack. In the world we live in, Chicago is 6½ hours from Moscow by bomber, and Washington, D. C., may well be 6½ minutes from a missile fired by submarine.

Today we understand that there is an interdependence of nations. Space weapons make distant peoples our neighbors. The theory of dispersal of men and bases and the need for strong allies seem readily apparent. And these are the goals of the mutual-security program.

Now some of you may feel that the mutual-security program is well worth while but hardly the kind of activity we should be indulging in when 5,200,000 Americans are reported to be looking for work.

This program involves the security of the United States—directly and indirectly, now and for the future. We are not now and must never be in the position of being unable to afford our own security. The entire mutual-security program costs each of us the equivalent of an airmail stamp a day, and I might point out that the $3.9 billion for this year's program is about one-fourth of what we spend each year for liquor and tobacco.

If anybody thinks the mutual security program is a "do-good" charitable proposition, they might be interested in what Gen. Nathan Twining, Chairman of the Joint Chiefs of Staff, has to say about it:

"The cold facts of the matter are that the security of the United States depends upon our collective security system, which, in turn, depends upon our military assistance program. There may be some alternative to collective security and military assistance. Maybe those who make the broad charge that all money spent in this area goes down the rathole know what the alternative is but so far no responsible military man has been able to think of it."

But, aside from the security aspects of the matter, the mutual security program can be considered a very strong plank in the anti-recession drive. According to Mr. Sprague, Assistant Secretary of Defense, approximately 85 cents of every dollar spent under the military assistance program will be spent right here in the United States. We estimate that between 75 and 80 cents of every dollar of mutual security funds will be used to buy the products of American farms and factories. And practically all the rest of the money will sooner or later return to bolster our economy.

I would like to use a few dollars and cents figures to give you an idea of just what this program means to the industry of the United States and to our entire economy. Here are some of our purchases in 1 year in the United States:

	Million
Machinery and equipment	$70
Iron and steel	35
Bread grains	94
Cotton	84
Chemicals	25
Petroleum	35
Motor vehicles	20
Coal	20

And listen to this one—

Military equipment, $1.443 billion.

Now I don't need to point out to this group that this $1.443 billion for military equipment fans out to hundreds of subcontractors and suppliers in very walk of American life. A recent non-Government witness before Congress stated that, in his opinion, 1 million jobs were directly or indirectly due to the mutual security program. Those of us directly connected with this program have never used a figure higher than 600,000 jobs. But, whichever figure you prefer is very sizable; and this hardly seems to be the time to put any of these workers into the job pool.

In addition to the direct purchases which I have mentioned is the tidy sum of $58 million which was paid last year to United States-flag exporters to carry the goods of the mutual security program to the nations of the Free World.

Let me make it clear that we are not trying to buy friends under the mutual security program. We are not trying to give everyone our American standard of living.

We are trying to build strong allies—allies whose strength combined with ours will deter aggression in any part of the world. We are trying to help the peoples of Asia, Africa, and Latin America to achieve a decent standard of living.

It is in our own national self-interest to get these hundreds of millions of people into the market place of the world where they can buy the goods of the world's largest trader—America. This program to improve the buying power of one-third of the world's population should appeal to every businessman.

This economic war with Russia is a challenge to you as businessmen. We are the world's largest exporter and the world's largest importer. We have the highest standard of living in the history of the world and we are, unquestionably, the world's most privileged people.

We are being challenged in a field where we are the defending champion. We are being challenged by a nation whose own standard of living is lower than that of some of the countries she rules. We are being challenged by a nation whose per capita income is $308 as compared to our per capita income of nearly $2,500.

But we are also being challenged by the nation with the second highest gross national product in the world. And Soviet industrial strength is growing at a rate of 10 percent a year versus our own growth of 4 percent. We are being challenged by the nation with the largest standing peacetime army and the largest fleet of submarines in the history of the world. We are being challenged by a godless nation that has never disavowed its objective of world domination.

In 1924 Lenin said, "First we will take Eastern Europe, next the masses of Asia and finally we will encircle the last bastion of capitalism—the United States. We shall not have to attack it, it will fall like overripe fruit into our hands."

There is the blueprint and the Soviet's have accomplished the first objective—the seizure of Eastern Europe. We face a tough foe and a tough battle.

We cannot afford to be complacent about our own security. And we cannot afford to be indifferent to the needs of our allies. We must wage this economic war with all our resources, both human and material. We must fight with all the ingenuity that our inventors and scientists and businessmen can command. As President Eisenhower has said, we must wage total peace to beat the Soviets at their game of total cold war.

I urge you to join and support this Nation's effort to achieve peaceful progress through the mutual-security program.

THE WORLD HEALTH ORGANIZATION

Mr. THYE. Mr. President, I ask unanimous consent to have printed in the RECORD several articles which appeared in the Minneapolis Star dealing with the World Health Organization, which will meet in Minneapolis for 3 weeks starting on May 26. These excellent articles were written by Bob Murphy, a staff writer of the Minneapolis Star.

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

[From the Minneapolis Star of April 7, 1958]

MEET HERE TO NOTE 10TH YEAR OF WHO

(By Bob Murphy)

On May 26, in Minneapolis Auditorium, a gentleman named Dr. Sabih Hassan Al-Wahbi, the former Health Minister of Iraq, will bang a gavel and open the 11th annual assembly of World Health Organization.

The assembly will mark the 10th anniversary of WHO, but the anniversary date is not May 26 but today, April 7, 1958. Ten years ago WHO came into being when the 26th member of United Nations ratified its constitution.

The first 2 days of the assembly will be devoted to an anniversary celebration. Delegates from 85 nations and 3 territories will then meet for 3 weeks on WHO business. It will be the third assembly held outside of Geneva, Switzerland, WHO's home.

The second assembly was held in New York, the eighth in Mexico City. The Minneapolis assembly comes as a result of an invitation to World Health Organization to meet here during Minnesota's centennial year. Dr. Al-Wahbi, WHO president this year, will see this part of the world for the first time.

WHO may seem at first glance to be distant from us, as distant as the other side of the world, where its influence reaches. Nothing could be farther from the truth. WHO has its active interests in Minneapolis and Minnesota. Our position as a world-renowned health center lent weight, in fact, to the Minneapolis invitation.

The idea of WHO came into being in 1945, when the Charter of the United Nations was drawn up in San Francisco, Calif. Brazil proposed that health be included in the United Nations Charter as one of the vital factors in the shaping of world peace. Its lineage, however, is much older than that.

WHO was set up the following year in New York and operated as an interim body until ratification of memberships by 26 nations could give it formal organization. A cholera epidemic in Egypt in 1947 gave it impetus. In September of that year but 19 nations had ratified.

Operating as an interim commission, however, WHO rounded up medical supplies, called an assembly of experts and pitched into the cholera battle. Before the epidemic was over, 10 more nations had ratified, and the first world health assembly could be called for June 24, 1948.

WHO became heir to older organizations which had worked in the field of international health—Office Internationale d'Hygiene Publique, Health Organization of the League of Nations, United Nations Relief and Rehabilitation Health Division, and others.

Its first Director General was Dr. Brock Chisholm, Victoria, Canada, an articulate Canadian who shaped the budding organization. He served for 5 years, to be succeeded by Dr. M. G. Candau, a Brazilian, who at the end of a 5-year term has agreed to serve for 2 more years.

How can WHO be described? As a paper-thin organization with sinews of steel. Think of any Minnesota small town in the 1,000-population class. Barely more than that many people carry on the work of WHO throughout the world. Its home and field staff are no larger than that.

It has vast resources of other expert help, however. On some 34 expert panels, each devoted to a major field of health activity, more than 1,000 authorities throughout the world serve, 250 of them from the United States, and a number of those from Minnesota.

Periodically, expert committees are drafted from these panels to meet and discuss current health problems and how to combat them. These experts get expenses, but no pay; they serve on their own time, or are loaned by the organizations paying their salaries.

WHO's world coverage is broken down into six regional organizations: (1) for the Americas, with the Pan-American Sanitary Bureau in Washington serving as regional agency; (2) Europe, with offices in Copenhagen, Denmark; (3) the eastern Mediterranean, with offices in Alexandria, Egypt; (4) Africa, south of the Sahara, with offices in Brazzaville, French Equatorial Africa; (5) Southeast Asia, with offices in New Delhi, India; and (6) the western Pacific, with offices in Manila, the Philippines.

Through these offices, WHO acts as a coordinating service for the activities of many other health organizations, most national, some worldwide. It lends expert help, but will move into a country only on that country's invitation. It suggests the best way to meet that country's health problem, whether it be disease, education, nutrition, or anything else.

[From the Minneapolis Star of April 8, 1958]

WHO AMERICAN PROJECTS GREW FROM 1 TO 150 IN 10 YEARS

(By Bob Murphy)

The address of Pan American Sanitary Bureau, the regional body of the World Health Organization, in Washington is 1501 New Hampshire Avenue NW. Or rather, that's part of its address.

The Bureau, well known to the initiated as PASB, occupies not only the building at that number, but has spilled over into the building next door, and to a third across the street—just as, as part of WHO, it is spilling out into the Americas.

PASB is unique among WHO regional organizations in that it was functioning long before WHO was formed. (Its title, Pan American Sanitary Bureau, incidentally, while technically accurate, is an occasional minor headache; people now and then call to get advice about plumbing.)

Pan American Sanitary Bureau is the oldest international health organization in the world. Its roots go back as far as 1873, with regional conferences in Latin America, and international conferences in the United States in 1881.

It was formally organized, however, in 1902, following the second International Conference of American States in Mexico City, where a resolution was passed. Organization was completed in Washington later that year at the first of 14 Pan American sanitary conferences.

To "lend its best aid and experience toward the widest possible protection of public health," it was given a budget of $5,000.

The Pan American Sanitary Code of 1924, a treaty ratified by each of the 21 American Republics, gave the Bureau a broader authority, and it established close relationships with the various national health services, which supplied technical help to PASB.

The growth of the Bureau, meanwhile, had been gradual; from an initial $5,000 budget, its funds grew by 1947 to only $115,000.

In the next 2 years the organization burgeoned. World Health Organization came into being, and found in the Sanitary Bureau a readymade regional office for the Americas.

In 1949, it formally became the WHO office, and its budget increased to about $2 million a year.

Last year its budget was in the neighborhood of $3 million, but that told only a small part of the story. It had authority over the spending of some $18 million from other funds, as well as an administrative hand in the expenditure of other vast amounts of money.

In 1946 there was one health project of a member nation given direct assistance by the Bureau. The annual report for 1956 showed 150 projects.

As the World Health Organization works through six regional offices, Pan American Sanitary Bureau works through zone offices in Buenos Aires, Argentina; El Paso, Tex.; Guatemala City, Guatemala; Kingston, Jamaica; Lima, Peru; Mexico City, Mexico, and Rio de Janeiro, Brazil.

PASB is headed by Dr. Fred L. Soper, a pioneer in work controlling yellow fever and malaria, and a proponent of the theory of total eradication of disease, a concept which is now governing the WHO worldwide battle against malaria, with good progress.

Soper is an American, as are many other staff members of PASB. Otherwise, however, it represents a cosmopolitan group. Dr. Earl C. Chamberlayne, an expert on animal-borne diseases, is a Canadian. Dr. Alfredo Bica is a Brazilian; Ian Carter of the statistical department an Australian. Claude Inman, who designs and builds educational displays, is an Englishman who lived 20 years in Brazil.

The bureau has employees from Peru, Chile, Germany, Argentina, China, Spain,

Belgium, Puerto Rico, Cuba, France, Ecuador, Colombia, Bolivia, Guatemala, Mexico, and many other states.

All take an oath that they will not be bound in their work for the bureau by orders from their own countries. American nationals are processed by the Government employees' loyalty board; oddly enough, other nationals need not be. Frequently they take American citizenship as their work with PASB becomes permanent.

There seems never to have been any question of loyalty to PASB, the work of which arouses an intense devotion. Take the case of Dr. Louis L. Williams, a distinguished authority in the field of malaria.

After World War I he served as divisional director of malaria control in Virginia, set up depression malaria-control campaigns, initiated the campaign for eradication of malaria in the United States, developed the office of malaria control in war areas at the start of World War II, and in 1943 was detailed to the Army as malariologist in the Mediterranean theater.

For 38 years with United States public health service, he participated in development of WHO, and in 1948 became chief of its division of international health. Came the day of retirement, in 1953. But did Dr. Williams retire? Not by a long shot. He joined the staff of PASB, and continued his fight against malaria.

In 1956, the last year of operation completely reported, Soper outlined four areas of the public health field for priorities for international cooperation:

Eradication: Campaigns against malaria; yaws, a disfiguring disease for which penicillin is proving a remedy; smallpox, reduced greatly in incidence; and Aedes aegypti, the mosquito which carries the urban form of yellow fever.

Application of new and more efficient methods against other communicable diseases—tuberculosis, leprosy, polio among them.

Strengthening of national health services.

Development of new activities in the fields of chronic disease, occupational health, food, and drug services, and nuclear energy.

While a large part of this activity pertains to the American tropics, Soper will tell you that the United States is in need of some work.

The Aedes aegypti mosquito is prevalent through the southeastern United States. It has, now, no source of the yellow fever virus, but intrusion by inadvertence of a case or cases might result in a widespread epidemic.

The eradication concept against disease will not work with yellow fever, because it is present in the jungle, in animals, carried by high-flying mosquitoes which it would be impossible to kill off.

These are jungle mosquitoes, however, and do not invade towns. It is when one of them infects a man in the jungle, he carries the disease into a city, and Aedes aegypti picks it up, that urban epidemics come about.

The key here, says Soper, is eradication of Aedes aegypti. This can be accomplished. It requires work and speed, but Soper has an example to point to.

In 1930 he spotted an invasion of the Anopheles gambiae mosquito, a North African form, in Natal, Brazil. It is a persistent carrier of malaria, and had apparently been inadvertently imported by a French destroyer from Dakar. It was originally confined to a square mile or less.

By the time Soper's preaching on the issue started a full-fledged campaign, Anopheles gambiae had caused 200,000 cases of malaria, had spread 185 kilometers, and was an active danger. He got after it in 1937 in a total eradication campaign. By October, 1940, it was destroyed.

Soper and his staff spent another year and a half looking for it, but by then the beast was dead.

[From the Minneapolis Star of April 9, 1958]

WHO LIKE UNITED STATES HEALTH SERVICE

(By Bob Murphy)

To develop another analogy descriptive of the World Health Organization, which will be centered in Minneapolis with its 11th assembly opening May 26, take a look at United States Public Health Service.

The Public Health Service is to our States what WHO is to its member nations—with, however, a couple of important differences.

One is in size. WHO has a staff of around 1,000, Public Health Service of around 20,000. The WHO budget, to be acted upon at the Assembly this year, will be a little more than $14 million, the Public Health Service budget runs around $500 million a year. On the other hand, Pan American Sanitary Bureau, the WHO regional office for the Americas, has a staff of about 500, and a budget of about $3 million.

Dr. Leroy E. Burney, as Surgeon General, heads Public Health Service. More directly involved with WHO, however, is Dr. H. van Zile Hyde, Chief of the Division of International Health of Public Health Service, and a member of the 18-man executive board of WHO.

He was chairman of the board in 1955, and represented it at the world health assembly; he has attended all other assemblies as a member of the delegation from the United States since 1948. He was a delegate to the international health conference at which WHO was set up in 1946.

He explained the differences between Public Health Service and WHO in his Washington office. One is in size; but Public Health Service operates hospitals and research laboratories, while WHO, a research coordinator, runs none itself. Public Health Service has more authority. Through ICC, it can control health in interstate commerce.

It also has local authority over the quality and standards of products—vaccines, serums, etc. WHO gets its authority from the acceptance of various countries of its recommendations; if they accept, they are bound to follow closely. Most countries accept sanitary regulations without question.

Otherwise the modus operandi is similar. Public Health Service goes into State programs only on request. WHO goes into national programs only on request of the nations.

Public Health Service's elbow-rubbing with WHO is through the International Cooperation Administration, a State Department agency once headed by Harold E. Stassen. International Cooperation Administration works closely with WHO, the two having largely bilateral programs.

On the other hand, ICA, which has the same basic membership as WHO, keeps closely in touch with the Public Health Service International Office, which supplies technical assistance and personnel, as does WHO. ICA this year, for instance, is spending $23 million in the antimalaria campaign, more than the budgets of WHO and its regional office, Pan American Sanitary Bureau, put together.

Of that total, $5 million goes to WHO, $2 million to the Bureau. ICA has some 400 Americans in foreign service. More than half of them are on loan from the Public Health Service.

Other Public Health Service men are on loan to Pan American, and others are regularly made available for training courses and seminars.

Inasmuch as many other organizations participate in public-health programs—that will make another story—WHO coordinates efforts and obviates duplication.

Not too many Americans serve with WHO, although there is a respectable representation. WHO field staff salary levels are not adequate to attract American personnel, even though tax free.

There are many, however, who go to underdeveloped countries to get broadening experience, to learn to deal with different cultures, conditions, and nationalities. Besides, there is an eagerness to impart American know-how.

"We are humble, however," said Dr. Hyde. "We don't forget that some important discoveries—the transquilizers, the antibiotics, the sulfa drugs, DDT—came from outside."

The participation of WHO in domestic and international health campaigns has raised the status of public-health people in their own countries, Hyde pointed out. An important factor has been the training of still more people, the ICA sponsoring many fellowships for foreign students in this country, added to those sent for training by WHO.

(Dr. Fred Soper, director of Pan American Sanitary Bureau, believes this will be one of the important trends in the future. "We could use bigger budgets and spend more money advantageously, much more," he has said. "But not until we get the proper people for field and administrative work.")

"It is not our intention to overwhelm WHO and the Pan American Bureau," said Hyde. Rather, ICA and his service prefer to work on the same theory, that strategic expenditure of thousands will spur the added local spending of millions in health campaigns.

And in this same spirit, the interchange is two way. While public-health service and ICA are in a state of wealth compared to WHO and Pan American, WHO makes grants to public-health service. It has provided $10,000 for a shigella center laboratory and $1,000 for an influenza center lab.

[From the Minneapolis Star of April 10, 1958]

INITIALLY, WHO GROUPS NEED UNRAVELING

(By Bob Murphy)

The nature of World Health Organization—WHO—might be illustrated in part by alphabet soup.

WHO cooperates with, or keeps in touch with, myriad organizations. To shorten up official language, the initials of many—many? all—of these are used in bulletins, and this may make the bulletin somewhat unintelligible to a layman without a glossary.

Some sets of initials are well known.

UNICEF, for example, is United Nations International Children's Emergency Fund. It is found involved in many WHO projects, wherever the health of mothers or children are concerned. UNICEF may be a healthy contributor, but not in cash.

Its contributions are in the form of supplies, from trucks and bulldozers to spray tanks to medicines.

PASB, as another example, stands for Pan American Sanitary Board, the Washington organization which serves as regional office for WHO for the Americas. PASO, however, is Pan American Sanitary Organization, PASB's governing body.

We have talked about ICA, International Cooperation Administration, a State Department organization which works with WHO and PASB in many projects and has its own bilateral program not necessarily connected with WHO. FAO, the United Nations Food and Agriculture Organization, cooperates in many instances.

UNTAA is the United Nation's Technical Assistance Administration, UNETAP the U. N. Expanded Technical Assistance Program. USPHS is United States Public Health Service.

Then we have AIDIS, the Inter-American Association of Sanitary Engineering. And OAS, the Organization of American States, a group of American Republics. And CCTA/OAS, the Coordinating Committee in Technical Assistance of OAS, and OAS/TA, Organization of American States-Technical Assistance.

There is INCAP, the Institute of Nutrition of Central America and Panama, researching into nutritional deficiencies. And PAU, the Pan American Union. And TAB, the Technical Assistance Board, and ILO, the International Labor Organization; ICAO, the International Civil Aviation Administration; IIAA, the Institute of Inter-American Affairs, and IA-ECOSOC, the Inter-American Economic and Social Council.

Some initial designations appear to have foreign origin. CINVA stands for Inter-American Housing center, CIRSA for Regional International Committee for Health in Agriculture and Livestock. CNEP is National Commission for Eradication of Malaria, SCSP is Inter-American Cooperation Public Health Service.

Those are all terms taken from the glossary of the annual report of PASB.

The annual report of WHO has others—ACC for Administrative Committee on Coordination; CIOMS for Council for International Organizations of Medical Sciences; ECAFE for Economic Commission for Asia and the Far East, ECE and ECLA for Economic Commissions for Europe and Latin America.

There are UNKRA, United Nations Korean Reconstruction Agency; UNRWA, United Nations Relief and Work Agency for Palestine Refugees in the Near East; ITU International Telecommunication Union; WFUNA, the World Federation of United Nations Associations, and OIHP, the Office International d'Hygiene Publique, a parent organization of WHO. Not to mention WMO, the World Meteorological Organization.

That directory is a good indication of the wide field, which WHO, as a coordinating agency in the field of international health, must cover. But that's not the whole story.

There is another initial designation, NGO. That stands for nongovernmental organization, and of these some 43 have been admitted to official relations with WHO. Others cooperate, but have not yet reached the official relations stage.

Some of them have been named already—AIDIS, and CIOMS, and WFUNA, as used in official reports. But there are many others in the elaborate network of communications which is part of WHO's official duty.

There is the Biometric Society of New Haven, Conn. There is the International Union Against Tuberculosis, of Paris, France. The International Commission on Radiological Protection is centered in Stockholm, Sweden, the International Commission on Radiological Units and Measurements in Washington.

The World Medical Association is centered in New York, the World Confederation for Physical Therapy in London, the League of Red Cross Societies in Geneva, Switzerland—WHO's home—the International Organization Against Trachoma in Marseilles, France.

The International Federation for Housing and Town Planning headquarters in the Hague, Netherlands; the International Academy of Legal and Social Medicine in Genoa, Italy; the World Veterans federations in Paris—all these can be handily initialed when they are referred to in bulletins.

Then there are others, BCG refers to the tuberculosis vaccine, bacillus Calmette-Guerin. CDC refers to the communicable disease center, a facility of United States public health service. In project reports you see "R," which means the money comes from the regular budget, or the initials of other contributing organizations.

Or AFRO, AMRO, SEARO, EURO, EMRO, or WPRO, signifying African, American, southeast Asia, European, eastern Mediterranean or western Pacific regional offices, in cases where a project is at work in more than one country.

GML stands for Gorgas Memorial Laboratory, KF for Kellogg Foundation. Pan American Sanitary Bureau initials its units of primary concern as HOC for the division of public health, HCE for the epidemiological and statistics section, EFS for the fellowships branch, EOC for the division of education and training, to pick a few samples, and WO, for just Washington office.

Just the mention of all these organizations characterizes WHO and its affiliates as a VC. A vast complex. Or DVC. A darn vast complex.

[From the Minneapolis Star of April 11, 1958]

WHO—FROM A(NTIGUA) TO Z(AGREB)

(By Bob Murphy)

World Health Organization became 10 years old this week, and in that 10 years has become probably the most cosmopolitan organization in the world.

Of the United Nations family, it has more members than the United Nations, by six, with a total of 88. It is not subject to the bickering that the United Nations itself undergoes; what argument there is is restrained, and will be heard only during the 3 weeks of the 11th annual assembly, the 10th anniversary assembly, in Minneapolis starting May 26.

WHO was set up in 1946 at a New York conference with 61 nations signing the constitution. Twenty-six U. N. members, however, had to ratify before WHO came into official being. This did not happen until April of 1948.

China—not Red China, which still is not a member—was first to sign, in July 1946. Next was Great Britain, followed in order by Canada, Iran, New Zealand, Syria, Liberia, Switzerland—which is one of the nonmembers of United Nations—Jordan and Italy.

The United States, in 1948, became the 46th to ratify.

There have been changes. Russia was 32d to ratify, but soon left WHO, along with a group of its satellites. There being no provision in the constitution for resignation of nations, they were placed on inactive status. They returned to activity last year and will be represented at the assembly here.

How does this cosmopolitanism show up in the staff? The WHO home and field staff now numbers a bit more than 1,000. The last year for which there was a full report was 1956, when the staff numbered 860. They represented 54 countries, not to mention 2 stateless employees.

Of that number, 101 were Americans.

During 1956 there were 59 meetings of organizational, expert committee and advisory groups of WHO.

They took place in such locations as Geneva, Switzerland; Kuching, Sarawak; Peebles, Scotland; Athens, Greece; Zagreb, Yugoslavia; Stockholm, Sweden; Copenhagen, Denmark; Accra, then Gold Coast, now Ghana; Manila, the Philippines; Antigua, Guatemala; Teheran, Iran; New Delhi, India; Tokyo, Japan; Paris, France; Taipei, Formosa; Dublin, Ireland; Brazzaville, French Equatorial Africa; Oslo, Norway; Rome, Italy; Amsterdam, The Netherlands, and many other places.

To relate cosmopolitanism another way, here are some of the subjects of those meetings:

International quarantine, drinking water standards, radiological protection, pediatric education, toxic hazards of pesticides to man, the international pharmacopoeia, nursing, milk hygiene, effect of radiation on human heredity, nutrition, rheumatic diseases, the ecology of intermediate snail hosts of bilharziasis, addiction-producing drugs, rabies, food additives, health statistics, mental health, human relations in industry and alcoholism.

These, you may note, are in addition to the better known objects of WHO activity: Malaria, yellow fever, tuberculosis, yaws, and so on.

Meanwhile WHO kept in communication with its expert panels, numbering more than 1,000 authorities through the world, and dealing with this broad spectrum of subjects:

Addiction-producing drugs, antibiotics, biological standardization, brucellosis, cholera, chronic degenerative diseases, dental health, environmental sanitation, public health education, health laboratory methods, health statistics, insecticides, international pharmacopoeia and pharmaceutical preparations, international quarantine, leprosy.

Malaria, maternal and child health, mental health, nursing, nutrition, occupational health, organization of medical care, parasitic diseases, plague, professional and technical education, public health administration, rabies, rehabilitation, trachoma, tuberculosis, venerial infections and treponematoses, virus diseases, yellow fever, and zoonoses, the animal-born diseases.

The final evidence of WHO's breadth and design, however, is in the membership itself. (It is the only United Nations agency which has been permitted to work in tightly closed and hostile Yemen):

Afghanistan, Albania, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria, Burma, Byelorussian S. S. R., Cambodia, Canada, Ceylon, Chile, China, Costa Rica, Cuba, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Finland, France, German Federal Republic, Ghana, Greece, Guatemala, Haiti, Honduras, Hungary.

Iceland, India, Iran, Iraq, Ireland, Israel, Italy, Indonesia, Japan, Jordan, Laos, Lebanon, Liberia, Libya, Luxembourg, Mexico, Monaco, Nepal, The Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Paraguay, Peru, Philippine Republic, Poland, Portugal, Romania, Saudi Arabia, South Korea, Spain, Sudan, Sweden, Switzerland, Syria, Thailand, Tunisia, Turkey, Ukrainian S. S. R., Union of South Africa, United Kingdom, United States, Uruguay, U. S. S. R., Venezuela, Vietnam, Yeman, Yugoslavia and the three associate members, Sierra Leone, Nigeria and Rhodesia-Nyasaland.

Let not even that roster limit WHO's cosmopolitanism. It has worked, so far, in more than 100 nations, some not members.

A COMMISSION ON COUNTRY LIFE

Mr. THYE. Mr. President, April 2, I cosponsored S. 3596, which would establish a Commission on Country Life. I ask unanimous consent that three editorials which appeared in the Prairie Farmer on April 6, 1957, August 17, 1957, and January 18, 1958, be printed in the body of the RECORD so that all Senators may have the benefit of their arguments in support of this Commission.

I also ask unanimous consent that the letter from Mr. Paul C. Johnson, the editor of the Prairie Farmer, be printed in the RECORD.

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

[From the Prairie Farmer of April 6, 1957]

WE NEED NEW COUNTRY LIFE GOALS

We hope our readers found food for thought in the two articles published in Prairie Farmer during March on the size of farms. This series was written by M. L. Mosher, retired University of Illinois farm management professor, who has played an important part in the development of farming in the Midwest. Mosher's studies indicate

there is a point beyond which the farm owner and operator gains very little by increasing the size of his farm. The advantages of more land are great until the farmer gets up around 300 acres, after which he settles down to paying hired men, plus income tax in good years, without greatly improving his family income.

Not all economists agree with Mosher, but he has performed a service in pointing out that there is a point of diminishing returns in farm size. He has also presented significant evidence that a community of moderate sized farms is healthier than a community of very large farms.

There has been much talk about land policy in this country, but we have done very little about the problem. The rapid increase in size of farms and the confusion caused by our contradictory farm programs make it clear that we need a careful study of our whole agricultural future. We also have before us the "rurban" movement, which has brought literally millions of city workers into the country to live.

It is now nearly 50 years since the famous Theodore Roosevelt Country Life Commission did its work and set forth its recommendations. The guidance of this Commission undoubtedly had a good deal to do with the spectacular development of agriculture in the past 50 years. Perhaps the time is ripe for another such commission to take a long, careful look at present trends in agricultural business and rural life. A resolution proposing such a commission has already been passed by the American Country Life Association.

The time has come to bring together our wisest leaders and ask them to draw up worthy goals for the next 50 years.

[From the Prairie Farmer of August 17, 1957]

PLENTY OF PROBLEMS TO BE SOLVED

(By Paul C. Johnson)

Meeting recently at Columbia, Mo., the American Country Life Association decided it is time for another National Country Life Commission such as the one appointed by President Theodore Roosevelt in 1908. The original commission, which began its work 50 years ago, is credited with giving direction and substance to a great many of the outstanding developments in agricultural improvement, rural education, and conservation that have made this country great.

The question immediately arises: Can't we get all the directions and constructive thinking we need out of the scores of policy-making organizations, research groups, conservation units, youth and educational agencies, commodity groups, and the variety of other organizations that already operate in the field of agricultural and rural interests? Why create another commission to join this throng?

The truth is that in spite of all these agencies, we still don't know where we are going, or where we really want to go. The agricultural revolution which is moving millions of our farm people into industrial and professional work, and the suburban revolution which has sent more millions in search of a home in the country have us pretty well mixed up.

Our over-all ideals and purposes are being neglected. There is still a great need for men of wisdom, who have a broad understanding of our economic and social system, to analyze our present troubles and to project a set of guides for the future.

How much land do we really need in farm production in view of the sensational advancements in food production? If unneeded land is to be put to its best use and saved for the time when it may actually be needed by future generations, should it be held in the hands of government or should we keep it in private hands?

What land should be reserved for agricultural purposes, and what type of national policy should be invoked to prevent costly development of new land in one part of the country while farm acres are retired elsewhere?

How can we bring all conservation interests under a sensible program which puts the different types of conservation in proper relation to each other?

What directions might be given to the growth of the rural community of the future? What's the best course for the areas far from metropolitan centers where the population is steadily declining?

What is the best plan for the suburban areas where city workers are taking over agricultural land, bringing acute problems of sanitation, schools, water supply, hospital, and transportation?

What kind of education will be best for the rural youth of tomorrow? This will involve a remodeling of our educational aims and courses of study. It must also include a plan for reeducating out-of-school adults who are faced with drastic changes in their way of living and making a living.

Our legislators, our educators, and our rural leaders could use some guidance here.

[From the Prairie Farmer of January 18, 1958]

WE NEED A COUNTRY LIFE COMMISSION

During the 1958 session of Congress we hope that President Eisenhower and Congressional leaders will see fit to establish a second American Country Life Commission to study the vast changes that are occurring on the rural scene, and present in due time a set of evaluations and recommendations for our guidance. This year is the 50th anniversary of the appointment of the first American Country Life Commission by President Theodore Roosevelt.

The first commission had a big part in setting up a program of work for the half century just passed. The great surge in productivity of agriculture in this country and many significant developments in education and conservation can be traced to the thinking of members of this commission.

Today, 50 years later, the problems of America are vastly different. We have become a powerful industrial Nation. This change was made possible to a large extent by the development of our agriculture to the point where it now takes less than one-tenth of our people to furnish needed food and fiber. We are witnessing widespread decentralization of industry and the movement of millions of city workers into country life. At the same time, farming is becoming more and more of a business and many farm families are combining city work with country living and part-time farming.

Even so, we find ourselves with too much land under cultivation. There is urgent need of a new concept of conservation of the countryside rather than conservation of soil fertility alone. The growth in industrial activity has increased if anything the interest of our people in country living and the use of natural resources for the benefit of all.

Education, transportation, sanitation, and water supply have assumed new dimensions in American rural life and are badly in need of guidance and better community organization.

The proposal for a presidential committee on country life has come from the American Country Life Association which has been asked to carry the ball by a number of farm, civic and religious organizations. ACLA is suggesting that President Eisenhower appoint 15 persons who have a broad knowledge of both rural and urban affairs to spend 2 years in studying our needs and compiling suggestions for the future course of our Nation, especially with regard to the role that our country communities should play. Congress is asked to make a modest appropriation for research and secretarial facilities and for publication of the final results. The commission itself would be unsalaried.

The question comes immediately to mind, Why add another voice to those already causing confusion on the rural scene? The very fact that the confusion exists is a sign that no organization has been able to come up with a comprehensive program and anything like general acceptance of its ideas. The situation is further complicated by the fact that agriculture itself has become a business employing only a small segment of our people, while the preservation of country life and national ideals rooted in the country has become the concern of all people.

It seems logical to us that we should now listen to the counsel of wise men who are not deeply involved in the controversies of the past and who can therefore look at our needs objectively. If such a commission can clarify our thinking and bring into the open the most urgent needs and opportunities, the dozens of action organizations which we now have can find a unifying influence and plenty of work.

So we hope President Eisenhower and congress will take this opportunity to erect another 50-year milestone in American life.

PRAIRIE FARMER,
Chicago, Ill., April 10, 1958.

Senator ED THYE,
Senate Office Building,
Washington, D. C.

DEAR ED: I was delighted to see your support of the bill on a second American Country Life Commission in your last column and in the material distributed with it. You may not know that I am a former president of the American Country Life Association and one of the originators of this idea. I will appreciate very much anything you can do to help it along. I am enclosing a couple of editorials from Prairie Farmer in support of this plan.

I do not think it will in any way infringe on the true functions of farm organizations and other rural groups. I think the time is here for an overall look at our rural communities, conducted by a group of the wisest men and women we can find. A commission would be the best way to do this.

Sincerely yours,

PAUL C. JOHNSON, *Editor.*

ONE HUNDRED AND THIRTY-SEVENTH ANNIVERSARY OF DECLARATION OF GREEK INDEPENDENCE—RESOLUTION BY 137TH INDEPENDENCE DAY OF GREECE CELEBRATION COMMITTEE

Mr. DOUGLAS. Mr. President, I ask uanimous consent to have printed in the RECORD a copy of the forthright resolution adopted March 30, 1958, at a meeting in Chicago to commemorate the 137th anniversary of the declaration of Greek independence.

I hope that our own Government will heed the call of these American citizens of Greek ancestry to give our most friendly and sympathetic consideration to the aspirations of the people of Cyprus for self-determination and freedom.

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

Whereas on this 30th day of March 1958, the people of the Chicago area of Greek descent, having assembled at the Medinah Temple, Chicago, Ill., for the purpose of

commemorating the 137th anniversary of the declaration of Greek independence; and

Whereas the people of the island of Cyprus, having heretofore, by overwhelming majority, signified their desire and will to be granted the right of determining their own political future; and

Whereas we, as citizens of the United States of America, a Nation herself born because of a similar zeal for self-determination, fully realizing that the war for peace can best be won by encouraging and constructively guiding the turbulent, dynamic feelings of peoples everywhere for self-government; and

Whereas the matter of the right to self-determination by the people of the Island of Cyprus has properly been brought before the United Nations, and the General Assembly of the United Nations, having adopted by an overwhelming majority a resolution expressing the earnest desire that a peaceful, democratic, and just solution be found on the question of Cyprus in accordance with the principles and purposes of the Charter of the United Nations, and the hope that negotiations would be resulted and continued to this end; and

Whereas the United States delegation in the United Nations Assembly voted in favor of that resolution: Now, therefore, be it

Resolved, That we here assembled, over 4,000 Americans of Greek descent, representing 125,000 of our fellow citizens of like ancestry in the Chicago area, in the exercise of our inalienable right to petition our Government, do hereby petition, beseech, and urge our Department of State to utilize its beneficial influence to the end that the people of Cyprus shall achieve the benefits of self-determination, and that peace, order, and tranquility shall return to the island of Cyprus, thereby enhancing the cause of world peace and freedom; be it further

Resolved, That the Independence Day of Greece Celebration Committee be hereby authorized to forward copies of this resolution to the President of the United States of America, the Secretary of State, the Members of Congress, the delegates to the United Nations, and the press.

Passed unanimously.

GEORGE J. MARKS,
Chairman, 137th Independence Day of Greece Celebration Committee.

PROMINENT ECONOMISTS URGE IMMEDIATE TAX CUT

Mr. DOUGLAS. Mr. President, I ask unanimous consent that a letter to the editor which was printed in the New York Times on April 14, 1958, be printed in the body of the RECORD.

The signers of this letter include some of the most prominent and able economists in the country. The name of Arthur Burns, formerly President's Eisenhower's chief economic adviser, is among them.

The signers urge an immediate tax cut. Further, they state that the amount should be in the neighborhood of $10 billion a year and should last until it is quite clear that the recession has ended. They point to the growing danger of cumulative damage to the economy if we fail to act, and if we fail to act now.

Mr. President, the Congress and the administration should note these warnings from men of great competence and of varying political views. We should act now, and we should err in the direction of doing too much rather than risk the danger of depression, which would be a frightful thing both for our people at home and for our standing and leadership in and of the free world.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Illinois?

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

IMMEDIATE TAX CUT URGED

To the EDITOR OF THE NEW YORK TIMES:

The moderate recessions of 1949 and 1953–54 were not ended without the aid of substantial tax cuts, resulting from the Revenue Act of 1948 and from certain measures effective in 1954. Without prompt and substantial tax cuts now there is grave danger of cumulative damage from the rapid tapering off in plant and equipment outlays already scheduled, the exhaustion of unemployment insurance rights and the deterioration in the economic position of our trading partners abroad.

We believe that the first major policy step should be to cut Federal taxes by about $10 billion a year, effective immediately, the cut to remain in effect until recovery is assured. Any further delay will increase the prospect that even a $10 billion tax cut will prove inadequate and that the present recession will become even deeper and more prolonged.

If inflation turns out to be a problem in 1959 or 1960, appropriate measures can and should be taken at that time.

James W. Angell, Harold Barger, Arthur Robert Burns, Robert L. Carey, Carter Goodrich, Albert G. Hart, Peter B. Kenen, Marshall Kolin, Frederick C. Mills, Ragnar-Nurkse, Carl S. Shoup, William Vickrey, Henry Villard, Aaron W. Warner.

(The signers of the above letter are members of the department of economics at Columbia University, with the exception of Henry Villard, who is chairman of the department at City College).

NEW YORK, *April 10, 1958.*

APPELLATE JURISDICTION OF THE SUPREME COURT

Mr. BUTLER. Mr. President, I ask unanimous consent that I be permitted, during the morning hour, to make some remarks which I wish to make in connection with Senate bill 2646, the so-called Jenner bill.

The PRESIDENT pro tempore. The Chairman inquires whether the Senator from Maryland wishes to limit his time to 15 minutes or whether he wishes any other limitation.

Mr. BUTLER. Mr. President, I shall require at least three-quarters of an hour, and perhaps an hour. I make this request at the behest of the majority.

Mr. BIBLE. Mr. President, if the Senator will yield, there is no objection from this side of the aisle to the request which the Senator from Maryland is making.

Mr. BUTLER. Mr. President, am I to understand that my time is not limited?

The PRESIDENT pro tempore. The Senator is correct.

Mr. BUTLER. Mr. President, during the Easter recess some rather severe criticism was hurled against the amendments which I have proposed to the bill S. 2646, sponsored by the Senator from Indiana [Mr. JENNER].

In a press release issued for Monday morning papers on April 7, 1958, the Senator from Missouri [Mr. HENNINGS], charged that my proposed amendments "contain several highly dangerous but little-publicized sleepers."

In his press release, the Senator from Missouri went on to express some of his own views with respect to the proposals of the Senator from Indiana and the proposals which I have made for amendment of S. 2646. The Senator from Missouri also included in his press release several highly rhetorical charges against my proposals, such as the charge that my proposals "would result in sweeping and controversial revisions in basic Federal statutes," the charge that one of my proposed amendments, if adopted, "would result in massive confusion, lack of uniformity, and contradiction in courts all over the land," the charge that another of my proposed amendments "would imperil the integrity of our entire Civil Service System by posing a threat to every Government employee," the charge that another of my amendments "would upset a hundred years of carefully constructed law in the complex field of the relationship between Federal and State statutes," and the charge that the last of my proposed amendments would "possibly forbid certain activities regardless of whether they constituted a clear and present danger to our national security."

The Senator from Missouri appended to his press release what he entitled a "Memorandum setting forth objections to Senator BUTLER's proposed amendments to S. 2646, the so-called Jenner bill to limit the Supreme Court's jurisdiction." This memorandum lives up to its title by setting forth, in considerable detail, certain alleged objections to the amendments which I have proposed to S. 2646.

I hope, Mr. President, that it will not be considered captious of me, nor unduly argumentative, to complete the RECORD with respect to these matters by considering separately each of the objections raised in the memorandum which the Senator from Missouri has distributed, and pointing out what I consider to be the errors involved in these charges.

At the outset, Mr. President, let me deal with the allegation that the amendments which I have proposed to the bill S. 2646 amount, in fact, to a substitute bill. If my amendments amounted to a substitute bill, then they would be offered to replace the language of the present bill. But this is not the case. In the first place, I do not propose to strike out all of Senator JENNER's bill. I do propose to eliminate four of the five clauses defining areas within which the bill would withdraw appellate jurisdiction from the Supreme Court; but, as the Senator from Missouri has noted in his press release, I do not propose to disturb the provisions of Senator JENNER's bill with respect to the fifth of his proposed categories, so that the bill as I propose to amend it would still withdraw from the Supreme Court appellate jurisdiction over the exercise by any State, through its duly constituted internal machinery, of its right to control admissions to its bar, by virtue of which individuals become officers of its courts.

Since, therefore, I do not propose to strike out all of Senator JENNER's bill, my amendments cannot be said to be a substitute for his bill.

Furthermore, and speaking technically, my amendments are not even a substitute for those portions of Senator JENNER's bill which I would propose to eliminate. My amendments would go in the bill at a different point. So that while it is clear I am proposing that certain provisions be added to the bill, and that certain other provisions be stricken from the bill, it is not accurate to say that I have proposed to substitute my amendments either for the bill or for a part of the bill.

It is true that I am asking the Judiciary Committee to accept a bill which is in part as the Senator from Indiana has proposed it and in part as I have proposed it. I suppose in this sense it can be said that I am asking the committee to substitute approval of my proposals for possible approval of Senator JENNER's bill in the precise form in which it was introduced; but this is no more true in the case of my amendments than it is in the case of any amendment which any Senator may propose to any bill in any committee.

In legislative language—perhaps I should say, in the lexicon of the legislative draftsman—the term "substitute" has a very precise meaning; and the Senator from Missouri is usually so precise in his statements that I have feared what he said in his press release about my amendments being a substitute for the Jenner bill might be misunderstood if I did not call attention to this matter as I now have done.

Mr. President, I do not know whether the press release of the Senator from Missouri, to which I have referred, and the memorandum which was attached to that press release, have been made a part of the CONGRESSIONAL RECORD. If this has not already been done, I ask unanimous consent that both the press release and the memorandum may be printed in the body of the RECORD at the conclusion of my remarks.

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

See exhibits 1 and 2.

Mr. BUTLER. In his press release, Mr. President, the Senator from Missouri charged that the four new sections which I have proposed to add to S. 2646 have "nothing to do with each other." So that the record may speak truly on this point, Mr. President, I point out that these sections have one very important thing in common: Each of them deals with a matter which is of importance to the internal security of the United States, involving legislation enacted by the Congress of the United States which the Supreme Court has given an interpretation or an effect not intended by the Congress; and each section is intended, by supplying a legislative deficiency which the Supreme Court has made clear, to strengthen the security of the Nation by providing more effective ways of dealing with those who engage in subversive activities. This is the theme which my proposals have in common, which ties them together into a unity: The conception that subversion must be dealt with firmly and effectively, that the Congress has a right to investigate it, and the duty to devise laws to cope with it; that subversives have no place in Government employment, at any level; that fighting subversion and protecting our internal security are just as much a matter of interest to the States as they are to the Federal Government.

Mr. President, in his press release the Senator from Missouri raised the point that the language of my proposed amendments has not been the subject of public hearings. The mere raising of this point appears to imply that a Senator may not or should not offer an amendment to a bill, in committee, unless the amendment has been the subject of public hearings; or that if a Senator does offer an amendment, the specific language of which has not been the subject of public hearings, further progress on the bill to which the amendment is offered should be stopped until the amendment has been the subject of public hearings. Of course, Mr. President, there is no such rule; and to adopt any such rule would be to stultify this body by making the legislative process virtually interminable and putting into the hands of Senators who might want to defeat a measure the power to delay it forever simply by a process of presenting successive amendments in language which has not been the subject of public hearings. To say that an amendment should not be proposed, or should not be considered, in committee, until it has been the subject of public hearings, would be to take from the committees of the Senate virtually all power to work out compromises between conflicting views, virtually all power to utilize the give-and-take of committee discussion to improve the provisions of a pending bill.

The main purpose of a public hearing, Mr. President, is to ascertain the facts with respect to a situation which may or may not call for legislation, as a foundation for a determination by Congress first, as to whether legislation should be enacted, and second, as to the form such legislation should take, if the Congress finds legislation to be needed.

If a committee is satisfied, without hearings, that certain legislation is desirable or necessary, the committee has a perfect right to report the legislation to the Senate without hearings. If the Members of the Senate want more information on a bill than has been provided by the committee which reported the bill, it is the prerogative of the Senate to recommit the bill to committee, either with or without instructions. When a bill has been reported from a committee without hearings, and the majority of the Senate feels, as did the committee, that the need for or desirability of the proposed legislation is clear, the Senate has a perfect right to act on the bill. Hearings on proposed legislation are not intended to be, and never were intended to be, a sort of trial by compurgation, whereby Members of the legislative body may count those special interest groups which are in favor of the bill and those which are opposed, as an aid to making up the collective legislative mind. There is no need of hearings for such a purpose, Mr. President. If any important pressure group, or any substantial proportion of the voters back home, is either for or against any proposal which comes before this body, Senators will know it, whether or not hearings are held. Pressure groups have at their disposal many ways to inform Senators of their views, and they make very effective use of all the ways which are open to them, so that no Senator ever need be in doubt; he may be sure that if any of these groups is for or against any measure on which he has an opportunity to vote, he will have that fact brought to his attention. As for the people back home, Mr. President, I cannot speak for other Senators, or for other States, but in my own State, when the people feel strongly on any issue, they let me know about it.

There is no use kidding ourselves, Mr. President. The Jenner bill is pending before the Judiciary Committee of the Senate today, as its unfinished business, because of widespread dissatisfaction by the people of this country with the results of a series of decisions by the Supreme Court of the United States which have gone beyond the Court's proper sphere; which have involved judicial legislation; which have amounted to unwarranted invasion of the prerogatives of other coordinate branches of the Government; which have invaded the rights of the States guaranteed under the 10th amendment; which have in one case or another, respectively, sought to substitute the Court's judgment for the administrative judgment of the Congress with respect to the control of its own committees; for the legislative judgment of the Congress in numerous areas; for the judgments of State legislatures, and other duly-constituted State officials with respect to matters properly committed to their care and jurisdiction; for the judgment of a jury with respect to the guilt of an accused; and even for the judgment of the Founding Fathers with respect to the meaning and effect of the Constitution. It is my judgment that an overwhelming majority of the people of the United States want the Congress to deal with these matters, to assert its legislative prerogative, solely committed to it by the Constitution, and to seek effective means of overcoming at least the major undesirable effects of the more important cases in this line of Supreme Court decisions to which I have referred.

It is true, Mr. President, that I think the Senator from Indiana [Mr. JENNER] has introduced a bill which goes too far, and I do not mind saying so. It is also true, that I feel the bill S. 2646, as originally introduced by the Senator from Indiana, would not accomplish the precise job which needs to be done in some of the legislative areas affected by some of the Supreme Court decisions; and I do not mind saying so. But this does not mean that in seeking to correct what I consider to be these deficiencies of the Jenner bill, I am pointing

toward a different objective than was the Senator from Indiana. I do not believe I am, Mr. President. The Senator from Indiana and I are both trying to do something constructive about what we consider to be the undesirable results of certain decisions by the Supreme Court of the United States. I am using what my friend, a distinguished Maryland lawyer, Frank B. Ober, has called the scalpel approach. My friend the Senator from Indiana has called it the feather-duster approach, because he feels that his bill, if amended, as I have proposed, will not bear down heavily enough upon the Supreme Court. But these differences of opinion do not mean that the Senator from Indiana and I are seeking different objectives. We are, I believe, entirely in accord on the need for action by the Congress to assert its legislative prerogative and to call the attention of the Supreme Court to the fact that it has overstepped its proper authority.

I want to do this more delicately than does the Senator from Indiana, because I hold the Court as an institution in the highest regard as I do the other coordinate branches of the Government; and I do not want to hurt the Court or weaken it in any way. Nor do I believe the Senator from Indiana intends to hurt the Court. He has said repeatedly that his purpose is not to punish the Court, but to correct the situation which has been brought about by a series of decisions involving judicial legislation, and having impact upon questions affecting internal security and subversion. I believe the Senator from Indiana.

My own feeling is that the best way to correct the undesirable effects of some of these decisions is directly by legislation, rather than by the device of removing the appellate jurisdiction of the Supreme Court in any particular area and hoping that lower court decisions will thereupon revert to the law as it was before the Supreme Court changed it; for I fear that any such hope might prove vain. However, as I have said before, this disagreement with regard to method and approach does not mean that the Senator from Indiana and I have different objectives.

Mr. President, except insofar as I have already done so, I shall not seek to answer the oratorical rhetoric of the press release of the Senator from Missouri, with one exception to which I shall refer in a moment, and then shall proceed to a discussion of the memorandum setting forth objections which the Senator from Missouri distributed along with the press release.

The one instance in which I propose to refer to specific language of the press release is in connection with the contention of the Senator from Missouri that the idea of withdrawing appellate jurisdiction from the Supreme Court is a "kill the umpire" philosophy. Mr. President, if we are going to talk in baseball terms, I think I know enough about the national game to take part in the discussion.

First of all, in that connection, I want to say that the umpire is not always right. I have seen cases when I knew the umpire was wrong. We must, however, accept the decision of the umpire, for the purposes of the game; but that is not the same thing as accepting the umpire's decision as being right. In fact, when an umpire makes too many obviously wrong decisions, if he is in the big leagues, he is liable to find himself shipped back to the minors; and if he is in the minors, he is liable to find himself out of baseball. Furthermore, the obligation to accept the decision of the umpire for purposes of the particular game is only imposed with respect to those decisions of the umpire which are properly within his jurisdiction. If an umpire tried to take a turn at bat, or attempted to take the mound and pitch to the batter, or tried to substitute his judgment for that of the manager of either side on the question of when to call in a new pitcher, or started coaching at third base or giving signals to the pitcher on what kind of a ball to throw, that umpire would not last very long; and it would be perfectly proper to insist that he either stop his ultra vires operations, or get off the field.

Now, Mr. President, I turn to the memorandum circulated by the Senator from Missouri. This memorandum has a general summary section at the beginning, and then goes into what it terms "a more detailed analysis" of each of the provisions of my proposed amendments.

The memorandum correctly states that my amendments "would not change the original proposal to take from the Supreme Court the power to review cases involving bar admissions," and declares that "everyone will agree that a State has the power to determine who can practice law and be officers of its courts." Then the memorandum goes on to contend that the use of this power is limited to the extent that "it must conform with the Constitution of the United States," and goes on to conclude that "the only procedure which will insure to prospective lawyers the protection of their constitutional rights in this area is to leave intact the present jurisdiction of the Supreme Court."

In the very next sentence, Mr. President, the memorandum declares:

> No one contends that a person has a constitutional right to practice law.

And goes on to say:

> The practice of law is a privilege, not a right.

Then the memorandum says:

> However, a person does have the right not to have the privilege to practice withheld from him in violation of the Constitution. Therefore, a State cannot deny admission to practice if such denial violates the 14th amendment, the ex post facto (after the fact) prohibition, or other provisions of the United States Constitution.

Mr. President, let us consider the question of applicability of the 14th amendment to the privilege of being an officer of a State court. The only section of the 14th amendment which is possibly applicable is section I. This section contains two sentences. The first sentence declares:

> All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside.

Clearly, this has no applicability.

The second sentence of section I of the 14th amendment has three clauses. The first of these clauses declares:

> No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States.

But the privilege of being an officer of a State court is obviously not a privilege which is enjoyed by reason of being a citizen of the United States. It is a privilege which clearly may, if the State legislature so elects, be confined to citizens of the State itself. So this clause has no applicability.

The second clause of the second sentence in section I of the 14th amendment provides:

> Nor shall any State deprive any person of life, liberty, or property without due process of law.

Unless the privilege of being an officer of a State court is property, this clause has no applicability; and clearly, a privilege cannot be property.

There remains the third clause of the second sentence in section I of the 14th amendment, which provides that no State shall "deny to any person within its jurisdiction the equal protection of the laws."

This inhibition against denial of equal protection of the laws has exclusive reference to State action. According to the Supreme Court of the United States, in *Minneapolis & St. Louis Railway Co.* v. *Beckwith* (129 U. S. 26), at pages 28 and 29, the clause prohibits:

> Discriminating and partial legislation * * * in favor of particular persons as against others in like condition.

And in *Yick Wo* v. *Hopkins* (118 U. S. 356), at 373 and 374, the Supreme Court declared:

> Though the law itself be fair on its face and impartial in appearance, yet, if it is applied and administered by public authority with an evil eye and an unequal hand, so as practically to make unjust and illegal discriminations between persons in similar circumstances, material to their rights, the denial of equal justice is still within the prohibition of the Constitution.

But the Supreme Court has long recognized that the exercise of discretion with respect to a privilege is not the same as denying a right. Thus, in *Gundling* v. *Chicago* (177 U. S. 183), it was held that a mayor may be empowered to determine whether an applicant has a good character and reputation and is a suitable person to receive a license for the sale of cigarettes. How much more proper is it, Mr. President, for the supreme court of a State, or the board of bar examiners of a State, to have discretion to determine whether an applicant has good character and reputation and is a suitable person to become an officer of the courts of the State.

The Supreme Court has even held, in the case of *Kotch* v. *Pilot Commissioners* (330 U. S. 552), that the unfettered discretion of officer river pilots to select their apprentices, which was almost invariably exercised in favor of their relatives and friends, was not a denial of

equal protection of the law to persons not selected, despite the fact that such apprenticeship was requisite for appointment as a pilot. Mr. President, if becoming an apprentice river pilot is not controlled by the equal protection of the laws clause, because it is a privilege and not a right, how much more strongly can it be argued that neither is the privilege of becoming an officer of a State court controlled by the equal protection of the laws provision of the 14th amendment.

Speaking for myself, Mr. President, I say that no man who is not willing to have his qualifications tested under the laws of my State, who is not willing to trust both the protection of his rights and the determination of his privileges to the courts of my State, has any business seeking to be an officer of the courts of my State. And it is my belief, Mr. President, that most of my colleagues would be willing to make that same statement.

When we are confronted with a situation in which sovereign States of the Union have been denied the right to even evaluate membership in the Communist conspiracy as a factor bearing on the character and fitness of an applicant for admission to the bar, I think the time has come to withdraw the appellate jurisdiction of the Supreme Court in this area and leave such matters entirely to the several States.

I am not one of those who feel that State and local authorities cannot be trusted; that administration of local affairs close to the people is a mistake and that the only way to get good administration or right decisions in any area is to commit the administration and the decisions to control by the expanding Federal power.

That way, Mr. President, lies statism; and the statism road, if we persist in following it, inevitably will bring to us tyranny.

The Supreme Court of the United States held in the case of *Bradwell* v. *Illinois* (16 Wall, 130, an 1873 case), and again in the case of *in re Lockwood* (154 U. S. 116), an 1894 case, that the refusal of a State court to license a woman to practice law did not abridge the immunities or privileges of a citizen of the United States.

I call attention to the fact that in attacking my amendments because they do not seek to strike out that provision of the bill S. 2646 which would withdraw from the Supreme Court appellate jurisdiction in cases involving admissions to the practice of law before State courts, the Senator from Missouri is hardly discussing the merits of my proposals. If he feels this provision of the bill should be stricken, he is at perfect liberty to offer an amendment of his own for the purpose, which he has not yet done. He is also, of course, at liberty to oppose the bill itself and any and all amendments to it—which he is doing. But to criticize my proposed amendments because they "would not change the original proposal to take from the Supreme Court the power to review cases involving bar admissions," is to criticize me not for what I have proposed but for what I have not proposed.

The next point discussed in the memorandum of the Senator from Missouri is section 2 of the bill, as I propose to amend it. The Senator's memorandum says that the question of pertinency under the contempt statute "is a question of law to be determined by the Court. It is a judicial question which must be determined by the judiciary."

But, Mr. President, this misses the point of the whole matter. Pertinency is in issue under the contempt statute because the Congress has by the terms of that statute made pertinency of the question a condition of the crime of refusing to answer it. What the Supreme Court said in the Watkins case was that the witness has a right to the same degree of certainty with respect to what is pertinent as with respect to any other condition of the crime. But this does not mean that the witness has a right to such a high degree of certainty with respect to the philosophical pertinency of a question. The certainty to which he is entitled is with respect to the legal pertinency of the question; that is, he must know with certainty the legal effect of the statutory requirement that the question be pertinent.

The amendment which I propose will accomplish the purpose of giving every witness absolute certainty on this point, because the witness will know that if he does not raise any question of pertinency, he must answer the question; and if he does raise the question of pertinency, that question will be decided then and there, by the committee, and he will know before he answers the question, or refuses to answer it, exactly what his legal liability is. If the Chair has ruled that the question is pertinent, and if there has been no appeal from that ruling by a member of the committee, and no overturning of that ruling as a result of such an appeal, the witness will know he must answer the question or stand in contempt of the Congress.

The memorandum of the Senator from Missouri says that my proposed amendment:

> Would in effect give rise to a conclusive presumption of pertinency if the witness fails to make the proper objection, or if, after such objection, the presiding officer rules the question pertinent.

Then the memorandum goes on:

> Such a presumption is contrary to the traditional Anglo-American legal doctrine in criminal cases that the defendant is innocent until proved guilty.

But, Mr. President, the presumption of innocence has nothing to do with the question of pertinency. If there is doubt about pertinency, then the statute may be bad for lack of certainty; and if pertinency is not proved, the conviction may be bad for failure of proof; but the question of guilt, basically, is the question of whether the accused has committed a crime proscribed by law; and removal of uncertainty with respect to the legal effect of pertinency has nothing to do with the presumption of innocence.

To put the matter in another way, the essence of what my amendment proposes is that the Congress shall declare that it is a crime to refuse willfully to answer a question which has specifically been held to be pertinent by a ruling of the officer presiding at the hearing, which ruling has not been challenged by any member of the committee or overturned as a result of such a challenge. I believe the Congress has a perfect right to enact such a statute.

The memorandum of the Senator from Missouri goes on to profess difficulty in understanding the phrase "unless reversed on appeal," as my amendment would apply it to a determination respecting the pertinency of a question.

The memorandum then indulges in considerable speculation about possible meanings of this language.

To make the matter perfectly clear, on the record, and set at rest any such speculation, I want to say that the intention of the provision "unless reversed on appeal," and the only intention of it, is that the ruling of the Chair shall stand unless a member of the body holding the hearing appeals from such ruling and, as a result of such appeal, and by a vote of the body, the ruling is reversed. To put it in another way, the purpose of these words is to preserve to the members of the body, under the proposed statute, the same right they have now under existing procedure in the Senate, to appeal from a ruling of the Chair. The ruling of the Chair is to be considered the ruling of the body unless there is such an appeal by a member of the body, and as a result of such an appeal, a reversal of the Chair's ruling. In the last analysis, it is the ruling of the body with respect to pertinency which is binding upon the witness; but when the Chair makes a ruling, it is not competent for the witness, but only for a member of the body itself, to suggest that this ruling is not the ruling of the body.

If a single member of the committee should be presiding, with no other member present, his ruling with respect to pertinency would stand. The witness would thus have the certainty to which, under the Supreme Court ruling, he is entitled.

Of course, if the full committee or the parent body should subsequently decide that the ruling of the Chair had been in error, it is inconceivable that a contempt citation would be voted on the basis of refusal to answer the particular question.

Now, Mr. President, let me turn to the section of the memorandum distributed by the Senator from Missouri which attacks what would be section 3 of the bill as I propose to amend it. The memorandum has used a great deal of rather flamboyant language to call attention to an obvious typographical error in the draft of my amendment.

I thank the Senator from Missouri for calling attention to this error, though I might not have concurred fully in his choice of a method for doing so. The error has been corrected, and the committee print of my amendment which will be before the Judiciary Committee when it next meets correctly states the proposed new section 3 as follows:

> SEC. 3. The act of August 26, 1950 (64 Stat. 476; 5 U. S. C., 22-1, 22-3) is hereby amended by striking out, in section 1 thereof, the words "Secretary of State; Secretary

of Commerce; Attorney General; the Secretary of Defense; the Secretary of the Army; the Secretary of the Navy; the Secretary of the Air Force; the Secretary of the Treasury; Atomic Energy Commission; the Chairman, National Security Resources Board; or the Director, National Advisory Committee for Aeronautics," and inserting in lieu thereof "Head of any department or agency of the Government;" by striking out in section 1 thereof, the words "the Department of State (including the Foreign Service of the United States), Department of Commerce, Department of Justice, Department of Defense, Department of the Army, Department of the Navy, Department of the Air Force, Coast Guard, Atomic Energy Commission, National Security Resources Board, or National Advisory Committee for Aeronautics, respectively, or of their several field services" and inserting in lieu thereof "such department or agency of the Government;" and by striking out all of section 3 thereof.

The issue here is whether the authority already granted by law to 11 numerated agencies—namely, the Department of State, including the Foreign Service of the United States, the Department of Commerce, the Department of Justice, the Department of Defense, the Department of the Army, the Department of the Navy, the Department of the Air Force, the Coast Guard, the Atomic Energy Commission, the National Security Resources Board, and the National Advisory Committee for Aeronautics—to suspend employees in the interest of national security, should be extended to other departments and agencies of the Federal Government.

Extension of this authority to all departments of the Government was provided for by President Eisenhower, in an Executive order. Such an Executive order was authorized by the act which Congress had passed, which specifically gave the President the right to extend its provisions to any other department or agency of the Federal Government, in his discretion. But the Supreme Court, in the Cole case, substantially invalidated not only this extension but also the original act itself, by holding that the power to suspend an employee in the interest of national security applied only to sensitive positions. If the Congress wanted to make the authority to suspend for national security reasons applicable to all Federal employees across the board, the Supreme Court said in the Cole case decision, Congress could have in terms given the suspension power to the head of any agency or department. This, Mr. President, is precisely what my amendment proposes to do—to adopt the very suggestion of the Supreme Court itself, so as to make clear the intention of the Congress that a Communist or any other subversive may be suspended summarily from any job in the Federal Government, just as soon as he is found.

It must be noted, Mr. President, that the present law does not provide, and my amendment would not provide, that any person or class of persons must be suspended. This is a matter which is made discretionary with agency and department heads. There should be such a discretion, and in the interests of the security of this country, I believe the Congress intended to grant such discretion in the case of the 11 departments and agencies which it named, and in the case of any other departments and agencies to which the President of the United States might subsequently see fit to extend the act's provisions. I believe that the Congress will make this intention clear by voting for my amendment.

The memorandum of the Senator from Missouri discusses my proposal as though it were something new and totally horrific, and, Mr. President, you would never know from listening to or reading his charges that my proposals attack the civil service system, and would eliminate the due process procedures of the Veterans' Preference and Lloyd-La Follette Acts, that I am actually proposing neither more nor less than was provided in an act of Congress enacted August 26, 1950, and that all I am doing is to restore the provisions of that act with respect to summary suspension of an employee in the interests of national security to the same legal status they had from the time the act was passed until the Supreme Court handed down its decision in the Cole case in 1956.

Now, Mr. President, we come to the question which the Senator from Missouri has designated, in his memorandum, as "the supremacy of Federal law."

The memorandum of the Senator from Missouri declares that my proposal to provide by law that a Federal act shall not be held to "occupy the field" to the exclusion of State law on the same subject, unless Congress has expressly so provided, is "100 years too late." The memorandum of the Senator from Missouri takes the position that "irrespective of our own personal views" on their soundness, a long series of adjudications by the Supreme Court, dealing with this subject of when particular fields are subject to exclusive regulation by Federal law and when they are subject to concurrent regulation by Federal and State law, have become so interwoven with statute law and the Constitution that they are now "an integral part" of Federal regulatory law, and Congress can do nothing about it.

I cannot accept this concept. To my mind, the only proper basis for a holding that Congress has pre-empted any particular field of law is a finding that Congress has intended to do so; and if Congress wants to remove uncertainty and prevent undesirable and unintended encroachment upon State powers by declaring that only its own positive declaration, and nothing less, shall be deemed to supersede State law, I think Congress has a perfect right to do so, and I think it would be a very salutary thing if Congress did. This is exactly what I propose.

Before I leave this subject, Mr. President, I desire to call attention to the statement, in the memorandum of the Senator from Missouri, of his view that "There are several cogent reasons for not disturbing even the Nelson decision." By this it seems clear, the memorandum intends to convey opposition to permitting States to have any part in combatting subversive activity. The memorandum states:

Communist subversion is, admittedly, a national problem, and for this very reason should be handled on a national basis by the Federal Government. The Federal Government is fully equipped to do the job of prosecuting individuals for subversive activity, and it alone is in a position to coordinate effectively this task.

Mr. President, Congress did give the Federal Government some equipment to do the job of prosecuting individuals for subversive activity; but the Supreme Court of the United States has taken it away. Today every State antisubversive law has been invalidated by the decision in the Nelson case; State investigation of subversive activity has been curtailed by the decision in the Sweezy case; and then by its decision in the Yates case, the Supreme Court, to use the words of a Federal district court judge on the west coast, "made a shambles of the Smith Act."

The only other Federal law on the statute books which might provide reasonably effective sanctions against subversive activity is the Subversive Activities Control Act, as amended; and the Supreme Court has twice ducked its responsibility of passing on the constitutionality of this law, and by twice sending the basic test case of the Communist Party against United States of America back to the Subversive Activities Control Board on a technicality, has kept the act in litigation for nearly 8 years after its passage, so that sanctions under this act cannot yet be applied. Oh no, Mr. President, the Federal Government today is not equipped at all to prosecute individuals for subversive activity short of treason. There is no adequate statute on the books today, under which such prosecution can be effectively undertaken. That is why I have offered my fourth amendment, which is designed to shore up the Smith Act.

But before I leave the question of my third amendment, aimed at avoiding the "silent supersession of State powers" by judicial decision rather than by the expressed will of the Congress, let me point out that my proposed amendment will fully protect the supremacy of Federal law over State law in any particular instance where a Federal and a State law may come into conflict. This would be accomplished by codifying an existing rule of construction. At the same time, in any case where there is no such direct and positive conflict between a State law and a Federal law as would prevent the two laws from being reconciled or consistently standing together, the language of my amendment would let both laws stand. This seems to me only simple wisdom and justice. If there is direct and irreconcilable conflict, the Federal law controls according to its terms. If there is no such conflict, but if the two laws can be reconciled and can stand together—if, in other words, the State law can be given effect without violating or invalidating the Federal statute—then we will give it such effect.

Mr. President, I turn to my efforts to shore up the Smith Act, as contained in the last of the four amendments which I have proposed, which if adopted would become a new section 5 of the bill S. 2646.

The first complaint which is made in the memorandum of the Senator from

Missouri is that the language of my amendment refers specifically to a decision of the Supreme Court and refers specifically to one of the Justices.

Mr. President, my proposed amendment mentions the decision in Yates against the United States because its purpose is to correct an impractical and unintended construction of an important criminal statute, which construction was accomplished in the Yates case. I believe that even in dealing with a coordinate branch of the Government, it is advisable to call a spade a spade. I did not want any doubt to be left about the objective or effect of this proposed amendment; and I have used language which I think will avoid any doubt on that score.

The memorandum of the Senator from Missouri says that my reference to the specific Court decisions "can only breed disrespect for the judicial branch of our Government." In the first place, it was not the "judicial branch of our Government" which was responsible for the decision in the Yates case, but only the Supreme Court of the United States. In the second place, my reference to the decision in the Yates case cannot possibly breed any disrespect for the Supreme Court which is not inherent in a reading of the case itself. Thirdly, I believe that Congress has an absolute right—indeed, a duty—to correct any construction of one of its statutes by the Supreme Court which it considers to be wrong. And the easiest and clearest and simplest way to do this is by reference to the specific opinion which contained the wrong interpretation.

The memorandum of the Senator from Missouri says that the courts have proven that they can deal "quite effectively" with the "subtle distinction" between advocacy of the forcible overthrow of the Government as an incitement to action and advocacy of such overthrow as mere abstract doctrine; and in support of this statement, the memorandum cites *Dennis* v. *United States* (341 U. S. 494). Mr. President, the Dennis case is good law, and understandable; but the decision in the Yates case not only undermines and weakens the decision in the Dennis case, it actually misinterprets that decision, as one of the dissenting Justices so ably pointed out.

The memorandum of the Senator from Missouri goes on to say that my amendment cannot be constitutionally enacted because it is not in accord with the clear and present danger doctrine, and that this doctrine is demanded by the first amendment. But, Mr. President, the memorandum itself points out that the clear and present danger doctrine first arose in *Schenck* v. *United States* (249 U. S. 47). This was a case decided in 1919. How, then, can it be said—as the memorandum of the Senator from Missouri declares—that we cannot abolish this doctrine because it is demanded by the first amendment? The doctrine of clear and present danger is not a creature of the first amendment. It is a creature of the Supreme Court, developed out of the Espionage Act of 1917 and gradually molded and patted into shape over the last 40 years. I think this confusion between the requirements of the Constitution, as such, and the requirements of the Court, which the Court has read into or written into the Constitution, is very significant.

But, Mr. President, my proposed amendment does not seek to bring about the overthrow of the clear and present danger doctrine. My amendment simply has the effect of putting the Congress on record as believing that the teaching of the overthrow of the Government of the United States by force and violence constitutes a clear and present danger to the internal security of this Nation, and that it should not be permitted.

Psychiatrists and psychologists know that the implantation in a human mind of the concept of the desirability of a course of action which, if followed, would be dangerous, is itself a dangerous thing; because there is no telling when that acceptance of the concept of desirability of that dangerous act may come to fruition in the performance of the act itself. Certainly, to teach a child the desirability of murdering his father in his sleep creates a danger for the father, even though no time is mentioned for the murder. I do not think I need to labor this point. It is clear that the Senator from Missouri and the Senator from Maryland disagree with respect to this matter. In his memorandum, the Senator from Missouri says:

> In my opinion, the advocacy or teaching of the overthrow of the Government as a mere abstract doctrine is not a clear and present danger. I believe the Supreme Court would hold to the same opinion. * * * Therefore, we cannot abolish this distinction; it is demanded by the first amendment.

I am willing, Mr. President, to submit the differences between the Senator from Missouri and myself, on this point, to the will of the Senate; and I shall be willing to abide by the result. But I cannot accept the idea that because of this difference of opinion, my amendment should not even be considered.

My contention is that it is impossible to advocate the overthrow of the Government of the United States by force and violence without "inciting to action." Any distinction which holds that such advocacy is not incitement is, to my mind, not practical, but arbitrary, overtechnical and unrealistic.

With respect to the organizing section of the Smith Act, when the memorandum of the Senator from Missouri challenges the statement that the Supreme Court construed the provision in a way never intended by Congress, he is saying in effect that Congress intended that provision of the act to have no applicability to the Communist Party at the time it was enacted, and never to have any applicability to the Communist Party at any future time unless the party should at some later date reorganize; and then to have applicability only for a period of 3 years from the date of such reorganization. I cannot agree that Congress had any such intention. The Supreme Court itself has been able to arrive at this interpretation only by equating a statement in the legislative history of the Smith Act, that the act was intended to apply not alone to the Communist Party, as though it were a statement that the act was intended to apply not at all to the Communist Party. I consider this type of sophistry indefensible.

On page 10 of the memorandum of the Senator from Missouri there is a long paragraph dealing with section 5 (b) as I propose it to be written into the bill, S. 2646. The gist of this paragraph is a declaration that section 5 (b) is "entirely redundant and unnecessary" because all it would do is "approve the construction already placed on the present statute respecting the time element." In this long paragraph there is also a statement that the Supreme Court construed the present provision of the Smith Act the same way in both Dennis against United States and Yates against United States. I have a feeling that perhaps this long paragraph in the memorandum of the Senator from Missouri may be intended to make legislative history which might help to control the construction of section 5 (b) if it should be enacted. Therefore, I want to say as unequivocally as possible that in the opinion of the author of section 5 (b) the Supreme Court did not construe the present provision of the Smith Act the same way in both Dennis against United States and Yates against United States; and section 5 (b), as proposed, would not if enacted approve the construction placed on the present statute by the Court's decision in the Yates case. To the contrary, the effect of this section would, in the judgment of its author, and in the intention of its author, be to support the rule enunciated in the Dennis case.

Continuing, the memorandum of the Senator from Missouri attacks the new subsection (c) which my amendment proposes to add to the bill. He says there are 2 possible constructions of the amendment, that under 1 of them it would be redundant; and he says that the other construction "That it would cover any and all advocating and teaching, even that done as an abstract doctrine if the person intends that the recipient believe there is a duty to overthrow the Government" violates the first amendment to the Constitution.

I wish to say for the record that in the opinion of its author, the clear intent of the new paragraph which subsection (c) of my amendment would add to the present Smith Act is to cover any and all advocating and teaching of the overthrow of the Government of the United States by force and violence, even though that teaching may be labeled "abstract doctrine," if the person doing the teaching intends to implant in the mind of the person taught a belief that there is a duty to overthrow the Government by force and violence or a justification for doing so. I do not believe that this proposal violates the first amendment of the Constitution in any way. Here again, Mr. President, we have an obvious difference of opinion between the Senator from Missouri and the Senator from Maryland, which I shall be happy to submit to a vote of the Senate, the results of which I shall abide by.

The memorandum of the Senator from Missouri goes on to reiterate the contention that the holding of the Court in the Yates case was the same as its

holding in the Dennis case, and goes into a long explanation of why this is so. The best answer to this portion of the memorandum is a reading of the two cases. However, one small portion of the memorandum at this point almost refutes itself. Let me quote from the memorandum:

What happened in the Yates case? The Government and the defendants asked the trial judge to instruct the jury as to the distinction between advocacy as an abstract doctrine and advocacy to incite action. Nevertheless, the trial court refused to so instruct and gave an instruction to the jury which called for a guilty verdict if they found the defendants advocated and taught the necessity and duty to overthrow the Government by force and violence. He did not tell them they had to find an urging or inciting, nor were they instructed that this act did not include such teaching for the mere purpose of making the recipient believe what was said. This instruction was erroneous because it would allow a conviction for actions not punishable under the Smith Act. Therefore, the convictions had to fall.

So, Mr. President, taking this memorandum at face value the trial judge in the Yates case told the jury they could convict if they found the defendants "advocated and taught" the "necessity and duty" to "overthrow the Government by force and violence." How can anyone contend in candor that advocating the necessity and duty of overthrowing the Government by force and violence does not include and embrace "an urging or inciting?"

The last page of the memorandum circulated by the Senator from Missouri is concerned mainly with a defense of the action of the Supreme Court in substituting itself for the jury and acquitting five of the Communist defendants; and this does not seem to have very much to do with the merits of my proposed amendments.

Mr. President, I have wanted to set the record straight on these matters, because I have every confidence that the amendments which I have proposed to the bill, S. 2646, will be approved by the Committee on the Judiciary, and that the bill as so amended will be reported favorably to the Senate. I have felt that the time to answer the charges contained in the memorandum circulated by the Senator from Missouri was at the first reasonable opportunity, and that opportunity, because of the recess of the Senate during the Easter vacation, was today.

EXHIBIT 1

HENNINGS GIVES REASONS FOR STRONG OPPOSITION TO THE BUTLER AMENDMENTS TO THE JENNER BILL

WASHINGTON, April 7.—Senator THOMAS C. HENNINGS, Jr., Democrat, of Missouri, today released a long legal memorandum pointing out what he considers a number of extreme dangers in the amendments of Senator JOHN BUTLER to the Jenner bill (S. 2464) to limit the Supreme Court's jurisdiction. He said that he was releasing the memorandum at this time because the bill would be acted upon by the Judiciary Committee immediately after the Easter recess, and because it contained several highly dangerous but little publicized "sleepers."

HENNINGS said that, "the Butler amendments amounted, in fact, to a substitute bill. Whereas the Jenner bill is designed to take away from the Court its jurisdiction in 5 categories of cases, 4 of the 5 sections of the Butler substitute would result in sweeping and controversial revisions in basic Federal statutes—without benefit of public hearings or adequate deliberation by the committee. These sections have nothing whatever to do with the Supreme Court's jurisdiction and, furthermore, nothing to do with each other."

Senator BUTLER has left in the Jenner bill the provision withdrawing from the Supreme Court its jurisdiction in cases involving admissions to the bar. This section might well be declared unconstitutional as it would deprive one class of litigants of an appeal to our highest court with respect to the denial of protections guaranteed under the Federal Constitution. This provision, as well as the other provisions in the original Jenner bill, have been strongly opposed by the American Bar Association, the Attorney General, the overwhelming majority of the deans of American law schools, and a long list of witnesses. HENNINGS pointed out that it is the only provision in the Butler bill upon which hearings have been held. He added: "As a matter of policy, I do not think we should start limiting the Supreme Court's jurisdiction. If we do, every time the Court hands down a decision which is unpopular with some vocal groups, there will be great pressure to cut off the Court's appellate jurisdiction in another field."

One section of the Butler substitute is admittedly designed to meet the Watkins case, to which Senator BUTLER seems to take exception. Senator HENNINGS points out in his memorandum that the language of the proposed section would leave a large number of unanswered questions and, if adopted, would result in massive confusion, lack of uniformity, and contradiction in courts all over the land.

Another section is intended to authorize the summary suspension of any Government employee, whether in a sensitive or nonsensitive job, or whether or not the employee is a veteran. This summary suspension would eliminate the due process procedures of our present civil-service system, which are contained in the Veterans' Preference and the Lloyd-La Follette Acts. HENNINGS said that "the amendment would imperil the integrity of our entire civil-service system by posing a threat to every Government employee; it would, without justification, remove the protections against arbitrary firings."

Another Butler amendment would upset a hundred years of carefully constructed law in the complex field of the relationship between Federal and State statutes. As there have been no hearings on this proposal, it is impossible to foresee the implications of this far-reaching measure, but it would certainly create chaos in such fields of Federal regulation as interstate commerce and labor relations—and a host of others.

The last section of the Butler substitute would extend the Smith Act and possibly forbid certain activities regardless of whether they constituted a clear and present danger to our national security. HENNINGS, who is chairman of the Senate Committee on Constitutional Rights, said that "this provision raises most serious questions of freedom of speech and press and, if adopted, might very well be declared unconstitutional by the Supreme Court."

HENNINGS added: "The question here is not whether you agree or disagree with a particular decision of the Supreme Court. No one, including the individual Justices on the Court itself, agrees with all of them. The point is that the Court should not, as Senator JENNER proposes, be deprived of its jurisdiction because of unpopular decisions; this is a kill the umpire philosophy. Neither should the Congress, as Senator BUTLER proposes, hastily adopt ill-considered bills to undo such decisions. This is a matter of legal scholarship, and the Congress should be governed by the most solemn spirit of deliberation and thorough debate.

"The various sections of his proposal should be introduced as separate bills—particularly since they relate to widely different subjects. They should be sent to the appropriate committees and subcommittees for public hearings. Then, and only then, should they be considered by the Senate. I shall make every effort to see that they are defeated when taken up at the next meeting of the Judiciary Committee."

Memorandums and copies of S. 2646 as proposed by Senator JENNER and as amended by Senator BUTLER are attached.

EXHIBIT 2

MEMORANDUM SETTING FORTH OBJECTIONS TO SENATOR BUTLER'S PROPOSED AMENDMENT TO S. 2646, THE SO-CALLED JENNER BILL, TO LIMIT THE SUPREME COURT'S JURISDICTION

The Butler amendment to S. 2646 cannot really be looked upon as an amendment because 4 of its 5 provisions do not limit the Supreme Court's jurisdiction, but amend present Federal statutes. We are now faced with the same situation which faced the Judiciary Committee on February 3.

The committee is asked to consider legislation of a very serious nature without the help of hearings. Regardless of what is said, the hearings held by the subcommittee on this bill shed very little, if any, light on the present proposals.

In my opinion, each of the disparate provisions of this amendment should be introduced as a separate bill and considered on its own merits. This is the orderly and sound method of dealing with legislation. Legislation should not be considered by bringing several unrelated provisions into an amalgamation and by rushing it through. Such action usually will bring about only undesirable results.

The lack of relationship between the proposed five provisions is easily seen if each provision is studied individually. Section 2 would amend the present criminal statute respecting contempts of Congress. This provision would apply to the House Un-American Activities Committee, the Senate Agriculture Committee, the House Appropriations Committee, the Senate Rules Committee, the House Government Operations Committee, and practically every other committee and its subcommittees of the Senate and the House of Representatives. The only thing this section has in common with the others is the fact that the criminal statute which this section would amend was involved in a decision of the Supreme Court this past year, and, further, the defendant involved in the case had refused to answer certain questions respecting communism when appearing before the House Committee on Un-American Activities.

The third provision in this amendment is proposed to meet the decision in *Cole* v. *Young*. The issue involved here is the grant of authority by Congress to the executive departments to fire Government employees in their department for reasons of national security. This provision has nothing to do with Congressional investigations nor with criminal sanctions for subversive activities. Once again, the only connection with the other provisions is the fact that the statute to be amended was involved in a decision of the Supreme Court. However, this provision does deal with subversion.

Sections 4 and 5 of the proposed amendment, according to the stated purposes, are related in that they would affect the Smith Act as interpreted by the Supreme Court. However, on a closer inspection, it will be found that section 4 deals with the entire field of supersession of State law by Federal law and is not limited to the subject matter of the Smith Act. It would affect the fields of labor-management relations, interstate

commerce, and innumerable others. Therefore, in fact, section 4 involves the whole issue of the legislative relationship between the Federal Government and State governments. This, in my opinion, shows that section 4 has only an incidental relationship to the other provisions, even to section 5, which specifically amends the Smith Act.

The proposed amendment would allow section 5 of the original bill to stand. This proposal would withdraw from the Supreme Court its appellate jurisdiction in all cases involving State bar admissions. Once again, the only relationship is a Supreme Court decision and the further fact that the party in the specific case was an ex-Communist.

A more detailed analysis of these provisions is set out below.

JURISDICTION REMOVED FROM SUPREME COURT

The proposed amendment would not change the original proposal to take from the Supreme Court the power to review cases involving bar admissions. I believe that everyone will agree that a State has the power to determine who can practice law and be officers of its courts. However, the use of this power is limited to the extent that it must conform with the Constitution of the United States. The limitation is inherent in a constitutional form of government and has been judicially recognized for almost 100 years. See *ex parte Garland* (4 Wallace 333), and *Cummings* v. *Missouri* (4 Wallace 277).

The only procedure which will insure to prospective lawyers the protection of their constitutional rights in this area is to leave intact the present jurisdiction of the Supreme Court.

No one contends that a person has a constitutional right to practice law. The practice of law is a privilege, not a right. However, a person does have the right not to have the privilege to practice withheld from him in violation of the Constitution. Therefore, a State cannot deny admission to practice if such denial violates the 14th amendment, the ex post facto (after the fact) prohibition, or other provisions of the United States Constitution.

The present proposal takes from the Supreme Court its power of review in such cases regardless of the grounds or procedures involved in the denial of the privilege to practice. Therefore, a State could enact a provision that a person of a certain religious faith could not be admitted to practice law. Or a State board of bar examiners could adopt a rule that they will not certify for admission to the bar any person who has at any time in the past been a member of some perfectly legitimate and legal, but possibly unpopular organization. These restrictions would violate the 1st and 14th amendments. Yet, if this proposal becomes law and is held to be constitutional, a person could be excluded from admission to practice under such an unconstitutional statute or rule, provided the State supreme court is sympathetic with such provision. This is not beyond the realm of possibility, considering some of the cases in the fields of individual liberties which have come before the Supreme Court in the past. It might be suggested that such a case could be brought before a lower Federal court; but, from a procedural standpoint, it is difficult, if not impossible, to see how this could be done.

The legal profession traditionally has held the role of the protector of the people against arbitrary governmental action. Therefore, I believe it unwise to establish more limited procedural safeguards respecting the legal profession than other fields of endeavor and other legal relationships between the citizen and his government.

It is interesting to note that the New Mexico Bar Board member who seconded the motion to deny the application of Rudolph Schware for admission to the New Mexico Bar is the Chairman of the American Bar Association's Special Committee on Individual Rights as affected by National Security, which made a report to the House of Delegates favoring the adoption of a resolution opposing S. 2646. The man I speak of is Ross L. Malone of New Mexico, who is the president nominee of the American Bar Association.

In conclusion, I repeat that more disagreement with a decision of the Supreme Court is not grounds for withdrawing jurisdiction. The powers of the State are limited by the Constitution, and the Supreme Court has traditionally been the final authority on the construction of the Constitution. Violence will be done to the spirit of the United States Constitution even by this limited withdrawal of jurisdiction and a dangerous precedent will be established.

CONTEMPT OF CONGRESS

Section 2 of the bill, as amended, would be, in my opinion, most undesirable. Section 102 of the Revised Statutes, which this provision would amend, presently reads: "Every person who having been summoned as a witness by the authority of either House of Congress to give testimony or to produce papers upon any matter under inquiry before either House, or any joint committee established by a joint or concurrent resolution of the two Houses of Congress, or any committee of either House of Congress, willfully makes default, or who, having appeared, refuses to answer any question pertinent to the question under inquiry, shall be deemed guilty of a misdemeanor." Therefore, it is a crime to refuse to answer a question pertinent to the question under inquiry.

Section 2 of the proposed amendment provides: "*Provided*, That for the purposes of this statute any question shall be deemed pertinent unless timely objection is made thereto on the ground that such question is not pertinent, or when such objection is made, if such question is ruled pertinent by the body conducting the hearing; and on any question of pertinency, the ruling of the presiding officer shall stand as the ruling of the body unless reversed on appeal."

Senator BUTLER, in his statement of April 1 said: "* * * if the question of pertinency is raised by the witness, the ruling of the body conducting the hearing—that is, the particular committee or subcommittee before which the witness is appearing—is to be final on the point of pertinency."

One of the essential elements of the crime as provided by the present statute is the pertinency of the question to the question under inquiry. As held by the Supreme Court in *Sinclair* v. *United States* (279 U. S. 263) the question of pertinency is a question of law to be determined by the court. It is a judicial question which must be determined by the judiciary. In my view, a committee can not be given the power to make a binding determination of the legal significance of one of its questions for purposes of a criminal trial for contempt. The present proposal would do just this by allowing the determination of an element of the crime to be made by a legislative decree. I have doubt as to the constitutionality of such a provision under the Due Process Clause of the fifth amendment.

The proposed amendment would in effect give rise to a conclusive presumption of pertinency if the witness fails to make the proper objection, or if, after such objection, the presiding officer rules the question pertinent. Such a presumption is contrary to the traditional Anglo-American legal doctrine in criminal cases that the defendant is innocent until proven guilty. The Supreme Court in *Sinclair* v. *United States* said: "It is incumbent upon the United States to plead and show that the question pertained to some matter under investigation." I believe it very undesirable, as a matter of policy, to offset the presumption of innocence because this also raises a constitutional question.

Finally, I find the provision, "unless reversed on appeal" quite difficult to understand. Senator BUTLER has referred to a standard rule of procedure that a ruling of the chair will stand as the ruling of the body unless reversed on appeal by the body itself. I gather that the Senator intends that the witness appeal to the body holding the hearing immediately after an adverse ruling by making a statement that he desires consideration of pertinency by all the members present. I am thoroughly familiar with the practice that a committee can override a ruling of the chairman by a majority vote, but normally such action is taken on a point of order or a motion by a member of the committee. I am not familiar with any rule of procedure or practice which allows a witness to request such a vote.

Furthermore, it is well known that many hearings are held before only one Member of the Senate. In this case, what effect can the appeal provision have? There is no one to whom the appeal can be made, nor is there anyone to raise the appeal if it must be raised by a committee member. Is the solution to allow a written appeal to the full committee or subcommittee to be considered at a later meeting of the body? If so, is there to be a time limitation? I believe there are too many questions left unanswered at this time to act on this proposal and certainly in this very important field the Judiciary Committee and the Congress should be governed by the most solemn spirit of deliberation and thorough debate. This is a matter for legal scholarship, as indeed are all of the proposals to limit the jurisdiction of the Supreme Court and not one of emotional consideration.

LOYALTY-SECURITY

In discussing section 3, of the bill as amended by Senator BUTLER, I would like to restate one of my first comments: we should not bring all these divergent items into a hodge-podge piece of legislation.

If section 3 were adopted, we would create a legal monstrosity. We would be approving a provision which would authorize the head of any—and I stress the word any—department or agency of the Government in his absolute discretion, and when deemed necessary in the interest of national security, to suspend, without pay, any civilian officer or employee of 11 enumerated agencies (Department of State (including the Foreign Service of the United States), Department of Commerce, Department of Justice, Department of Defense, Department of the Army, Department of the Navy, Department of the Air Force, Coast Guard, Atomic Energy Commission, National Security Resources Board, or National Advisory Committee for Aeronautics, respectively, or of their several field services). I do not mean to be facetious, but what will the heads of departments and agencies not specified do with this authority in view of the fact that officers and employees in their own departments and agencies cannot be so suspended? I realize full well that this technicality can be easily remedied now that it has been brought into the open. I have made this point merely to amplify my suggestion that the provisions of this amendment be introduced and considered separately after hearings have been held. I do not doubt the sincerity of my distinguished colleague, but in my opinion we cannot with responsibility consider these proposals at this time.

As to the intent of section 3 to meet the Cole case, I believe it would be most unwise to change the law in this field. I have no doubts, whatsoever, that the court reached the proper decision in this case. The employee involved in this case was employed by the Department of Health, Education, and Welfare as a food and drug inspector. He held a classified civil service position and was a preference eligible veteran under the act of 1944. The President had by Execu-

tive order made the Summary Suspension Act of August 26, 1950, applicable to the Department of Health, Education, and Welfare.

The Summary Suspension Act authorizes summary suspension of Federal employees in specific departments and agencies in the interest of the national security without the right of appeal. It also provided for expansion of coverage to other departments and agencies by Executive order. The Secretary of Health, Education, and Welfare had suspended the petitioner in this case under the above act.

The Supreme Court pointed out that under the Lloyd-La Follette and Veterans Preference Acts a Government employee may be discharged if there is reasonable doubt as to his loyalty. But under these acts the suspension by the Department head cannot be summary. The Veterans Preference Act, furthermore, specifically provides for an appeal to the Civil Service Commission.

The Supreme Court in the Cole case noted that only departments and agencies closely involved in the Nation's defense and security were designated by the Summary Suspension Act of 1950. It also noted that provision was made in the act for the hiring of a suspended employee by another Department or Agency. Further, the Court considered at great length the legislative history of the act. Based on all these grounds, the Court determined that the Summary Suspension Act of August 26, 1950, was intended to apply only to sensitive positions.

I believe that this was the actual intent of Congress in passing the act, it is good law, and it does not need to be changed.

Presently, if a Federal employee holds a sensitive position and his loyalty is questionable, he may be summarily suspended and may not appeal. I want to emphasize that if a Federal employee holds a nonsensitive position and there is a reasonable doubt as to his loyalty, he may be discharged, but the procedures set out in the Lloyd-La Follette Act or Veterans Preference Act must be followed in these instances.

Our civil-service laws were adopted to provide a competent work force for the Federal Government. To allow summary discharges without procedural safeguards directly contravenes the purposes of our civil-service laws. Therefore, summary discharges should be allowed only when a sensitive position is held. Otherwise, we lay open to destruction our whole civil-service system. Our Nation has always stood for justice and fair play. The procedures established under these acts, as interpreted by the courts, not only insure these but also, if only indirectly, protect our Nation.

THE SUPREMACY OF FEDERAL LAW

Section 4 (a) of the bill as amended is intended to restrict the rules of statutory construction which the courts have developed in applying the doctrine of the supremacy of Federal law to situations where a Federal statute is alleged to have restricted concurrent State activity.

The first sentence of the bill provides that a Federal act shall not be held to occupy the field to the exclusion of State law on the same subject, unless the Federal act expressly so provides.

The essential weakness of this provision of the bill is that it comes about 100 years too late. Over the past decades Congress has created complex and elaborate systems for the regulation of labor relations, interstate carriers, communications, air transportation, agriculture, sedition, and a multitude of other areas of national interest and scope. Interwoven within these regulatory statutes are a large number of judicial decisions which have passed on the question of when particular fields are subject to exclusive regulation by Federal law, and when they are subject to concurrent regulation by Federal and State law.

Irrespective of our own personal views on the soundness of these adjudications they are, in fact, now an integral part of our Federal regulatory law. Since the "occupation of the field" provision of section 4 (a) would presumably apply to both past and future legislation in all fields, it would provide—in one short sentence—the basis for disrupting this existing framework of law and regulations, affecting some of the most vital areas of our national life. For example, in the labor field the States do not now have concurrent power to determine representative disputes or to prevent unfair labor practices which come within the jurisdiction of the NLRB. *Bethlehem Steel Co.* v. *New York State Labor Relations Board* (330 U. S. 767 (1947)); *Garner* v. *Teamsters* (345 U. S. 485 (1953)); *Weber* v. *Anheuser-Busch, Inc.* (348 U. S. 468 (1955)). Section 4 (a) would, for example, open up these two areas to State activity. It is hard to conceive of anything but chaos and confusion resulting from this multiplicity of tribunals and diversity of procedures and substantive law.

The effect that section 4 (a) would have on the field of interstate transportation is completely uncertain. It has even been suggested that section 4 (a) would give the States jurisdiction over certain areas which we have always considered, and wisely so, subject only to uniform Federal regulation under the commerce clause. It should not be too difficult to imagine the storm of litigation which section 4 (a) would create and which would be aimed at those judicial decisions which have defined the limits of State jurisdiction and which have become an integral part of the framework of laws and regulations that Congress has created for the national transportation field. If the effect of a particular legislative measure is uncertain—that is unfortunate; but if a provision designed to clarify general Congressional intent in all fields of legislation is uncertain—that is catastrophic.

In my view there are several cogent reasons for not disturbing even the Nelson decision. Communist subversion is, admittedly, a national problem, and for this very reason should be handled on a national basis by the Federal Government. The Federal Government is fully equipped to do the job of prosecuting individuals for subversive activity, and it alone is in a position to coordinate effectively this task. The States are still free to cooperate with the Federal authorities in exposing subversion, but the responsibility of prosecuting individuals for subversive activities directed against the Government of the United States should be left solely to the Federal Government. This responsibility involves many complex and delicate problems which can be understood and acted upon effectively only by an organization which has the facilities for bringing into focus the whole national picture of the Communist subversive movement.

The very fact that the Steve Nelson case provided the primary impetus for this measure, also suggest the approach which we should take toward the problem of Federal-State concurrent jurisdiction. If it is shown, after careful study, that an undesirable imbalance exists between Federal and State jurisdiction in a particular field, we should move to correct that particular imbalance. I might add, parenthetically, that I do not believe that any serious imbalance exists at the present time. Since an absolute prerequisite to the passage of section 4 (a) would be the careful consideration of every area where concurrent Federal and State jurisdiction might or does exist, would it not be clearly a more practical and reasonable approach to deal with each field on an individual basis, divorced from problems and considerations peculiar to other entirely unrelated fields?

The second sentence of section 4 (a) provides that no Federal act shall be construed as invalidating a State law unless there is a direct and positive conflict between [them so] that the two cannot be reconciled or consistently stand together. This rule of statutory construction has been developed and applied by the courts in situations where some measure of conflict is alleged to exist between a State statute and a valid Federal statute. But as section 4 (a) is now worded, this second sentence does not merely codify an existing rule of statutory construction. Read literally, it also limits the existing rules of statutory construction relating to preemption in the same manner as the first sentence of this section and, therefore, suffers from the same defects.

FEDERAL ANTISUBVERSION LEGISLATION

Section 5 of the pending bill as amended raises several questions which must be discussed. Subsection (a) allegedly sets out reasons for the enactment of the remainder of the subsections. It refers specifically to a decision of the Supreme Court and refers specifically to one of the Justices. In my opinion, statutes should not include references to specific court decisions or Justices. Such references can in no way add substantively to the laws of the United States. They can only breed disrepect for the judicial branch of our Government.

Section 5 (a) states that the Congress finds that the distinction between (i) advocacy of the forcible overthrow of the Government as in incitement to action and (ii) advocacy of such overthrow as mere abstract doctrine is "subtle and difficult to grasp." This may be true, but it should be noted that the courts of our Nation, both State and Federal, have consistently recognized and dealt with this distinction for almost 50 years. See: *Fox* v. *Washington* (236 U. S. 273). During this time, many cases have been tried and several appealed. Therefore, the courts through experience can deal with this subtle distinction quite effectively. See: *Dennis* v. *U. S.* (341 U. S. 494).

Other than the fact that the courts have dealt with this distinction for 50 years, there is another reason for the perpetuation of this distinction, and this reason has much more weight. This distinction is necessary for compliance with the first amendment. The first amendment contains the most basic individual liberties. It guarantees freedom of speech, freedom of press, and freedom of assembly. If a free society is to exist these three freedoms must be closely guarded. It is true that these freedoms can be restrained, but this can be done only under the rarest conditions. There has been developed over the years the "clear and present danger" doctrine in this connection. This doctrine first arose in *Schenck* v. *U. S.* (249 U. S. 47). The question to be determined, where there is an attempt to restrict the freedom of speech, is whether the words used are used in such circumstances and are of such a nature as to create a clear and present danger that will bring about substantive evils that Congress has a right to prevent. In my opinion, the advocacy or teaching of the overthrow of the Government as a mere abstract doctrine is not a clear and present danger. I believe the Supreme Court would hold to the same opinion in view of their decisions in *Gitlow* v. *New York* (268 U. S. 652) and *Dennis* v. *U. S.* (341 U. S. 494). Therefore, we cannot abolish this distinction; it is demanded by the first amendment. This amendment requires that persons be allowed to speak their mind as to abstract doctrines. It is only when they urge or incite action, presently or in the future, that a substantive evil arises which can be punished under the law.

Section 5 (a) further proclaims that the Supreme Court construed the Smith Act in a way never intended by Congress. I have serious doubts as to the accuracy of this statement. Representative McCormack, one

of the leading proponents of the act, repeatedly stated to the subcommittee holding hearings on the bill that the only type of advocacy which would be punishable under the act was the type which incites to action. This is the construction applied by the Supreme Court in construing the "advocating and teaching" provision. As to the "organizing" provision, the Supreme Court could find no specific intent in the legislative history. Therefore, the Court followed the long-established rule of construction that criminal statutes must be strictly construed and applied the narrow definition of "organize."

Section 5 (a) continues that the Court's construction in *Yates* v. *U. S.* is impractical of application and infuses into the statute a degree of uncertainty and unclarity which is highly undesirable. As to the Court's construction of the "organize" provision, no construction could be clearer or easier to apply. To organize was given its narrow, clear-cut definition. It is in no way vague. The "advocating and teaching" provision was construed as it had been in *Dennis* v. *U. S.*, and this construction is not new. As I have ponted out before, the distinction recognized has been so recognized and applied by the Courts for 50 years. Therefore, I cannot agree that it is impractical, uncertain, or lacks clarity. Furthermore, I believe that the three changes set out in subsections (b), (c), and (d) would confuse what is now clear.

Section 5 (b) amends the first paragraph of the advocating and teaching provision of the Smith Act by adding an introductory phrase which states "Without regard to the immediate probable effect of such action," and then continues as the original act "whoever knowingly or willfully advocates, abets, advises, or teaches, etc." Therefore, all this amendment provides is that the advocating and teaching need not have an immediate probably effect to be criminal. This is exactly how the Supreme Court construed the present provision of the Smith Act in *Dennis* v. *U. S.* and *Yates* v. *U. S.* In *Dennis* v. *U. S.*, Mr. Chief Justice Vinson, who wrote the majority opinion, said the Government need not hold its hands "until the putsch is about to be executed, the plans have been laid, and the signal is awaited. If the Government is aware that a group aiming at its overthrow is attempting to indoctrinate the members and to commit them to a course whereby they will strike when the leaders feel the circumstances permit, action by the Government is required." In *Yates* v. *U. S.*, Mr. Justice Harlan, in the majority opinion, included the above statement of Mr. Chief Justice Vinson as a part of the opinion and also said: "The essential distinction is that those to whom the advocacy is addressed must be urged to do something, now or in the future, rather than merely to believe in something." The majority opinion also approved the instruction upheld in the Dennis case that the incitement does not have to be for immediate action, but may be incitement for action as speedily as circumstances would permit. Therefore, all subsection (b) would do is approve the construction already placed on the present statute respecting the time element. As a result, subsection (b) is entirely redundant and unnecessary.

Subsection (c) is a new paragraph to be added to the present Smith Act. It provides generally that whoever, with intent to cause the overthrow of the Government, in any way or by any means advocates, advises, or teaches the duty of overthrowing the Government. This provision is very broad and susceptible, I believe, of two different constructions. The words "in any way or by any means" can be construed as covering all methods of advocating and teaching, such as publishing or editing written matter, delivering speeches, or making films. Under this construction, it would be redundant, as the first paragraph of the act is not limited as to method and makes illegal all advocacy which incites to action regardless of method. The other construction, which I believe can be attached to this subsection, is that it would cover any and all advocating and teaching, even that done as an abstract doctrine if the person intends that the recipient believe there is a duty to overthrow the Government regardless of the lack of an urging or inciting to action, now or in the future. If this is the construction intended, then I have no doubts that this subsection violates the first amendment for reasons which I have set out earlier.

I have no specific objections to subsection (d) other than the general ones I raised earlier. I believe we should consider this proposal separately after hearings are held, and it can be determined exactly what the effect of this provision would be.

In closing, it is interesting to speculate why the Dennis case has not been attacked in the same manner that the Yates case has been. The Supreme Court construed the advocating and teaching provision of the Smith Act the same way in both. The only distinction is that in Dennis the convictions were upheld while in Yates they were not. Just why did this occur?

In the Dennis case, the trial court instructed the jury that it was not the abstract doctrine of overthrowing the Government by unlawful means which was denounced by the Smith act. The Court required that the jury find that the teaching or advocacy be of a rule or principle of action and by language reasonably calculated to incite persons to such action, all with the intent to cause the overthrow as speedily as circumstances would permit. The jury reached a guilty verdict, and the Supreme Court held that the proper law had been applied. Now what happened in the Yates case? The Government and the defendants asked the trial judge to instruct the jury as to the distinction between advocacy as an abstract doctrine and advocacy to incite action. Nevertheless, the trial court refused to so instruct and gave an instruction to the jury which called for a guilty verdict if they found the defendants advocated and taught the necessity and duty to overthrow the Government by force and violence. He did not tell them they had to find an urging or inciting, nor were they instructed that this act did not include such teaching for the mere purpose of making the recipient believe what was said. This instruction was erroneous because it would allow a conviction for actions not punishable under the Smith act. Therefore, the convictions had to fall.

I have already commented on the Court's construction of the word "organize," which resulted in the statute of limitations barring the organizing charge.

Let us turn to the reason why the Court acquitted five and remanded nine for retrial. Quite often there are occasions when a trial judge can rule as a matter of law that the evidence does not support a conviction. Since such is a matter of law, the same ruling may be made by an appellate court. In any such case, all conflicts must be resolved in favor of the Government. The Supreme Court studied all the evidence against the five acquitted and, resolving all conflicts in favor of the Government, found as a matter of law that there was not sufficient evidence to support their conviction if the proper instruction was given. As to the other nine, the Court, after resolving all conflicts in favor of the Government, could not say as a matter of law that a conviction would not be supported by the evidence under the proper instruction. Therefore, these nine were remanded for a new trial, consistent with the opinion.

In closing, it is interesting to note that Mr. Justice Black and Mr. Justice Douglas dissented on the grounds that the act as construed by the Court violates the first amendment.

AMERICAN PRIVATE ENTERPRISE AT THE BRUSSELS WORLD'S FAIR

Mr. HUMPHREY. Mr. President, it was heartening to read in the Sunday New York Times, April 13, 1958, that American private enterprise is coming to the assistance—I was almost going to say the rescue—of the United States Government at the Brussels World's Fair.

It has been obvious all along that without adequate Congressional appropriations, the official United States planning and participation in the Brussels Fair was going to leave much to be desired. Now, however, it is becoming clear that private American corporations are exerting considerable effort to redress the balance with effective and attractive exhibits. Many of these are described in the article by Brendan M. Jones entitled "Displays of United States Achievements Counter Huge Soviet Spending."

Mr. President, I want to congratulate all of the American firms listed in this article as well as the others which will be participating in one aspect or another of the Brussels Fair's exhibits this summer.

I ask unanimous consent that the text of the article itself be printed in the RECORD.

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

DISPLAYS OF UNITED STATES ACHIEVEMENTS COUNTER HUGE SOVIET SPENDING

(By Brendan M. Jones)

Predictions that the United States will make a poor showing against elaborate Soviet Russian participation in the Brussels World's Fair appear to have been a little hasty.

The forecasts of a Russian propaganda triumph have been based chiefly on Moscow's lavish outlay of funds for its national pavilion. The Russians, with the nonproletarian air of "money is no object," have spent the estimated equivalent of $50 million for a mammoth display of the great advantages of the Socialist system.

This is about three times the amount appropriated by Congress for the United States pavilion, which is situated across from the Russian building. The proximity of the exhibits, with other factors, has had the inevitable effect of building up an American-Russian contest as a main part of the fair. The exposition begins a 6-month run on Thursday.

PRIVATE INDUSTRY ENTERS

Anxieties over the larger Russian expenditures, however, have apparently developed without too much consideration of contributions private enterprise could make to American participation in the fair. By all indications these may considerably lessen, if not overshadow, the anticipated propaganda impact of the Russian displays.

More than 50 private concerns are scheduled to have a direct and substantial part in exhibiting a wide range of American achievements at the fair. Many of these have donated displays, products and equipment for the official pavilion exhibits. These are designed to give fair visitors a general feeling, or atmosphere, as it were, of what life is like in the United States.

Others have financed and contributed materials to large feature displays in specialized areas of the fair, such as the international science and transportation sections. A large number will be represented in the Belgian industry section through subsidiary companies.

This form of participation illustrates a flexibility of private enterprise that can exercise an initiative in separate exhibits not open to state-controlled Russian industries. It will be best demonstrated in the individual pavilions of five large American concerns, Pan-American World Airways, Eastman Kodak Co., Philip Morris, Inc., International Business Machines, Inc., and the Coca Cola Export Corp.

Still other concerns are helping by underwriting costs of distributing the official United States handbook, This Is America. They are also paying part of the expenses for the staff of young Americans serving as fair guides.

Some of the special features in the United States pavilion will be devoted to peaceful uses of atomic energy and the International Geophysical Year. Others to which private concerns have contributed include demonstrations of automation and a series of city scapes, showing parts of New York, Boston, Dallas, and San Francisco. A street-scape pictorial on Main Street will include 15 shop windows from general stores to Fifth Avenue shops.

None of the displays in the United States pavilion is of a commercial nature. The World's Fair is a universal exposition designed to cover the whole range of human achievement in the arts, sciences, industry, and other fields. It is not a trade fair, in which actual selling and taking orders is an essential feature.

The most that private business can expect to get out of participation in the official United States exhibit is prestige, and the generalized form of advertising that goes with it.

BEST PRODUCTS SHOWN

However, many concerns have made a point of putting their best products into this official showing. The General Electric Co., for example, included, with other products, a handmade prototype of its newest major appliance, an electronic combination freezer and cooker. The experimental model, valued at $35,000, is being displayed for the first time at Brussels.

IBM, in addition to its own pavilion exhibit on electronics, is sponsoring an automated history book as a feature of the United States official exhibit. This device, on being supplied with a date, will turn out a store of historic world events from 4 B. C. to the present time in 10 languages, including Russian.

Still another special feature of the United States pavilion will be a display of voting machines supplied by the Shoup Voting Machines Corp. This will be accompanied by a display of the comment by President Eisenhower that "the right to vote, to make secret and independent political decision, is the ultimate guarantee of liberty and freedom to people throughout the world."

Forty-five countries, 10 international organizations and numerous private exhibitors will be represented in more than 200 halls and pavilions of the 500-acre Heysel Park fair grounds. The giant exhibition, known officially as the Brussels Universal and International Exposition, is the first of its kind to be held since the New York World's Fair of 1939–1940.

The event, heralding a peaceful atomic age in which a "new humanism" is potentially possible, is expected to draw 10 million visitors before it closes on October 19. All exhibits, in addition to presenting the accomplishments of individual nations, are supposed to be in keeping with the theme of beneficial progress.

Outside of a general plan there has not been a great deal of information on the nature of the Soviet exhibit. Its features will include models of earth satellites and an atomic icebreaker, samples of machinery, instruments, motor cars and the TU–104 jet passenger plane.

PLASTICS USED BY UNITED STATES

The United States pavilion, on a site of six-and-a-half acres, has been described as an architectural descendant of the Roman Coliseum. It is said to be the largest free-span circular structure in the world and is roofed by a translucent plastic material free of conventional undersupport. Designed by Edward D. Stone, New York architect, it is 340 feet in diameter and 95 feet in height.

The Russian pavilion, on a slightly smaller site, is a modern rectangle designed by a team of Soviet architects.

Following is a list of United States private concerns, which are participating in the fair with exhibits on a noncommercial basis:

Time, Life, and Fortune magazines, which with the Walt Disney Studios, prepared a United States pavilion feature titled "Face of America."

Also, Abbott Laboratories, American Express, American Motors, Argonne Laboratories, Bell Aircraft, Bell Telephone Laboratories, Boeing Aircraft, Bristol-Myers, Caltex Oil, Coca-Cola Export, Collins Radio, Continental Can, Curtiss-Wright, Douglas Aircraft, du Pont, Eastman Kodak, Ely Lilly, Esso Standard Oil, Ford Motor Co. Fund, Electronic Associates.

Also, General Dynamics (through Convair), General Electric, General Motors, Gulf Oil, Hammond Organ, High-Voltage Engineering, Hiller Helicopters, International Business Machines, Lederle Laboratories-American Cyanamid, Merck Chemical, Mobile Overseas Oil, Monsanto Chemical, National Cash Register, Outboard Marine, Perkins-Elmer, Chas. Pfizer, Port of New York Authority, National Carbon.

Also Pan-American Airways, Parke Davis & Co., Philip Morris, Radio Corporation of America, Seagram's, Shell Oil, Shoup Voting Machines, Singer Sewing Machine, E. R. Squibb, Socony-Vacuum, Standard Oil (N. J.), Sun Oil, Sylvania Electric, United States Steel, Upjohn, Vertol Aircraft, Webb & Knapp, Westinghouse and Wynn Oil.

THE EFFECT OF THE AUTOMOBILE SLUMP ON OTHER INDUSTRIES

Mr. HUMPHREY. Mr. President, one of the hardest-hit industries in the recession has been automobiles. First-quarter production was down 31 percent from a year ago and in March it was off by 38 percent from March of last year.

There are an estimated 260,000 jobless auto and parts workers and this list is still mounting.

Because of the nationwide implications of this auto slump, the Washington Post is running a series of articles on it by Bernard D. Nossiter. The first of this series appeared in the April 16 issue and I ask unanimous consent that it be inserted at this point in the RECORD.

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

RECESSION WITHIN RECESSION—MULTIBILLION AUTO SLUMP AFFECTS MANY INDUSTRIES

(First in a series)

(By Bernard D. Nossiter)

A multi-billion-dollar slump is gripping the automobile industry. The public's coolness to the 1958 models didn't cause the recession, economists agree, but it has led to a spreading effect several times larger than the slide in the industry itself.

Autos are a voracious consumer of manpower and materials. They nourish a good-sized army of distributing, servicing, and auxiliary concerns.

In more lyrical times, the Automobile Manufacturers Association calculated that one firm in six across the Nation depended on the industry—a list that ranged through dealers, oil refiners, and drive-in theaters.

The dimensions of auto's slump are as impressive as the chrome on the new cars. In the first 3 months, consumers cut their spending for autos and parts by a yearly rate of nearly $4 billion from last year's first quarter.

Then, the Nation was spending at a $16.3 billion annual rate and bought $15.5 billion worth for the year as a whole. Through March, this had dropped to $12.5 billion.

Automakers, in the first quarter, turned out 1,226,646 passenger cars, a drop of 31.5 percent from last year's 1,790,597. For this spring quarter, another drop to 1,130,000 cars is planned, according to the authoritative Ward's Automotive Reports. This would be 34 percent under last year's second quarter.

For the year as a whole, best estimates now put auto output at between 4 and 4.5 million cars, a sharp drop from 1957's 6.1 million. It means the poorest year since 1952, and perhaps the worst in a decade.

Car sales haven't dropped as fast over the quarter, but the March tumble has chilled hopes for any spring pickup, once an industry standby. Retail business, measured by registrations, was 1,080,000, 25 percent under 1957's first 3 months. Last month, however, only 365,000 autos were sold, a whopping 37 percent below the mark a year ago.

As April began, a still mountainous pile of estimated 860,000 new autos were stacked up in showrooms and lots, about 200,000 more than experts figure should be in inventory in the light of current sales. Detroit responded by slashing the first 2 April weeks' production to little more than half of the same 1957 period.

The cutbacks have made jobless an estimated 260,000 auto and parts workers, or one in about every 20 now looking for work. Auto employment last month was about 675,000. Layoffs have been higher, but some have found other jobs.

Economists figure that for each auto industry worker, one other job exists in supplying industries. As a rough measure, this means another quarter million persons are jobless because of the industry's cutback in orders.

But even 500,000 is probably too small an unemployment figure to attribute to autos. It doesn't count those laid off by dealers or those unemployed because the half million laid off from the auto industry have cut their own buying.

Another idea of the spreading impact of motor vehicle unemployment can be gleaned from the Government's count of depressed major markets—those with 6 percent or more seeking work. Of the 70 major areas in this group, 17 or almost 1 in 4, have a significant number of auto-industry workers.

Worst hit, of course, is the industry's capital, Detroit, where more than 1 in 6 have been idled. Those with over 9 percent jobless are Flint and Muskegon, Mich.; South Bend and Evansville, Ind.; and Buffalo, N. Y. In the 6-percent or more class are Indianapolis and Fort Wayne, Ind.; Lansing and Saginaw, Mich.; Kansas City and St. Louis, Mo.; Toledo, Ohio; Kenosha, Wis.; Newark and Paterson, N. J.; and Philadelphia, Pa.

A precise count of the industry's effect on orders and sales of its suppliers could be made with a technique known as input-output analysis. But funds for a Government-backed program to bring 11-year-old figures up to date were abruptly cut off a few years ago.

However, the industry itself gave a tantalizing peek at its appetite with some statistics largely based on 1956 data. With its output in that year about 5 percent under 1957, it still ate up: Nearly 1 of every 5 tons of steel sold in the United States; 1 of 14 tons of copper; more than 2 of every 5 tons

of lead; more than 1 of 4 tons of zinc; almost 1 pound in 7 of nickel; half the reclaimed rubber; nearly two-thirds of the natural and three-fifths of the synthetic rubber; and almost three-fourths of the upholstery leather. And this list leaves out some major purchases or automotive products made outside the industry like tire cord, and glass and electrical equipment including radios.

In the crucial sector of spending for new plants and equipment, the industry has also been a drag. These capital outlays are planned at $768 million this year, less than half of the 1956 total and more than a quarter below the $1,058 million spent last year.

THE CHALLENGE FACING OUR SCHOOLS

Mr. HUMPHREY. Mr. President, a good many private Americans are performing an eminent public service by speaking out all over our country about the challenge facing our schools. This challenge has taken on new dimensions as we begin to understand the growing competition of the Soviet school system.

Mr. John A. Kennedy, publisher and editor of the Sioux Falls Argus Leader, Sioux Falls, S. Dak., was one of the first Americans to take advantage of the more liberal travel regulations adopted by the Soviet Union in 1956. Mr. Kennedy made another intensive tour behind the Iron Curtain in 1957.

I was delighted to see an article by Dee Chambliss, Associated Press staff writer, entitled "Kennedy Crisscrosses Nation To Alert Schools." Mr. Kennedy deserves warmest congratulations for the activities described in this article. I ask unanimous consent that the text of the dispatch be printed in the body of the RECORD.

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

AP REVIEWS PUBLISHER'S EFFORTS—KENNEDY CRISSCROSSES NATION TO ALERT SCHOOLS

(This article, written by Dee Chambliss of the Associated Press, was transmitted over AP wires for release this afternoon.)

(By Dee Chambliss)

A prize-winning newspaperman visited a Russian high school in 1956 and what he saw so alarmed him that he has crossed America 13 times since then telling people about it.

What he saw was the toughest secondary school system in the world and what he told the people was "Russia is outdistancing us in science."

A year later, Sputnik I beeped proof to the world that this was so.

Today, with interest spurred by sputnik, John A. Kennedy, editor-in-chief and publisher of the Sioux Falls Argus-Leader, continues full tilt with a program of speeches and writings.

He calls sputnik a fortunate Pearl Harbor, warning us in time to do something about it. He attacks the notion that Russian science is imported, saying the rigid Russian school system is molding the cream of its youth into a corps of intensively trained experts.

He tells audiences they must take a personal hand in their own school systems to see that American students get the hard stuff: math, science, languages.

At his own expense, he has already crossed the Nation 13 times, traveled 50,000 miles into 20 States and Hawaii, made more than 100 talks to civic groups, women's clubs, Parent-Teacher organizations, legislatures, Congressional committees, radio and television audiences.

He also distributed 14,000 copies of a 31-page pamphlet reprinting a series of articles he wrote for his paper in 1956. These went to schools, newspapers, Government offices—everyone who could relay the information to the people.

Kennedy, now 59, has a long background in journalism, public service and international affairs. He owned the old San Diego Journal and a group of radio and television stations, including one that won the Peabody Award for public service during the war. He was in South and Central America for the State and Navy Departments in 1941 and was personal secretary to the late Navy Secretary James Forrestal after the war.

Kennedy is a member of the bar in Iowa and the District of Columbia.

He was mixing business with pleasure in Russia during the friendly atmosphere in 1956 that followed the Geneva Summit Conference when he casually accepted an invitation to visit a high school in Leningrad.

When the teacher told him students are required to take 6 years of biology, 5 of chemistry, math through calculus, etc., he was at first skeptical.

He asked for copies of the course outlines and had them translated by a Russian-speaking American.

"I thought maybe the instructor was pulling my leg," Kennedy said. "But, no, translation showed the material to be as tough as the teacher said."

Kennedy, who won an award in 1929 for investigating lobbying activities in Washington, visited 34 other Russian high schools, checked card catalogues at libraries, inspected texts and visited classes.

When he finished, he resolved, "Here is a story that has to be told."

Back in America, he amplified his information with three visits to Russian study centers at Harvard, Columbia U., and elsewhere. He talked with White House officials and they suggested he do what he already had the urge to do: Spread the word. He is still doing it.

Kennedy said he believes that significant change is possible only at the local level and feels that it will take America a while to overtake Russia's output of technicians.

A danger, he said, is that Americans will relax or settle for some emergency Federal programs of little permanent effect.

But all may not be well in Russia either, Kennedy observed. He said there is a real possibility that the Communists are sowing the seeds of opposition to their own iron rule by training their best young minds to think independently.

Kennedy said students told him "Don't think you can come in and overthrow our country. We'll make the changes ourselves."

TOWARD A UNIFIED POLICY IN THE MIDDLE EAST

Mr. HUMPHREY. Mr. President, on February 1, 1958, I was honored by an invitation to address the Conference on Middle East Development sponsored by the Middle East Institute here in Washington, D. C.

Sometime ago I mentioned in the CONGRESSIONAL RECORD that I would make this speech available since considerable interest has been expressed in it. I do so today, providing a text which includes not only my prepared statement but the added extemporaneous remarks which were recorded during presentation.

I ask unanimous consent that the text of my address be printed at this point in the RECORD.

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

TOWARD A UNIFIED POLICY IN THE MIDDLE EAST

(Remarks by Senator HUBERT H. HUMPHREY for the Conference on Middle East Development, sponsored by Middle East Institute, Washington, D. C., February 1, 1958)

Speaking at the end of this conference, I am reminded of the little girl who went to the town library to learn a few facts about penguins. The librarian handed her a very large book dealing with everything about penguins, from diet to mating habits. After a few minutes she returned the volume and said, "This book tells me more about penguins than I care to know."

Addressing a group of experts on the Middle East in general, and Middle East development in particular, I am in little danger of telling more than you already know, but I may commit the even more grievous sin of telling you what you already know all too well, and thus be what we call redundant. In order to avoid this pitfall, I am going to make only one passing reference to economic development in the Middle East, and confine my remarks to the larger political and strategic picture in this area so vital in the struggle between Communist tyranny and Western democracy. It goes without saying, of course, that the problems of the Middle East do not always lend themselves to reasonable analysis or calm discussion. I must, however, commend this institute on at least designing a forum or a mechanism through which there can be open and free discussion of these intricate and complex problems, and in which men and women of different points of view may, in the spirit of that old prophet, Isaiah, say: "Come, let us reason together." If there is any area in the world where there is a need for reason and calm discussion, it is the Middle East.

Some of you may know the story which I heard for the first time last spring over in Egypt:

A scorpion, wishing to cross the Nile River and unable to swim, asked a passing frog for a ride.

"Certainly not," said the frog. "If I take you on my back you will sting me to death."

"No," said the scorpion, "for if I did you would drown and I should drown with you."

The frog thought a while and said: "True enough. Get on my back and here we go across."

But in the middle of the Nile the scorpion suddenly returned to his ancestral habit and suddenly stung the frog.

"Now why did you do that?" cried the unhappy frog as he was going down about the second time. "Now I shall sink and you will go down with me. You're just not logical. This is ridiculous."

"True," said the scorpion, "but you forgot, and you must remember, this is the Middle East."

I want my friends here of Arabic extraction to know this was told to me by none other than one of the Arabic world.

We all know that up until 10 years ago the United States had but a casual, though friendly, and peripheral interest in the Middle East, and, in fact, the Mediterranean world. This area was regarded as the special responsibility of the British, the French, and on occasion we included our Italian friends. But the Soviet pressure in the Balkans in 1946 and 1947 changed all this. Great Britain, as you recall, informed our Government that she could no longer be responsible for the defense of the Mediterranean, nor could she shore up Greece and Turkey. She was going to remove elements of her military power. President Truman did not hesitate. He responded at once with his famous Truman Doctrine of economic and

military aid to these two countries to contain Soviet expansion.

Now my good friends, I am a man of plain-spoken words, and I would like to say that President Truman made a decision and made it when it was timely. He didn't quibble, equivocate, nor did he give the appearance of decision without fact or substance. Secondly, I would like to add, he not only made a decision but he called upon the Congress with Presidential leadership and followthrough to get enough money and military equipment to do the job. I am fed up to the teeth with high-sounding phraseology and policy without the necessary followthrough. If we're going to make commitments, let's keep them. Let's first understand the scope of the commitment we want to make and then once we have given our word, let's have the willingness and the courage and, if need be, the readiness to sacrifice to put on the line the amount of personnel, materiel, and economic assistance and whatever else it takes to keep our word and fulfill the commitment. That's why today Turkey is a strong ally, and why Greece is making more progress than she has since the time of Pericles and Socrates. Those are my views at least. Someone once said to me that Mr. Truman failed as a haberdasher—that he didn't know how to run a clothing store. And I said: "That may be true, but he sure knew how to run a White House." If you don't mind my saying so, there are a lot of people who know how to run clothing stores.

Almost 11 years have passed since that historic decision. The Middle East today is again menaced, even more seriously and more subtly, by Soviet imperialism. While we were talking about keeping the Soviet out of the Middle East, she just moved in. I am not going to take your time today to tell you how. I want to say that it was anything but refreshing and consoling to me to have our Nation discussing disarmament in London while the Soviet was moving a task force into the Mediterranean and fortifying one place after another. In Egypt and Syria, Soviet economic and military aid has been followed by political penetration. And the end is not yet. Now this is not to be interpreted that either Egypt or Syria is Communist. I think we have to be exceedingly careful in our conclusions as to the political developments in these vitally important countries.

THE INADEQUACY OF UNITED STATES POLICY

Of course, I was mighty happy last night, and I am sure you were, when our first satellite went into its orbit; our Jupiter C did the job which it could have done, in my mind, a year or two ago except for mismanagement in decision making. But the two prior successful Soviet sputniks last fall had boosted Soviet prestige in the Asian and African world, just as Little Rock was damaging our own. The deeper meaning of Soviet technological advances has not been lost on the less developed areas of the Middle East. It is now clear that a so-called backward country can make great economic, industrial, and scientific progress without having to pay the price of Western democracy's discussion and delays. So let us not be too content with the fact that others seem backward and dictatorial, while we have freedom. Freedom I love, and I say that freedom can do the job, with will and determination, but when freedom is interpreted to mean luxury, lackadaisical attitude, and indifference, it ceases to have the qualities we like to attribute to it.

Consider what this fact of Soviet technological advance means to the political leaders of agrarian and feudal societies where the impoverished people have a much more lively interest in raising their standard of living than in the as yet theoretical aspects of democratic government.

At the recent Asian-African Solidarity Conference in Cairo, the U. S. S. R. scored another success. During this so-called peoples' conference, the Soviet Union was hailed by many of the delegates as the standard bearer of national independence and the chief bulwark against what they call imperialism. The United States, on the other hand, was severely castigated for trying to buttress the "decadent imperialism" of France in north Africa and Britain in Cyprus. The nearly 500 delegates, claiming to represent the peoples of more than 40 Asian and African countries, rejected what is currently passing for American Middle East policy and rousingly endorsed instead the Soviet brand of "peaceful coexistence."

We also took a beating on the economic-aid question at the Cairo Conference. The Soviet Union promised substantially increased economic aid in the form of trade agreements and long-term, low-interest loans. Soviet spokesmen insisted there would be no political strings attached. The United States aid program was criticized as a crudely disguised instrument of Western imperialism.

Now, of course, we in this room know, and I suppose quite a few other Americans and people in Western Europe know, that the Communists ran the show at that Cairo nongovernmental, Asian-African Conference, except for occasional efforts of delegates friendly to the West to soften the attack against us. We sat back biting our fingernails, and then trying to explain to everybody that the conference really didn't mean what it apparently said on the surface.

What we should have done, and what some of us so recommended months, in fact years, ago, was to beat the Communists at their own game. We should have called a conference of Asian and African nations ourselves to discuss the problems of economic development and international security. Why, I ask, must we everlastingly permit the initiative to rest with the Soviet Union in these crucial areas in the Middle East, and South and Southeast Asia? And, fellow Americans, why, may I ask, must everything come from our minds? Why can't we have a cooperative effort? Does everything have to be signed, sealed, and delivered with a United States Patent Office mark on it in order to make it worth while? I have a feeling that our foreign policy is all too often designed, prepared, wrapped, and stamped delivered by the United States of America without the consultation that is absolutely essential in order to make it effective in the area in which it is to be applied. I couldn't help but feel this when I was in Italy. Why is it that we do not rely more upon our friends in Italy who know a great deal about the Mediterranean world? One of the top Italian officials last May told me that they were getting fed up with merely accepting American ideas in the Middle East which they knew to be unworkable. He reminded me that Italy had been in the Mediterranean slightly longer than the United States and thought possibly they had some working knowledge of at least the geography of the area, which is something that we, on occasion, have lacked.

While displaying a lack of sensitive, let alone imaginative, diplomatic initiative, we have been overanxious about the military security of the Middle East. In our preoccupation with the least likely contingency—overt Soviet military aggression—we have tended to throw up our hands over the problems of subversion, economic pressure, and other subtler forms of penetration. Most Middle Easterners feel that we have tried to force their countries to stand up and be counted, to be allied with us in premature—if not simply paper—alliances.

Why is it that we cannot understand that the mood of nationalism in the Middle East today makes any political leader recoil from any relationship with a more powerful Western nation which smacks of subordination or even implies political inferiority? At least in some areas this is the case. I've learned, as a practical politician, that everybody is not going to do as you want them to do. If you want to win, you had better try to get them to concur in some things, and not everything, or you're apt to hold your caucus in a telephone booth. And what I am saying domestically applies internationally.

As some of us warned publicly in the Senate in the debate over the so-called Eisenhower doctrine, or the Middle East doctrine, about a year ago, that doctrine has failed because it purported to deal with the least likely threat and failed to come to grips with the real political, psychological, and economic problems of the area. Secretary Dulles' policies, in my mind—not all over, but in this area—have sown the seeds of disruption and disunity, by implying that if a country is not for us in an explicitly military sense, it must be against us politically and psychologically.

Furthermore, in spite of our good beginning in the Truman doctrine, our Government has never assumed the full responsibilities which the United States must assume if the countries of the Middle East are to remain free and independent. Our vaunted program of economic aid and technical assistance has been little more than a trickle in a drought-stricken area and an uncertain and intermittent one at that. I may not know much about economics, but I know that it takes more than just dew to dampen a desert. And I know it takes a good deal more economic and technical assistance in the Middle East than we have given to date. If we had given one-tenth as much aid as we have given lipservice and words, I think we would have been on the road quite a ways.

Actually, of course, our fragmented policy toward the Middle East reflects our fragmented understanding of the area. We have not—and I want to say these are only my personal observations—yet learned well that the Middle East is not merely a geographical area, but rather a strategic and economic unit. The fate of the various countries in the Middle East is linked together; the area as a whole is an interrelated region. Therefore, this Senator was not all surprised by the talk, and possibly the culmination, of Egyptian and Syrian federation. I remember studying about this as a hope when I was a student in college, even when Egypt was under British control and Syria was a mandated area. This is as old, almost, as the thoughts of American nationalism. In our desire to strengthen our alliances we have been more interested in getting 1 or 2 or 3 of the Middle Eastern countries temporarily lined up with us than in developing a coordinated policy toward the Mediterranean world which would honor the legitimate interests there and serve the larger interests of international security.

The Soviet policy, in my mind, is quite the opposite, at least on the surface. While we are saying, "Those who are not with us are against us," Soviet spokesmen are saying, "Those who are not against us are with us or for us." A Soviet delegate at the recent Cairo Conference set forth the Kremlin's new approach in these telling words—and fellow Americans, hear ye, hear ye. This is the Soviet speaking:

"We do not ask you to participate in any blocs, reshuffle your governments or change your domestic or foreign policy. We are ready to help you as brother helps brother, without any interest whatever, for we know from our own experience how difficult it is to get rid of need. Tell us what you need and we will help you and send, according to our economic capabilities, money needed in the form of loans or aid * * * to build for you

institutions for industry, education, and hospitals. * * * We do not ask you to join any blocs. * * * Our only condition is that there will be no strings attached."

Specious? Perhaps. Fraudulent? Very probably. Propaganda? Of course. But how effective and how ironic.

Here in the mouth of a Kremlin puppet are the words, the ostensible motives, the humanitarian spirit which used to be our trademark. But nobody will say it any more. I don't think we could get somebody to repeat the Declaration of Independence these days. We know, of course, that this kind of trademark cannot long be the property of any one group or any one nation. These are the great words of compassion, of affirmation. They are our words. We Americans first introduced them historically on the world's agenda, but we long since have made them the property of humankind.

The Soviet has been parroting our principles—of course they don't believe them; this is politics upside down. And they have been stealing our slogans. They talk a lot more about peoples' government than we do. They don't exhibit it in the work of their government, but they talk about it all the time. We have every right in the world to be suspicious of their motives in doing so. But this scarcely explains why we have become mute, inarticulate, and silent, as though we have stopped believing in our own ideas. I want to know what has happened to Tom Payne, to Thomas Jefferson, to George Mason, to Abraham Lincoln, to Woodrow Wilson, to Franklin Roosevelt. I want to know what has happened to their words and their memories. I want to know why our foreign policy doesn't talk about these men and their ideas. I want to know why the only words you can hear about them are occasionally from some of our friends overseas, as one who, in desperation, tries to defend us at the Bandung Conference and calls upon the memories of Paul Revere, when our Government sits back here and says, "Oh, they're going to give us a cleaning there at Bandung," and we're even unwilling to be there in person. I am fed up, my friends, with coming in second best to the Soviets. I'm not one of these Americans who is afraid of them. I long for the chance of any kind of competition they want, no matter where it is—at the negotiation table, at the conference table, at the UN, bilateral arrangements, or whatever it may be, from weapons to peace. Rather than complain about it, welcome it, and give it to them. This is the way you win, not by dancing around the problem, and then getting your wings burned.

I have no hesitancy at all in saying what I am about to say: the speech which I have just quoted from the Soviet delegate in Cairo should have been made by an American—on the spot. We did not say this, even by subtle pamphleteering. The fact that we did not say it is a measure of our own inadequacy to the task confronting us in the underdeveloped world.

THREE KEYS TO UNDERSTANDING THE MIDDLE EAST

Your conference has focused on economic development in the Middle East. Right. This is a crucial issue and one which we have not begun to consider seriously enough on the official level. Yet it is impossible to separate this subject from the context of the larger political and strategic elements in the Middle East picture. My limited trip in the area as chairman of the Foreign Relations Subcommittee on the Middle East has convinced me that most Americans, including some of our policymakers, fail to see the larger picture. There are three keys to understanding this picture as I see it from my reading and study, my visits with many of you, and the opportunity to be somewhat on-the-spot: (1) A genuine appreciation of the vital importance, strategically and politically of the Middle East, to the NATO area and the entire free world; (2) a recognition that the Middle East must be seen as a unit and that we must have a unified policy toward the area; and (3) that our economic policy toward the Middle East must be judged in terms of its contributions to our overall foreign policy objectives for the area.

I digress to say this: When the Suez crisis took place, our Government did not show the kind of anxious concern over that development that it should have, nor did it develop alternatives, while the lifeline of our whole North Atlantic Treaty Alliance was in jeopardy. We did not consult with our people even at home as we should have, nor did we demonstrate to the world a readiness to act by taking our every tanker, if need be, out of mothballs.

Let us examine these three points in somewhat greater detail.

1. The Middle East is vital today because of a combination of factors—its geography, its resources, and the far-reaching human changes that are taking place in this formerly quiescent area. It stands at the juncture of three continents—Europe, Asia and Africa. If for no other reason, that makes it important. Under Soviet control, it could become the highway for the invasion of Western Europe from the south and the corridor of Communist entry into Africa. But what is more, it stands there, if the Soviet gains control, like a world traffic cop, turning off and on the signal lights, who then with its powerful arms could stretch out and choke the life out of great areas of the world.

Indeed, technological progress has now made it possible for the first time in man's history that a single power may organize and control the entire world island of Asia, Africa, and Europe, if that power first completely dominates the Middle East. The success of the Soviet campaign to win friends and influence people in the Middle East by its aid programs, its propaganda, and its support for anti-Western nationalism must be taken seriously. And I want to say to my fellow taxpayers, don't complain about these taxes. When I stop and think that the Soviet Union has spent more money in propaganda in the Middle East in 1 year than we spend the worldwide over, I say don't be surprised that they make inroads. You who are in business know the power of advertising. I wish you had the same attitude of the power of advertising for government. Believe me, General Motors just doesn't go around sending penny post cards to a few of its select friends. A study put out by the American Political Science Association on the whole matter of propaganda makes a comparison of the propaganda and information efforts of our country, of the Soviet Union, and of all other countries. I want to say that it is a national disgrace that we are so low on the totem pole. But what more can we expect unless we put ourselves willingly to the task. The situation today is not very encouraging. With one foot in Damascus and the other in Cairo, the Soviet Union is moving on in a variety of ways into Africa. I happen to believe this is why there is little momentary tranquillity in the Middle East. I don't think it is due to our policies at all. I just think the Soviet agitators in the area have said, "Look, we've got to move our machinery deep into the heart, not of Texas, but of Africa." And they're moving. Meanwhile the Baghdad Pact nations have been meeting to see what they can do about their problems, which in a sense have already passed them by, even though their economic and social problems are continuing. I am not unsympathetic with the countries in the pact; in fact, I am very friendly and sympathetic toward them. But I submit our participation in that conference was anything but inspirational. I don't believe that a $10 million contribution to the Middle Eastern countries and the Baghdad Pact is a sizable American effort. I don't think you should make any contribution on an occasion like that unless it is going to be big enough to be spectacular.

This African situation is increasingly significant. The close alinement of Nasser's so-called positive neutralism with Soviet designs has taken on new importance with the beginning of Nasser's drive for control and leadership of the African independence movement. And I can add here that I have not found out yet what our policy is toward Mr. Nasser. If you know, I wish you would inform me. If our policy was his liquidation there was a time for that. I am not recommending it; don't misunderstand me. Since the Asian-African peoples solidarity conference in Cairo the Voice of Africa has been exhorting Africans to drive the "white dogs of the oppressor countries of the West" from their lands.

It is interesting to note in this connection that a midget point 4 program of technical assistance in farming and housing is about the only response to this entire effort, and it is being prepared by the Israeli Government directed toward the new and free nations of Africa. I want somebody in my Government to tell me when we have sat down with the representatives of the free countries of Africa—north Africa, east Africa, west Africa, south Africa, central Africa—to see if we could not map out a program of economic and cultural and educational and social development. I don't recall one; maybe there is one. If they have I wish they would at least inform the chairman of the subcommittee; it would be helpful. Or are we going to go on—country by country—with reaction rather than action, delay rather than initiative. Nobody can tell me we are too busy, because some things we are busy about are just covering up old holes.

Of course another factor in the mosaic of Middle East politics is the undeniable importance of Middle Eastern oil to Western Europe and to NATO. And I'm not one American who thinks you ought not to be interested in the business interests of our country. I want that quite clear. In fact, when I came back from my little tour, I wrote a report in which I pointed out that in the countries I visited, American business enjoys a deservedly good reputation. Its use of modern capital investment, management, and know-how is combined with social values developed on the American scene. Moreover, our State Department should take a keen interest in the American businessman abroad if they really want to promote private investment. The businessman himself ought to be consulted for views on how investment opportunities might be improved. Businessmen in the areas I visited uniformly spoke highly of the commercial attachés, and this point of contact with official and unofficial Americans abroad should be exploited. What I am trying to say is that there is no reason for Americans who classify themselves as idealists or liberals to think that there isn't a reason for legitimate interest in and concern about the vital resources of this area, which are of use and of need to the people who live there and to the world itself. Europe rests uneasily as long as there are unfriendly governments which can suddenly decide to cut off the oil coming through the Middle East pipelines or the Suez Canal. And what affects Western Europe surely affects the United States.

I am no expert in this, but I have been hearing a great deal about the building of new pipelines that would go across certain friendly territories such as Turkey. And then I have been told they are too expensive. Since when did this get to be a problem for us? If we need pipelines and modern American capital can't build it alone, why then the Government ought to share the cost. I am of the opinion that we can never again afford to have the Suez Canal in the hands of un-

friendly people; I am of the opinion that as long as we have an alliance with Western Europe, and Western Europe is vital to the Free World's security, we have to go out of our way—no matter what is the cost or the problem—to assure a flow of fuel and energy which that Continent needs for peaceful development as well as military security. It remains a matter of greatest importance that the Suez Canal be respected as an international waterway and that the Soviet Union does not gain a hold on the Middle East which enables it to disrupt Europe's economy by withholding oil. Maybe someday we won't have to depend on oil, but for a while indeed we will.

These factors in the situation must be seen against an even more basic one, however—the great social changes taking place, as you know, in the Middle East. The old colonial powers of France and Britain have loosened or lost their hold on the area. New states have emerged and older countries are experiencing a new sense of freedom from foreign domination. The risk of misunderstanding among the millions of people in the Middle East is great, but the risk of being sucked into the Soviet vortex is also great. We cannot permit this catastrophe to take place. Such a fate would not only end their freedom but it would imperil our own security. Hence, it is all the more important that we foster, by word and deed, an image of the United States that is true to our highest ideals. And I pause to say that I have yet to hear from the State Department—despite almost 9 months of communication—any one reason why the CARE food program should not be reinstituted in Egypt for needy people and particularly for their children. I see no reason in the world why our food and fiber program for overseas relief use should not be implemented, and I see no reason when there are sick people anywhere in the world—and I repeat, anywhere in the world—and we have the medicines at our command and at our disposal, that if that country asks for them that we shouldn't share with them. This is just plain old Sunday school teaching for HUBERT HUMPHREY. I don't think you have to ask a man about his politics in order to see to it that he gets the medicine that he may need in order to permit life.

But I know that my country did turn down certain countries for medical care. I know that we did refuse to sell wheat when people had less than a month's food supply. And I know that we did cut off a CARE program in Egypt, and I know that we are going to drive every Egyptian away from us. If Mr. Nasser isn't so friendly, so what? Politicians come and go, but the people go on forever. And I think we ought to look to the future and not merely to the present.

So, may I just say a word in reference to President Eisenhower's call for the works of peace. The works of peace are the very heart and core of our tradition and philosophy. Health care for the sick, food for the hungry, jobs for the unemployed, homes and shelter for the needy, opportunity for youth—this is America. These are the concrete works of peace we must execute and help toward fulfillment in the have-not nations of the world.

A vigorous, peaceful, happy, productive world will arise from abundant health and hope. It can never flourish surrounded by malnutrition, poverty, and despair. I am surely telling none of you any secret, but if anybody in his right mind thinks you can have stable governments—in the Middle East or any place else—where 90 percent of the people are living, not on a subsistence, but below a subsistence diet, where disease is rampant, where frustration, bitterness and hatred are everywhere prevalent, it is impossible. And to pour our military equipment into that kind of situation is, to me, the height of madness. I submit that no amount of missiles or moralizing will create peace as long as the bodies and minds of men in such proportions are sick.

We have an opportunity to face up to the basic challenge of the coming years—to do what comes naturally for us Americans, to recover our generosity which we know we have, our humanitarianism, and our compassion that in the past won for us the world's admiration and respect, and even turned enemies into friends.

2. Let us examine for a minute the second point I mentioned. Too often Americans look at the Middle East from a fragmented perspective that distorts the true significance of the problems there. Some people think of it almost exclusively in terms of the troublesome and deep moving dispute between Israel and her Arab neighbors.

I do not mean to diminish the importance of this explosive controversy. I know the emotions that are there. I have witnessed them. Indeed, I think the United States must stop hemming and hawing, playing both sides of the street as though the right hand can be separated from the left and that no one even knows what's going on, as though the various parties to the dispute can be kept indefinitely guessing as to what American policy truly is.

Someday we are going to have to announce in positive, clear-cut unmistakable terms that in the Middle East, as elsewhere, we are interested in people. We are interested in and support independent nations. We intend to be friends both of Israel and her Arab neighbors. We feel that we can be generous to both and we refuse to be forced into choices.

Meanwhile, it would be helpful if a few people started to say what indeed is the fact—that many of the problems of the Middle East existed long before the State of Israel was ever established, and that they will continue to exist independent of the so-called Palestine question. There will be people there that will be sick and poor and hungry, and they will be restless if Israel were abolished tomorrow morning. It is amazing how parochial some of us can get in looking at complicated problems. Some people see the Middle East exclusively as it relates to the vicissitudes of the struggling, dynamic young State of Israel. Others look at it through the eyes of the Saudi Arabian court. Others see the Middle East only as one more spot where Soviet Russian advances must be met with a stiff military upper lip, with little real understanding of the nature of the Soviet challenge or of the aspirations of the people amongst which the Soviets work with their propaganda. Still other people focus on the best administrative arrangements for economic development with little concern for political and psychological implication of such efforts. And there are yet those of us who look at the Middle East and can see nothing but the explosive and disruptive force of nationalism. Nationalism can also be a positive force if properly channeled, and nationalism today stands as a mighty bulwark against communism—if properly buttressed. So, let us not disparage nationalism if it is given a sense of direction.

What we need is a new policy, which recognizes first the fundamental unity of the Middle East—geographically, economically, and politically, and which pays much more attention to politics and economics than to military strength.

The Baghdad Pact which was designed to build a northern tier against Soviet expansion has proven to be a source of disunity. I am not suggesting that it should be disbanded, although its usefulness in the event of open hostilities with the Soviet remains as open to question as ever. Now I want to be very frank with you. Does anybody really believe that the Baghdad Pact countries are going to stop the Soviet Union if they want a full-scale attack? I do not. I will say that the one great ally in the Baghdad Pact countries that I believe must be looked upon as a pitiable force is Turkey, because of her close association and her intimate partnership with NATO. I am not saying to disband the pact. I'm merely saying to implement it. It needs to be implemented economically; it needs to be implemented politically. The Baghdad Pact obviously has stirred up opposition from some of its neighbors—especially Egypt and Syria. By building up Iraq militarily, the United States seemed to be taking sides in the internal struggles of the area, lining up with Iraq and Saudi Arabia against Egypt and other states in the area. When we turned down Nasser's request for military aid, it was easy for him to accept Soviet offers in return for cotton that was overflowing Egyptian warehouses.

Then the arms race was on. Egypt, Syria, and Yemen received Soviet weapons. The United States has sent arms to Turkey, Iraq, Iran, Jordan, Lebanon, and Saudi Arabia. The Eisenhower doctrine, the Syrian and Jordanian crises have further intensified the division in the Arab world. Clearly our sensational ostentatious arms shipment to Jordan did not promote any easing of tensions. I was at the U. N. when some of these matters were being discussed, and I must say that I think Norway and Japan maybe did more to ease the tensions between Turkey and Syria than any amount of airmail rifles to Jordan, important as they were for her internal security.

Except for Greece, Turkey, and Italy, none of the Middle Eastern States has a military force that would be able to offer more than token resistance to an all-out Soviet invasion. And what is more, fellow Americans, even the nutritional health of the people in the area is below military standards for competent operation of American weapons. It seems to me that this must be said publicly because it's a matter of fact. Large numbers of people are incapable of military service under modern combat conditions because of health. And even in rich and powerful and healthy America the incidence of military deferment for health reasons is very high.

The arms purchased by the Middle Eastern States mainly serve the purpose of bolstering up the regimes currently in power. While this may not be totally irrelevant, and it is not, it is by no means always a totally relevant reason either. In any case, it has little to do with the strategic problem. It often commits us to the support of regimes that do not enjoy the loyalty either of the new middle class or the mass of the populations. When such regimes fall, it is not unlikely that American friendship with these countries may abruptly end.

Moreover, the present arms race not only takes money needed for economic development, but it fails to strengthen the military posture of the area as a whole. It is a source of tension rather than unity. Our military policy is sterile because it is not accompanied by measures designed to cope with the underlying economic and political problems of the area. I would pause to pay my respects to the country of Iraq, in particular, for its dedicated and splendid program of public improvements from its oil resources. This is a country that deserves special commendation for what I believe is the long-term health of the area—aiding its people through new resource development. Our military programs may temporarily hold back a flood, but when it comes I think the flood will even be worse.

Some of the Middle East and Soviet area specialists, with whom I talked prior to this little visit, are convinced not only that there is little danger of an all-out Soviet attack, nuclear or otherwise, but that even a limited Soviet attack utilizing conventional weapons is remote. Yet our security in the Middle

East continues to depend primarily on the nuclear deterrent strength of the Sixth Fleet stationed in the Mediterranean. I pause to say that that represents more military strength in the Middle East than all the countries put together, save Turkey. Yet, the Soviets have effectively penetrated the Middle East by their program of aid, trade, and subversion. The Sixth Fleet, with modern atomic weapons, did not keep them out of Syria or Egypt. The Soviets have penetrated so far that it would be the height of folly for them to consider resorting to military action to further their objectives in the area. At least for the near future, easier, subtler devices lie at hand. The Soviet knows that an all-out military attack in the area by the Soviet Union will bring open war with the United States. That's the deterrent—not the 500 rifles sent to Jordan. That is not a deterrent for Soviets.

The real military danger is local, limited wars between the Middle Eastern States themselves, which, to be sure, may be generated by Soviet subversives. I don't mean simply a renewal of the Israeli-Arab fighting. I would like to testify before this audience that, in 35 days of travel, I didn't find one single person out of the hundreds of people with whom I spoke say that they wanted to fight the Soviet Union or were going to. But I found a lot of people who said they were going to fight each other. And they were going to do it with the American arms that we had recently sent. This is the danger to which our military policy should be directed; namely, the local wars. Our interest lies in the peaceful development of the Middle East and not the military victory of any one state over its neighbors.

Therefore, United States policy should provide a scrupulously fair guaranty against the use of force to change Middle Eastern borders, based on the availability of adequate forces in the area and the clear determination to use them if necessary. The more of them that can operate under U. N. auspices, the better. At the moment, neither the United Nations nor we ourselves have the necessary power or the will to pursue such a policy. Congress has asked for the implementation of resolutions on the U. N.-Middle East Emergency Force. We are still waiting for such implementation. I mention only that the present budget cuts down conventional weapons, which would be needed for this kind of strength in the Middle East; cuts down conventional aircraft; cuts down our Navy; and relies more and more upon thermonuclear missiles. Do you think with an unstable government in the area that thermonuclear missiles of the most complicated and explosive nature which we ourselves are hardly prepared to use, should be stationed in an area where revolution and disturbance and riot is the menu of the day? I believe you have to think this through very carefully.

If we could combine an arms embargo with continued support for the United Nations' Emergency Force in the Middle East I believe that we would be able to reduce the level of tension there. The Soviets have made noises indicating they are willing to accept an arms embargo in the Middle East, though they have hedged it with other requirements that may render it of little value. Here again I don't think it's right for the Presidential news secretary to give out by hand, by a mimeographed statement, or over a radio program, that we'll have no part of it. This is not the way we deal with these issues. The Soviets have said they want a Middle East arms embargo. I don't think they do, but I think we ought to try to find out. I think we ought to quiz them, question them, negotiate with them, and draw them out, so that if they don't want one, their hypocrisy will stand out in its ugly nakedness, rather than having it come quickly over the news ticker that we will have no part of it, which is exactly what has happened.

We must also approach the economic development of the Middle East on a regional basis. I shall not bore you with any long dissertation on it but to say that there are those of us who believe that a Middle East Development Agency of a multilateral nature is highly desirable. I recall proposing this as one individual Senator delegate to the United Assembly, in a speech there at the Overseas Press Club. It was quickly rejected by our Government. I want to tell you we have a political virginity second to none. We say "No" quicker than anybody else on a lot of these proposals.

But interestingly enough, in the last year other countries have shown interest. For example, some of the leading statesmen in Canada; for example, the Government of Australia; for example, the Government of Italy; for example, the Governments of Japan and New Zealand, have all shown an interest in a Middle East Development Agency of a type organized under the United Nations or within the purview of the charter.

I have advocated that we make a contribution to this Agency equal to our entire present military and economic-assistance program in the Middle East and that we ask the Soviet Union to do the same. This could bring an end to the competition between the United States of America and the U. S. S. R., or if not an end at least it could modify it. The area needs capital, and plenty of it. I think it also needs long-term loans that even the Export-Import Bank can't provide, loans for 25 to 40 years at interest rates of less than 3 percent. This is not merely a banking proposition, we are playing for big stakes. How will this part of the world ultimately go? Will it go its own way in terms of its own development which could lead to friendship with us, or will it be distorted and perverted into the Soviet pattern?

The major features of this Middle East Development Agency, as I said, have been endorsed quite broadly. My report to the Foreign Relations Committee last year outlined this Agency plan.

First is that economic aid must be given on the basis of the needs and abilities of the area and not simply on the basis of which nations have alined themselves politically with us. We must respect the neutrality of newborn or reborn nations. These new nations are proud and jealous of their independence. Their neutralism does not have them to be pro-Communist any more than our neutralism made us pro-Nazi. Neutralism is an old American habit; I want to tell you we started the whole thing: The very first President we had broke our first treaty. We had a treaty with the French. We didn't intend to keep it, either. We declared our neutralism quickly, because we weren't about ready to be caught up in that great storm and that great tempest between what was then the imperial heads of Great Britain and France. We steered a neutral course until 1940. The neutrals are fundamentally pro-themselves. I suggest that as long as neutrals remain free, as long as they work for themselves and build their own economies, they can be and are barriers to Communist penetration, strengthening the forces of freedom in the world.

My second point is a corollary to the first—we must team up with the Middle Eastern countries in making economic development a genuine partnership and not something manufactured in the United States of America. We are uniting with them to achieve a common goal, not just for our own benefit. The economic development and well-being of the area will help to insure the independence of the Middle Eastern nations against outside pressure. It itself would be an important contribution to regional stability and peace. Industrialization does not automatically lead to democracy, but history has clearly demonstrated that democracy cannot take root and live for long and grow under conditions of stark poverty and congenital insecurity. I hope one of these days that our beloved country will start to support essentially the free countries of the world. I realize we have to do business with a few dictators, under present circumstances. I am a real realist and a practical man, but I long for the day that the billions of dollars that we extract from the American taxpayer for security and economic aid will be used to defend political and economic systems in which the individual is important, in which totalitarianism is not to be found; in which indecency, immorality, and corruption are absent. You and I know that isn't exactly what we are doing right now.

We need a vigorous, united approach to the Middle East in which economic aid is but one facet of a comprehensive foreign policy based upon the power realities of world politics and the ideals that have motivated us as a nation.

This is the challenge facing this country today in the Middle East. Without any attempt at partisanship, I say quite frankly that the administration has failed to meet that challenge. I say to you that bipartisanship, of which I am a part, does not mean that you hush and silence yourself when you feel strongly about matters of great importance. The truth is as the late Arthur Vandenburg said, "Bipartisanship includes being consulted on the takeoff, as well as the crash landings. Sometimes it includes being able to talk to the pilot, copilot, and stewardess in flight, and even occasionally to ask about the weather or motor performance." I'm a bipartisan on foreign policy. I've supported this administration, and may I say that in every instance I have reconciled my doubts in behalf of our President, because he's my President, too. He's in charge of foreign policy; Congressmen are not. We can give advice—too often we are asked merely for consent. I suggest that we emphasize the advice part for a while. There is a failure of leadership, frankly, at the central and crucial point—the Presidency. The President has given no indication of freeing himself from, or even being very alert to, the disastrous, irrelevant, and unrealistic policies pursued during the past 5 years in the Middle East. It is not that the country has repudiated the President's leadership. That is not true. It is more devastating than that; in the Middle East there has been little or no leadership to repudiate.

When Presidential leadership is weak and faltering, Congress must help take up the slack. We in the Senate must urge our President, pressing him to formulate a national policy that is adequate to the danger and opportunities in the present Middle Eastern crisis. So don't be surprised if some of us offer amendments to beep up even our defense for the area—not merely the missiles and thermonuclear weapons, but the conventional strength of armament that is required. Congress stands between the people and the executive branch. It helps to interpret the will of the people to the President and it helps explain national policy to the people. Today, it must use this unique position in a truly responsible fashion. And that requires me to say that there isn't any bold, new economic program. You know it. You know that this budget calls for less than last year's. "Oh," somebody says, "it calls for more than what Congress appropriated." Ah, but the President doesn't appropriate; he requests. And I say here, on my honor as a United States Senator, this budget, before this Congress, requests considerably less foreign economic aid this year than it requested last year. If there isn't more effort made, there will be less

given by Congress. Not by this Senator—I'm an economic-aid man. It's about as popular as diphtheria in some parts of my constituency, I can tell you that. But I'm for it, and I go home to my people, as I shall next week, and explain why I'm for it. I believe in more economic aid, wisely used. But, I want to say that it isn't very encouraging to me to find out that the Loan Development Board for our economic aid program which we authorized last summer was just appointed a month ago; and it isn't very encouraging to me that the Director of that Loan Development Board was just appointed a few weeks ago; and it's less encouraging to this Senator to find out that only one loan had been made under it, of small proportions, when we're being told now that we've got to meet this Soviet economic competition with a bold, dynamic, forthright, new program. What we need to do is to put the old one to work; then come in to see whether or not we need something even more new. Yes, we must help the American people to articulate their feelings of frustration with any of our policies, in this instance the Middle Eastern one, and prepare them to accept the requirements for whatever new Middle Eastern policy may be designed.

Time is running out. Feeble steps, even if they are in the right direction, may be useless if the escalator of history is moving more rapidly in the other direction. But I'm not one that believes catastrophe is inevitable. Nothing in history is inevitable until it has happened. With candor and reason, we can free ourselves from the grip of the past mistakes.

With intelligence and foresight, we can formulate new bolder policies. With determined leadership—in the White House, in the State Department, in Congress, in private groups such as this—we can persevere to save not only ourselves, which is important, but also to save the very cause of freedom.

I want to thank the Middle East Institute for what you're doing. I believe that your contribution is significant, second only to the Government of the United States.

The actions of the Soviet totalitarians show that we have our work cut out for us—a one-game world series. One game—winner take all. I suggest we get on and win it, even if it requires a change of pitchers. Thank you.

EXTENSION OF MORNING HOUR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the morning hour be continued until 2:30 o'clock p. m.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

THE COMMUNITY FACILITIES ACT OF 1958

Mr. HUMPHREY. Mr. President, I wish to take a few minutes of the Senate to address myself to the pending bill. It will be necessary for me, as well as other Senators, to attend a meeting of the Subcommittee on Disarmament at 2 o'clock this afternoon. Therefore I ask unanimous consent that I may address the Senate for 10 minutes on the pending bill.

The PRESIDING OFFICER. Without objection, the Senator may proceed.

Mr. HUMPHREY. Mr. President, yesterday the Senate cast a very important vote relating to the interest rate provisions in the community facilities bill which is pending before the Senate. I regret that by a one-vote margin the interest rate of 3½ percent was maintained in the proposed legislation, and that our efforts to cut the interest rate to not exceeding 3 percent was defeated. It should be known that if the Community Facilities Act is to be at all helpful to the municipalities and other local subdivisions of government, both in terms of combating the recession and in building up the basic community physical structure, the terms of the loan, both as to duration and interest rate, must be reasonable. Interest rates should indeed be very low. Frankly, many local governments can borrow money at less than 3½ percent interest, under bond issues. Therefore, a 3½ percent interest rate will be of little use to many communities which are able to get better rates of interest in connection with local bond subscriptions.

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

Mr. HUMPHREY. I have only 10 minutes, and I wish to utilize my time to make some comments relating to the community facilities bill.

It is rather shocking to me that, with many of our localities in dire need of storm sewers and street improvements, disposal plants, schools, and public buildings of all kinds, as well as many other public improvements, Congress should dillydally on a program of long-term loans.

It is rather paradoxical, it seems to me, that we are willing to lend money to foreign countries at lower rates of interest than we are willing to extend to our own neighbors. It seems rather unusual to me that the same Congress which authorizes international development loans and other foreign loans for our friends and neighbors in other areas of the world—which loans I have supported—should ask a heavier measure of flesh or a higher interest rate from our own people.

I am of the opinion that some Members of Congress will have a rather difficult time explaining this situation to their constituents. I believe they will have a difficult time explaining how the Government can lend money to the British at 2 percent interest, but is unwilling to lend money to Milwaukee or Minneapolis, or any other local government, at less than 3½ percent.

I am sure our friends and neighbors who have gathered in the galleries will be wondering how it is that Congress can lend money to a country in a far off place at 3 percent interest, but is unwilling to lend money to a school district, a municipality, a township, a county, or any other political subdivision in the United States at less than 3½ percent interest. Furthermore, the United States Government can borrow money for less than 3½ percent interest, and it ought not to be in the banking business, trying to make money on interest.

I repeat: Those who supported the 3½ percent interest rate will have some explaining to do. In fact, the high interest rates of this administration have been primarily responsible for the present recession. The high interest rates and the tight credit policy of this administration were designed to put the curb, as they said, and the slowdown upon the economy. The higher interest rates certainly took their toll. The administration prescribed medicine for the economy which, if it did not kill the patient, stunned it, or has put it in limbo.

Mr. President, at the end of March I addressed a letter to the mayor of every municipality of more than 1,000 population in the State of Minnesota, asking for his advice and counsel on the question of the impact passage of S. 3497 would have on his community building program. I sent a copy of the bill as it was introduced and an explanation of the bill as it was introduced. There was overwhelming support from the mayors of the municipalities for the bill which provided for the lending of $2 billion at not more than 3 percent interest. Interestingly enough, most of the mayors in their replies, in stating the projects they wished most to have developed, placed at the top of the list hospitals or some other form of public health facility.

Yet the Senate apparently is determined to make those municipalities pay an excessive rate of interest—I repeat: an excessive rate of interest—and, what is more, is acting like Scrooge, unwilling to advance for loan purposes—not as a grant, not as a gift—an adequate sum of money.

Therefore, I hope the efforts which are being made to reduce even further the amount in the bill will be defeated. Senators will have the opportunity to be recorded. I have been told that an effort will be made to reduce even further the amount of money which will be available for loans. I shall vote against that effort.

I have been told that the pending amendment would permit the banking fraternity of the United States to determine whether money shall be available from private sources at reasonable rates. The purpose of the bill is to provide funds from Government sources at reasonable rates. Three and one-half percent is not, in my mind, the type of rate which should be established.

I said I had received letters from the mayors of a number of municipalities. Let me quote from a few.

From Mayor I. T. Stenerson, of Moorhead, Minn.:

> An expansion in the (electric, water, and sewage treatment) facilities was made some 10 years ago and at that time the interest rate on bonds was about 1.90 percent. * * * Last sale of bonds made by the city (improvement bonds for special assessments) carried an interest rate of almost twice that figure.

That letter comes from the mayor of a municipality in the prosperous Red River Valley of Minnesota, where the bonds and debentures are good securities. They are paying 3.8 percent interest under this administration. They would like to be able to complete some of their public improvements. The people of that area are frugal and hard working. They would like to have long-term loans at reasonable rates of interest.

From Mayor George Abrahamsen, of Marshall, Minn.:

> We have delayed several projects because of interest rates and the tightening of money.

From Mayor D. C. Olson, of Gaylord, Minn.:

Because bonded indebtedness from 2 hospital bond issues and 2 city hall bond issues is now approximately $200,000, the added burden of another issue could well be defeated in a public election unless the financing which you describe on a 3-percent basis could be obtained.

From City Attorney Anthony C. Gospodar:

For your information we would appreciate having funds available which could be borrowed at 3 percent or less. We have had to pay somewhat in excess of 3 percent on our most recent bond issue.

From Mayor Allen F. Cords, of Le Sueur, Minn.:

I think you are correct in assuming this bill would bring down interest rates generally. St. Peter has just sold bonds for a hospital addition at 3.36 percent, which is not a bad rate; however, I would assume that under this bill we could get our money for about 3 percent.

From Councilman George Savord, of Island Park, Minn.:

The legislation you propose would certainly affect the progress of this and other communities by placing funds within our reach at reasonable interest rates.

From City Clerk E. F. Lindquist, of Grand Marais:

It would be of benefit to us if this loan could be had at the rate of 3 percent instead of the present of 4.10 percent that we are now paying on a water-plant bond issue that we took out last year.

From Mayor V. H. Sprague, of Fergus Falls, Minn.:

Any city has projects which could be economically carried out now; because of lack of ability to completely finance, must wait until the municipality has the finance to completely pay for the projects or until other financial assistance is available for carrying out such projects. Fergus Falls is no exception.

From City Manager H. B. Vasey, of Mankato, Minn.:

While most of the work can be financed in the usual manner, we find that the bonds we sell must be for rather short terms in order to avoid payment of high rates of interest. We would prefer making the bond issues for about 25 years but have had to reduce them to 12 to 15 years in order to maintain the favorable rating that we now have. Our rates on bonds sold in the last year have been from 3.20 to 3.60 percent.

From Village Administrator A. J. Lee, of Brooklyn Center, Minn.:

A bond issue in 1957 cost an interest rate of 4.5 percent and 4.75 percent and a bond issue the first part of this year had a net interest rate of 3.995 percent.

To summarize, there is strong evidence in my replies from the mayors of relatively small Minnesota municipalities—ranging from communities the size of Gaylord with about 1,200 inhabitants up to a good-sized community such as Mankato with more than 19,000—for a loan program at 3 percent or less interest. It is precisely these small communities where public improvements have had to be postponed due to the exorbitant interest rates. While it is true that larger communities with industrial taxes can command a better interest rate, frequently less than 3 percent, the small communities are seriously penalized.

In more than 90 percent of the replies which I have received from mayors of small towns in Minnesota, there is strong approval of the bill as originally proposed, with the 3 percent interest rate, and documentary evidence of the considerable detailed planning which these communities have completed for their public improvements.

Certainly among the most urgent public works construction projects cited in letter after letter from Minnesota mayors were projects for sewerage disposal works. In fact, in 19 letters, sewerage construction projects totaling more than $8.8 million were described which are being held up for lack of adequate financing. These projects, ranging from $100,000 additions up to $2 million for major revisions in the sewage disposal plant, averaged more than $450,000.

Other projects frequently mentioned were new hospitals, new schools, street lighting, library construction, construction of civic centers, street and storm sewer reconstruction, and recreational facilities.

One of the most comprehensive and detailed replies to my inquiry was from the village attorney of Browns Valley in western Minnesota.

Although Mr. Bigelow felt that the 3 percent interest rate would hardly be of benefit to most municipal projects that we are acquainted with in this area, pointing out that bond issues have gone for as low as 2.6 percent on recent projects, he does say that "the term of the loan would, however, be a factor that would be beneficial."

I cite this statement as further evidence that the 3½ interest rate would be far less useful than the 3 percent interest rate originally proposed by the Senator from Arkansas [Mr. FULBRIGHT] and cosponsors of S. 3497.

Mr. President, I ask unanimous consent to have printed at this point in my remarks a letter from Mr. Lowell C. Bigelow, village attorney of the Village of Browns Valley, Minn.; a letter from Mayor George Abrahamsen of Marshall, Minn.; a letter from Mayor Harry E. Rardin of Red Wing, Minn.; and a letter from Mayor Andrew Madsen of Stillwater, Minn.

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

THE VILLAGE OF BROWNS VALLEY,
Browns Valley, Minn., April 2, 1958.

Hon. HUBERT H. HUMPHREY,
United States Senator,
Senate Office Building,
Washington, D. C.

DEAR SENATOR HUMPHREY: Your letter of the 28th of March which was directed to Mayor Backus has been referred to this office for reply.

Prospects of Federal assistance in financing local improvements give everyone concerned with the Village of Browns Valley a feeling that perhaps the small towns and small projects will not be forgotten after all. The proposals that are outlined in your letter and attached summary of S. 3497, however, do not meet the needs that exist in our village and which we expect exist in every other small rural community throughout the Nation. The real answer would be in the form of direct participation by the Federal Government in local projects by either assuming the cost of certain necessary projects in their entirety or by a share-the-cost plan. A proposal for a loan at an interest rate which is a fraction of 1 percent above the average interest rate on all Government debts would hardly be a benefit to most municipal projects that we are acquainted with in this area, for bond issues have gone for as low as 2.6 percent on recent projects. The term of the loan would, however, be a factor that would be beneficial.

We have several projects in the Village of Browns Valley which could be considered urgent, but which cannot be undertaken because of lack of funds. These are as follows:

Construction of new hospital, $150,000 to $200,000.

School construction, $400,000.

New well and pipeline, $30,000.

Street lighting, $15,000.

Flood control of Little Minnesota River of questionable cost.

There are scores of the type of improvements which we would like to make that could be added to this list such as a new village hall and fire department quarters, street improvements, recreation facilities, and so forth. The ones listed above are those that there is an urgent need for, and are worthy of individual comment.

We have been given an ultimatum by the State Health Department to improve our present hospital or close it up. The main basis for the demand seems to us to be that Browns Valley is not one of the favored dots on the map under the "Minnesota Hospital Plan." The fact that we are geographically located at a point where more than 60 percent of our trade area is in South Dakota gets little or no consideration. Because we find our community outside of the "Minnesota Hospital Plan," we likewise find that we are not eligible for any Hill-Burton Aid for hospital construction. A new hospital is necessary for our community to continue to have a hospital. A hospital is necessary for our community to serve the people from "our area" to whom we have a responsibility. We are going to keep our hospital or go down making every effort to do so. Our present plans call for a public subscription campaign which you can realize would be very difficult at this time. Increased and broadened Federal aid programs for hospital construction would be a life-saver to us in Browns Valley and in hundreds of other communities with similar needs.

A new school is going to be an urgent requirement of our community within the next year or so. Again, our border location has us in a squeeze. We have promoted legislation in both Minnesota and South Dakota which would be helpful in dividing the financial responsibility between areas of both States, but the effects of that legislation is still questionable and the need is immediate. It is generally agreed that education is a responsibility of the entire country. A program for outright Federal aid to school construction is almost a must. The benefits of such a program to our community would be tremendous.

Like many communities, we in Browns Valley are faced with the problem of an adequate water supply. We are fortunate enough to have found what we believe will provide an adequate supply, but find that the development of the supply and piping it into the village involves more cost than we can pay at this time. Every community which is in need of more or a better supply of water would benefit from a Federal aid program which would cover such projects.

Many communities like ours do not have proper street lighting facilities with a resultant toll of deaths and injuries. The costs of such improvements have advanced to a point where they are out of reach of many small towns. Federal aid in this category would be very welcome.

In the matter of flood control of the Little Minnesota River, we are again faced with an unusual situation. The main watershed of this river is in South Dakota. The area which receives the most flood damage is in and around Browns Valley. We are presently engaged in conferences and communication with the United States Corps of Engineers regarding a project for clearing the channel of this river in and near Browns Valley. This will be helpful, but is not the answer; flow control by a series of dams or a diversion project is the only solution. Drainage projects and ditching which is encouraged by various conservation and agricultural programs are making the volume of water going into these small rivers increase each year. The responsibility for this sort of thing must lie with the Federal Government. The engineers tell us that flood control projects must be planned on a formula of costs and benefits, etc. It is difficult for us to understand how such vast programs involving huge expenditures as those which are now in progress along the Missouri River in the Dakotas can be justified when a great many of the benefits are questionable and speculative while at the same time a small project that would meet the needs of our community is rejected. Your statement in your letter that Federal projects are usually large-scale and relatively few is only too true. We suggest that careful consideration be given by Congress to authorization of more small-scale Federal projects where a need exists regardless of the cost-benefit ratio involved.

As stated before, we in Browns Valley are vitally interested in some program that will allow us to obtain some of our urgent needs for community improvements. There exists another need that can be solved at the same time. Ours being an area that is devoted exclusively to agriculture, there is very little for the laboring man to do if he is not engaged in farming. With the trend being toward larger farms, in recent years quite a number of young men from this area have gone up to the "Taconite Towns" to work in the new plants that have been developed there. Now that the taconite plants are cutting back on their production and employment, a good many of these people are coming back to our small farm communities where we are having a difficult time in putting them to work. As you can imagine, many hardships are resulting. Any major construction project in this area will provide employment for most of these people who have returned here without the prospect of a job. A sound Federal program for aiding the small community in public improvements would be the answer. We will appreciate whatever efforts you make toward that end.

I hope that this letter which has now gotten to be quite lengthy will give you some helpful information. If there is anything further that we can do that will help facilitate the enactment of any program that will benefit our small rural communities, please let us know.

With thanks for your cooperation and best personal regards, I am

Very truly yours,

LOWELL C. BIGELOW, *Village Attorney.*

CITY OF MARSHALL,
Marshall, Minn., April 7, 1958.

Hon. HUBERT H. HUMPHREY,
United States Senator,
Washington, D. C.

DEAR SENATOR: In reply to your letter of March 28, I must say I am in favor of the bill that you and Senator J. W. FULBRIGHT are sponsoring.

I personally feel that there are many, many towns that have the same financial problems that we do. There's just not enough tax money available to go around. We have delayed several projects because of interest rates and the tightening of money. Some of the improvements that our town is badly in need of are as follows:

	Estimated cost
Combination fire hall and police station	$100,000
Airport improvement	75,000
New sewer and water mains	200,000
Convalescent hospital for aged	250,000
Parking facilities	50,000
Sanitary disposal	35,000

You are fully aware of the disastrous flood we suffered last year. If corrective measures are to be taken with the Corps of Army Engineers and the city it would mean the construction of a diversion channel diverting the water around Marshall. The cost at the very minimum to the taxpayers in Marshall would be $300,000, if we get full cooperation from the State and Federal bodies of Government.

Hoping this gives you the needed information, I remain yours sincerely, with kindest personal regards,

GEORGE ABRAHAMSEN, *Mayor.*

CITY OF RED WING,
Red Wing, Minn., April 2, 1958.

Hon. HUBERT H. HUMPHREY,
United States Senator,
Washington, D. C.

MY DEAR SENATOR: I have your letter and enclosure of March 28, 1958, and have carefully read the summary of bill S. 3497.

It is a timely subject to us as our community is faced with several problems which must be resolved in the not too distant future and low interest money would certainly mean a great deal to the community.

We have just received our consulting engineers plans and costs of a sewage disposal plant. The plant and the revamping of sewers will cost $2 million. Committees are at working studying ways and means to accomplish this project.

Under study at the present time is the proposal to build a new hospital. This project also has a cost tag of $2 million.

Also plans at this time are under way for a modern street lighting system which is badly needed. This cost will be $75,000.

Our commercial harbor is in need of expanded dockage space at an approximate cost of $25,000 and when the harbor is enlarged still further dock construction will be needed.

These are the immediate problems up for consideration at this time. We have a backlog of many projects such as roadbuilding, park improvements, water system improvements that could fit into any necessary program.

Thank you for advising me of this pending legislation and know that I wish you success in passing bill S. 3497.

Sincerely yours,

HARRY E. RARDIN, *Mayor.*

CITY OF STILLWATER,
Stillwater, Minn., April 12, 1958.

HUBERT H. HUMPHREY,
United States Senate,
Washington, D. C.

DEAR SENATOR HUMPHREY: I wish to acknowledge your letter of March 28 in regard to the various Federal programs for counteracting the recession. I believe that all the programs you mentioned in your letter are worthwhile and certainly will do some good when they are ready to be put into practice. However, my personal feelings are that for the recession something should be done to provide projects at least within the next 6 months in order to really do any good and I sincerely believe in that way it could be headed off from going into more serious proportions.

You asked if I would kindly list any projects that we have in mind for here. We have many of them but due to our size and the terrific cost of construction we would, of course, have a tremendous job to try to finance them.

We have been pressured for quite some time to put in a sewage-disposal plant and have done some work on it, getting preliminary surveys, but due to our location here, stretched out along the river, it runs into a tremendous cost, approximately $1 million. We are at this time getting ready to put in an application for the Federal aid next fall, providing, of course, that the gentlemen of the Senate and House of Representatives provide the cash, which we understand must be done every year. We also understand that it had been taken out of the budget but there is hope of reinstating it. I would appreciate any information you have on this matter, if it would not be too much trouble.

We also have to, within the next few months, build a new school as we had a fire here this winter which destroyed a good part of our high school and if we build a complete new high school, it will probably run a couple of million dollars.

Another large project is a new hospital which we are in very dire need of and we are at this time planning to try to raise this money by public subscription as much as we possibly can, but it is rather doubtful that it will be possible because this will cost another million or million and a quarter dollars.

Before I close, there is one more item I would like to mention and that is the fact that we have been waiting for natural gas here for about 5 years now and many people are holding off building homes for that reason and that would be another project you could help push along if possible. We understand that they are going to have the final hearing some time this summer and perhaps if they do, and have a decision on it in the near feature, we could have the gas here by 1959.

I wish to thank you very kindly and trust that I have not been rambling on too much.

Sincerely yours,

ANDREW MADSEN, *Mayor.*

Mr. HUMPHREY. Mr. President, all these letters are representative of the many fine letters I have received from Minnesota mayors heartily endorsing the objectives of S. 3497 and demonstrating the very great backlog of public works which could be initiated, many within a few months, and certainly most of them within a year after the passage of S. 3497.

I emphasize once more, however, that all the evidence I have on hand demonstrates that the interest rate at 3 percent would be infinitely more useful to these communities than an interest rate effectively at 3½ percent.

Mr. President, it was my intention to offer an amendment to provide that the loans to finance public school projects should bear no interest rate at all. Congress has had proposals for grants to public schools. It seems to me that one way to have helped public-school construction under this measure would have been to permit money to be borrowed at the cost merely of administering the loans, with no interest over and beyond that which would be the administrative cost. I shall not offer that amendment now, because the Senate has acted on a proposal which was much less reasonable than this, and has decided, by a 1-vote majority, that 3½ percent shall be the prevailing rate.

I hope the community facilities bill will be passed, but with no further emasculation. Mark my words: This month of April will be noted in political

histories or political annals as the month in which Congress and the administration could not see the forest for the trees; could not really see what was happening. Believe me, what is happening on the American economic scene is trouble. It is trouble that is deepening and expanding on the economic front.

Here we argue and debate a measure which, at best, is only a lukewarm approach, a timid approach to the needs of the country. Even with that timid approach, we have had almost a party line vote to limit, restrict, and emasculate it.

I emphasize again that the responses I have obtained from the so-called grassroots, the letters coming from the local governments in every city, town, and village of Minnesota, demonstrate that the interest rate at 3 percent would be infinitely more useful to those communities than an interest rate of 3½ percent.

GREETINGS TO FEDERAL LEGISLATURE OF WEST INDIES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar 1461, Senate Concurrent Resolution 77.

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

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. AIKEN. Mr. President, the concurrent resolution extends the greetings of the United States Government to the Federal Legislature of the West Indies, which will meet for the first time next week. It seems perfectly fitting that we should felicitate the new legislature and the people of the West Indies.

I know of no objection to the concurrent resolution. The Department of State favors it. I hope it will be agreed to without objection.

The PRESIDING OFFICER. The question is on agreeing to the concurrent resolution.

The concurrent resolution (S. Con. Res. 77) was agreed to, as follows:

Whereas it is the policy of the Government of the United States to favor the orderly evolution of peoples and nations to self-determination throughout the world; and

Whereas the people of the United States support the concept that other peoples should have an opportunity freely to choose their own destiny under circumstances which will enable them to assume and maintain an equal station among the nations of the world; and

Whereas the West Indies is comprised of those islands of Jamaica, Barbados, Trinidad and Tobago, Grenada, Dominica, St. Vincent, St. Lusia, Antigua, Barbuda, St. Christopher, Nevis and Anquilla, and Montserrat, having an area of more than 8,000 square miles and a population of over 3 million; and

Whereas the United Kingdom by order in Council, July 31, 1957, provided for the establishment of the West Indies (Federation) and

Whereas the Federal Legislature of the West Indies will be officially convened for the first time at Port of Spain, Trinidad, the West Indies, on April 22, 1958: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress of the United States extends its most cordial greetings to the Federal Legislature of the West Indies on this historic occasion, and expresses the earnest hope that the Federal Legislature and the people of the West Indies will enjoy continuing success in their new status, and reaffirms the friendship of the United States for the people of the West Indies.

The preamble was agreed to.

Mr. AIKEN. Mr. President, I am not exactly certain about the parliamentary procedure; but inasmuch as the Federal Legislature of the West Indies will meet in the next few days, I think the concurrent resolution should be messaged to the House immediately. Is it necessary to ask unanimous consent that that be done?

The PRESIDING OFFICER. The Chair assures the Senator from Vermont that the concurrent resolution will be messaged to the House immediately.

ORDER OF BUSINESS

Mr. JENNER. Mr. President, I ask unanimous consent that I may speak in the morning hour for 30 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from Indiana is recognized for 30 minutes.

Mr. JENNER. Mr. President, I shall first yield to the Senator from Oregon.

THE HIGHWAY BILL AND CONTROL OF SIGNBOARDS

Mr. NEUBERGER. Mr. President, it is my understanding that as we are presently assembled here in the Senate, the President of the United States has not yet reached a decision with respect to the interstate highway bill, which the Senate and the House of Representatives passed just prior to returning home for the Easter recess of Congress.

Last night, I addressed to the President a letter in which I urged him to sign the bill. I based that upon one particular phase of the bill; namely, the portion which provides—for the first time in American history—that the Federal Government will take some equity in trying to protect roadside beauty and grandeur in America from the blight of signboards.

I ask unanimous consent to have printed at this point in the RECORD the letter which, under date of April 15, 1958, I addressed to the President of the United States.

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

APRIL 15, 1958.

THE PRESIDENT,
The White House,
Washington, D. C.

DEAR MR. PRESIDENT: I am writing you with respect to H. R. 9821, the Federal-Aid Highway Act of 1958 passed by Congress on April 3, which is now before you for your approval or disapproval. I would like most respectfully to urge you to give your assent to this bill because, apart from its general merit, it contains a provision which represents the culmination of a longstanding personal effort of my own. I refer to section 12 of the bill, the provision for incentive payments to States which control roadside advertising and other signboards in accordance with national standards to be promulgated by the Secretary of Commerce.

The provisions of section 12 are wholly nonpartisan in origin, having been drafted jointly by Senator THOMAS H. KUCHEL, of California, and me, and having won the support of majorities in both Houses, among which both parties were about equally represented. I recognize, of course, that, this section represents only a minor element of this legislation, compared with the extensive financial provisions that are made to authorize a greatly accelerated highway-construction program under this bill. While I strongly support this accelerated program on its merits, I realize that your own views of these merits will largely determine your decision with respect to H. R. 9821.

However, although the billboard control section may appear minor by comparison, it represents in itself a most significant new principle of Federal highway legislation—the principle that the national interest in these cross-country, 90 percent federally financed, interstate highways legitimately extends beyond the mere concrete surface of the road to include the roadside appearance and scenery. This is a principle which you have endorsed in public statements, and which the Secretary of Commerce and the Federal Highway Administrator supported in testimony before the Senate Committee on Public Works—although Congress chose somewhat other means to effectuate this principle than those recommended by these officials.

Important as the overall highway program is, I think it is fair to say that the billboard-control section, embodying this principle, has become a matter of greater personal interest to many thousands of Americans than the economic aspects of H. R. 9821. They will look to the fate of this bill particularly for its significance for the fate of roadside protection along the magnificent new 41,000-mile Interstate Highway System.

I hope and trust that, in reaching your decision with respect to H. R. 9821—which I believe in its entirety merits your signature—you will be mindful of this particular and special public interest in the noneconomic values implicit in section 12, the roadside protection measure.

Respectfully,

RICHARD L. NEUBERGER,
United States Senator.

Mr. NEUBERGER. Mr. President, I thank the Senator from Indiana for his courtesy in yielding to me.

THE COMMUNITY FACILITIES ACT OF 1958

The PRESIDING OFFICER (Mr. MORTON in the chair). The Senator from Indiana [Mr. JENNER] has been recognized; and, under the order which has been entered, he has 29 minutes remaining.

Mr. JENNER. Mr. President, in Senate bill 3497, we are asked to authorize the spending of nearly $1 billion, to provide Federal funds for loans for State and municipal public-works programs. We are told this is urgent, to relieve the problem of unemployment.

If we are to vote intelligently, we must answer the following questions:

First. Is there a shortage of private bank credit for municipal public works?

Second. Is it difficult or impossible to market bonds of State and local governments?

Third. Can these new funds be put to work promptly enough to help relieve unemployment?

Fourth. Can they be taken up by the areas which most need help?

Fifth. What is the real effect of this bill?

On the first question—namely, is there a shortage of bank credit to finance municipal public works or their suppliers—the answer is emphatically "No."

First, let me quote Mr. John C. Hazeltine, who is Commissioner of the Community Facilities Administration. His agency, a branch of the Housing and Home Finance Administration, is charged with allotting Federal funds to local agencies, to enable them to plan their public-works programs. After the planning, the construction is financed by municipal bonds sold to private investors.

Commissioner Hazeltine testified as follows at the hearings:

I do not believe that there is a shortage, and I am told by all that I talk to that there is not a shortage of funds for municipal financing.

Mr. President, current bank statements point out that at the present time loans have dropped, while available funds are increasing.

The First National Bank of Chicago says, in its March bulletin:

Commercial and industrial loans of the Nation's major banks dropped $1.8 billion in the first 7 weeks of 1958, over twice as much as in the comparable period last year.

All the major categories of these loans declined, except those to textile manufacturers, with larger than usual repayments made by sales finance companies, food processors and trade concerns.

In February, the Federal Reserve System took another step to relax credit conditions by lowering Reserve requirements on demand deposits one-half of a percentage point for all member banks. This was the first change in Reserve requirements since the summer of 1954, and makes possible an increase of approximately $3 billion in bank loans and investments.

No, Mr. President; there is no shortage of private loan funds available for municipal public works.

On the second point—namely, is it difficult for State and local agencies to sell their own bonds—the answer again is an emphatic "No."

Concerning this bill, the Secretary of Commerce wrote the committee as follows:

The greatly increased funds authorized for the program appears to assume that the primary reason for on-the-shelf State and local public works is nonavailability of funds. We do not believe such an assumption is realistic.

Doubtless there are many such public works in various stages of development throughout the Nation. Many of these are undoubtedly still in the preliminary "think" stage and would not provide the immediate stimulus to the economy that we believe is necessary.

The interest rate authorized in this legislation would result in preferential rates, in direct competition with private lending agencies, and would result in Federal financing of construction which would otherwise be financed privately.

The Secretary of Commerce pointed out also that the President had already by administrative action stepped up the present loan programs.

I read further from the Secretary's letter:

The President on March 19, 1958, in a letter to the Administrator of the Housing and Home Finance Agency, took the following administrative action to accelerate the existing public facilities loan program: (1) released the present reserved balances of the $100 million authorized for the program; (2) liberalized the present program by extending the eligibility for loans to communities of larger population; and (3) broadened the categories of public works eligible for loans.

This Department believes that the foregoing administrative action of the President would accomplish the objectives of this legislation by making funds available for a broad category of public works.

Labor surplus areas who may make application for public facility loans can benefit from the accelerated program.

This Department, therefore, recommends against enactment of this legislation.

The Secretary of the Treasury wrote to the committee, as follows:

The Treasury Department opposes the enactment of S. 3497. * * *

There is more credit available to State and local governments this year than in any other recent year, and it is available at lower cost.

New issues of State and local government securities during the first 3 months of 1958 are expected to exceed similar offerings in the comparable period a year ago by approximately 25 percent.

Rates of interest on State and municipal borrowing are now down on average by approximately ¾ of 1 percent from the peaks reached 6 months ago.

Nevertheless, average market yields on general State and local obligations outstanding, as reported by Moody's investor service, exceed the rate of interest which would be available to any State or municipality asking for a Federal loan from the Community Facilities Administration under the proposed legislation.

We do not believe that the proposed legislation will add materially to the volume of State and local construction this year, because of the time it takes to get such projects under way, but, instead, would have its major effect in shifting the burden of financing to the Federal Government as a subsidized interest rate. * * *

The Bureau of the Budget advises that there would be no objection to the submission of this report and that it concurs in the recommendation that the bill not be enacted.

The Chairman of the Federal Reserve Board pointed out that a subsidized interest rate is no remedy.

Financial bonds of local governments already enjoy tax exemption. He said:

The bill might add considerably less to economic activity than to Federal liabilities.

Chairman Martin wrote:

S. 3497, the "Community Facilities Act of 1958," would considerably enlarge the scope of the program now carried on by the Community Facilities Administration under authority of the housing amendments of 1955.

The existing program is confined to providing loans to communities of under 10,000 population for planning and executing the provision of "basic public works"—principally water, sewage, and gas systems.

The bill would make loans available to any community and appears to extend the scope to include financing of anything ordinarily thought of as local public works.

Loans would continue to be available only to public bodies and agencies. The revolving fund available for loans would be increased from $100 million to $2 billion—

That was the amount originally in the bill. The amount is now $1 billion—advanced by the Secretary of the Treasury. * * *

The bill as drafted provides for a lending rate low enough to encourage and promote essential public works and public facilities. The Board appreciates that the purpose of these provisions is to get needed public works going quickly.

It doubts, however, whether a subsidized interest rate is an appropriate vehicle to this end.

The obligations of States and municipalities enjoy tax exemptions. The great bulk of these, as a consequence, benefit in any case from relatively low interest rates. * * *

This would apply even to cities that presently have no difficulty financing themselves on reasonable terms.

Direct municipal borrowing to finance public works has been very heavy for some time and seems likely in the absence of this legislation to continue heavy.

Federal lending to municipalities at the rate of interest set under the proposed formula and for as long as 50 years, however, would mean that a large proportion of this municipal borrowing would be transferred from the private market to the Federal Government.

Thus, without some additional safeguards, the bill might add considerably less to economic activity than to Federal liabilities.

Furthermore, the interest rate formula, together with the revolving fund feature, would tend to make the Federal Government a permanent source of municipal financing.

The Board doubts whether it would be sound for the Federal Government to assume such a major role in the financing of municipalities as a permanent practice. * * *

My third question is: Will these few funds help relieve unemployment? Here again the answer is a resounding "No."

I quote from the committee hearings: Commissioner Hazeltine said:

Usually when loans are made to municipalities the majority of these loans take a long time before there is any construction started. * * *

The municipality will probably have to obtain the necessary vote on the bonds before the bonds would be issued to us or to the financial people. * * *

Senator DOUGLAS. But would they start construction before they obtained local approval?

Mr. HAZELTINE. No.

Senator DOUGLAS. How long does it generally take for them to submit the issue to a vote before the vote can be taken? * * *

Mr. HAZELTINE. Sometimes I would say it would take a matter of 6 months to a year * * *

Senator DOUGLAS. Suppose they get approval at the vote. What about the letting of the contract? Would there not have to be bids?

Mr. HAZELTINE. There must be competitive bids.

Senator DOUGLAS. And the terms of the plans would have to be submitted publicly to the potential bidders?

Mr. HAZELTINE. Plans are picked up by the bidders, and the bidders bid on them and make their sealed bids to the municipality.

Senator DOUGLAS. How long, normally, would this process take?

Mr. HAZELTINE. That would take a long time usually. Usually it would take a long time to assemble land.

Senator DOUGLAS. That would be in addition to the times which we have already indicated?

Mr. HAZELTINE. I could not make any statement on that. It might be that they would already have their land, or they might be assembling it while they were going through the financial steps. * * *

Senator DOUGLAS. That is what the Senator from Illinois has been contending for many weeks—that, excellent as many of these projects are, the time required is so great that they are not any immediate remedy for the present recession.

We hope the recession will be over by the time they would be ready to start, in which event the expenditure of these funds would add to inflation; would they not?

Mr. HAZELTINE. That is our contention in our statement; yes, sir.

Fourth, the question is, Will these loans give any additional help to the areas that need it most? Once again the answer is "No."

Senator DOUGLAS asked:

If a community has exhausted its bonding capacity, if its revenues are declining because of declining real property, if the needs of relief are increasing because of unemployment, how can these communities further put themselves in debt under the Fulbright bill?

Mr. Hazeltine replied:

That would have to come under, in my estimation, some sort of relief program, not under a loan program, which is what we have advocated and which we are operating at this time.

This bill is no antirecession remedy.

So I come to my last question.

If there is no shortage of bank credit, if the market for State and local bonds is in good shape, if construction cannot get started for nearly a year, and if the bill will not help the areas most in need of help, then I ask, Mr. President, what is going to be the real effect of this spending of another billion dollars taken from our harried people?

The hearings clearly establish that the only effect of this bill will be to transfer municipal financing from private to Federal funds.

I quote some excerpts.

Senator CAPEHART said:

If we lower the interest rate now and appropriate or authorize $2 billion, we will simply be competing with private industry and accomplishing nothing except adding $2 billion to the national debt.

Commissioner Hazeltine replied:

We feel we will be in a large majority of cases merely taking over what otherwise would have been financed privately.

The committee amended the original bill to reduce the original amount from 2 to the 1 billion in the bill we are considering today, but if the principle of the bill is unsound, it is no remedy to spend 1 billion instead of 2 billion to speed the socialization of our local governments, under the guise of aiding unemployment.

The Secretary of Commerce said this bill "would result in Federal financing of construction which would otherwise be financed privately."

The Secretary of the Treasury said:

We believe that the additional Federal financing provided by this bill, will, to a very large extent, merely replace private financing which would otherwise take place through normal channels.

The Chairman of the Federal Reserve Board said:

One effect of the bill as now drawn might be merely to divert State and municipal borrowing from the direct private market to the Community Facilities Administration.

He added:

The Board doubts whether it would be sound for the Federal Government to assume such a major role in the financing of municipalities as permanent practice.

What more evidence do we need, Mr. President?

Our national debt ceiling is now $280 billion. In the last few weeks we raised it $5 billion.

The distinguished chairman of the Senate Finance Committee [Mr. BYRD] told the Senate on March 19, page 4708, CONGRESSIONAL RECORD:

A $300 billion debt—if we reached it, and it is not impossible that we shall reach it in the next fiscal year—would be the greatest debt the world has ever known for either the United States or any other nation.

Think of that, Mr. President, and Members of the Senate.

I ask, as I have time and time again on the floor of this deliberative body, where are we going?

Mr. President, I wish to point out, as I have before, the responsibility is ours, yours and mine.

In an interview published in U. S. News & World Report, for March 12, 1958, Secretary of the Treasury Anderson was asked:

Are you going to be able to operate within the present $280 billion debt ceiling?

He replied:

Obviously, this depends not only on the rate of revenue collections and, certainly of course, upon the rate at which expenditures are made; but it also depends upon the effects of new programs that originate either with the administration or in Congress.

Mr. President, this Congress has not been lax in originating new spending programs, ostensibly as a remedy for the recession.

Why have we had this sudden uprush of legislation in the Senate, every item of which carries a price-tag of one billion or two billion or three and a half billion?

We know the government spending programs of the New Deal did not remedy the unemployment of the thirties. Is this new spending really designed to strengthen the State planned economy, which leads straight to a Socialist centralized government?

Our minority leader said wisely that only totalitarian countries boast of the fact that legislation whizzes through the legislative branch. We passed a bill the other day authorizing an increase in the lending authority of the Export-Import Bank by $2 billion without even a quorum call, without any notice.

The trouble with the program of the majority leader is that it is going at top speed in the wrong direction. It is taking us at top speed to runaway inflation, to a dollar worth 25 cents, 15 cents, 10 cents.

In two wars the German people learned the proper value of inflation. After World War II they chose economic liberty and self-help. Look where Germany is today.

The Canadians have just returned the conservatives to power with the largest vote ever given any political party.

The world trend is to sobriety and commonsense. We have had enough of the promises, the lies, the spell-binding of the planners, the Socialists and the bureaucrats.

Americans crossed the ocean, and cleared a wilderness, to get away from planners and promisers. Our economic system has always rested on self-help. Our political system rests on a foundation of self-help.

Shall we choose dishonest money while the whole world is turning to the American way of honest facing of the realities of economic life?

The majority leader has not presented us only with a bill. He has presented us with a critical choice of political values.

Every vote we cast for one of these spending bills is a vote to send our country further down the road to socialism from which the Germans, the Canadians, and the other nations of the world are trying to free themselves. Our people do not wish to choose that road.

How long will it take the Senate of the United States to see what the people know?

Mr. SPARKMAN and Mr. MANSFIELD addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Alabama wish to be recognized in the morning hour?

Mr. SPARKMAN. Is the Senate in the morning hour?

The PRESIDING OFFICER. The Senate is in the morning hour, by unanimous consent.

Mr. SPARKMAN. Mr. President, in the morning hour, in connection with the remarks just made by the distinguished Senator from Indiana, I should like to invite attention to some of the hearings the Senator did not include in his remarks.

On page 75 and for the next 2 or 3 pages thereafter under questioning by the chairman of the committee, the Senator from Arkansas [Mr. FULBRIGHT], of Mr. Hazeltine, the Commissioner of the Community Facilities Administration, Housing and Home Finance Agency, evidence was brought out that there are many projects already through the planning stage, on the shelf ready to get underway.

The concluding sentence in the colloquy is the one which I wish to bring to the attention of the Senate. It reads:

But it runs the entire course from instantaneously on up to 4 or 5 years.

That is what Mr. Hazeltine was really saying as to the projects. There are many projects which are ready to proceed immediately, and of course there are projects in all stages of planning. Some projects might require several years, but I believe it is well for us to

keep in mind what really took place in the hearings, rather than a few excerpts which indicate to the contrary.

Mr. President, I have heard from most of the mayors in my own State, and they tell me, almost without exception, they have projects which are planned and are ready to go forward, if they can get a source from which to obtain capital with which to construct the projects.

I believe we ought not labor under a misconception of what might be possible under the pending legislation should it be enacted into law. Many of the projects are ready to go forward and thereby put people to work—useful work.

The PRESIDING OFFICER. Is there further morning business?

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

The PRESIDING OFFICER. The clerk will call the roll.

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

Aiken	Gore	Morton
Allott	Green	Mundt
Anderson	Hayden	Murray
Barrett	Hennings	Neuberger
Beall	Hickenlooper	O'Mahoney
Bennett	Hill	Pastore
Bible	Hoblitzell	Payne
Bricker	Holland	Potter
Bridges	Hruska	Proxmire
Bush	Humphrey	Revercomb
Butler	Ives	Robertson
Byrd	Jackson	Russell
Carlson	Javits	Saltonstall
Carroll	Jenner	Schoeppel
Case, N. J.	Johnson, Tex.	Smathers
Case, S. Dak.	Johnston, S. C.	Smith, Maine
Chavez	Kefauver	Smith, N. J.
Church	Kennedy	Sparkman
Clark	Kerr	Stennis
Cooper	Knowland	Symington
Cotton	Kuchel	Talmadge
Dirksen	Langer	Thurmond
Douglas	Malone	Thye
Dworshak	Mansfield	Watkins
Eastland	Martin, Iowa	Wiley
Ellender	Martin, Pa.	Williams
Ervin	McClellan	Yarborough
Flanders	McNamara	Young
Frear	Monroney	
Fulbright	Morse	

Mr. MANSFIELD. I announce that the Senator from Ohio [Mr. LAUSCHE], the Senator from Louisiana [Mr. LONG], and the Senator from Washington [Mr. MAGNUSON] are absent on official business.

The Senator from North Carolina [Mr. SCOTT] is absent because of illness.

Mr. DIRKSEN. I announce that the Senator from Indiana [Mr. CAPEHART] is absent because of illness.

The Senator from Connecticut [Mr. PURTELL] is absent on official business.

The Senator from Nebraska [Mr. CURTIS] and the Senator from Arizona [Mr. GOLDWATER] are necessarily absent.

The PRESIDING OFFICER. A quorum is present. The morning hour has ended. The Chair lays before the Senate the unfinished business.

COMMUNITY FACILITIES ACT OF 1958

The Senate resumed the consideration of 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.

Mr. KNOWLAND. Mr. President, as I understand, the pending question is on the amendment offered by the junior Senator from South Carolina [Mr. THURMOND].

The PRESIDING OFFICER. The pending question is on agreeing to the amendment designated "4-15-58-B" offered by the junior Senator from South Carolina.

Mr. KNOWLAND. On that amendment, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. THURMOND. Mr. President, my amendment is to the declaration of policy and authorizing sections of this bill. The amendment is as follows: On page 2, line 20, strike out "equally favorable terms or conditions" and insert in lieu thereof "reasonable terms." On page 3, lines 13 and 14, strike out "equally favorable terms and conditions" and insert in lieu thereof "reasonable terms."

This means, simply, that the present requirements for obtaining a loan under the existing law would be carried forward into the bill under consideration.

As the bill is written, the Federal Government sets itself up as the purchaser of all municipal obligations which would not qualify on the open market for purchase on as favorable terms as those established in the bill.

The purpose of the bill is supposedly to stimulate the construction of municipal projects as an antirecession measure. Even a casual examination of the facts shows that the bill will fail in its purpose unless my amendment is accepted.

In 1957, a total of $6,824,557,000 in State and municipal bonds were sold without Federal assistance. Of those sold, more than 84 percent would have been eligible for purchase by the Federal Government had S. 3497, as proposed, been in effect. In other words, bonds having a value exceeding $5,746,000,000 were sold in 1957 at interest rates above the rate which would have been applicable in the particular month under the proposed formula.

State and municipal bonds aggregating $1,685,000,000 were sold in January and February of 1958. Of this amount, more than 45 percent, or $766 million, of the State and municipal bonds sold in this period would have been eligible for purchase by the Federal Government, had Senate bill 3497 been in effect, because they were sold at interest rates above the rate which would have been applicable in the particular month, under the proposed interest formula.

During the period from July 1956 through February 1958 States and municipalities sold bonds in the amount of $11,298,495,000. In the same period the total bonds offered by States and municipalities, and not sold, constituted only 1 percent of the total bonds sold.

The point of my amendment is this: Only $1 billion is authorized to be appropriated by this bill for loans to States and municipalities. If eligibility for these loans is to be based on whether the States and municipalities can obtain loans on an equally favorable basis, the great preponderance of the amount authorized will be loaned to applicants who would construct their projects, regardless of whether the Federal Government participates or not. Only an insignificant amount would be available for State and municipal projects which could not be built at all without Federal assistance.

The interest rate is not the only criterion, under the proposed formula. It should also be noted that the bill provides for loans with terms up to 50 years. It further provides that there may be an initial postponement of the commencement of repayments; and it also provides for a possible 2-year moratorium of payments, to prevent defaults. Statistics are not available to show how many, or what percentage of, bonds recently sold were on terms less favorable than these; but it is readily apparent that an overwhelming majority of bonds sold on the open market were, in one of the respects aforementioned, sold on terms less favorable than provided for in this bill.

As to the interest rate itself, I favor a low rate, as demonstrated by my vote yesterday on the Fulbright amendment to lower the interest rate to 3 percent. I do not, however, favor the Government attempting to do for the people what they are perfectly capable of accomplishing for themselves through private resources.

Mr. BUSH. Mr. President, at this point will the Senator from South Carolina yield to me?

Mr. THURMOND. I yield.

Mr. BUSH. I think the Senator from South Carolina has placed his finger directly on the important point in connection with the matter to which his amendments relate.

I wish to congratulate the Senator on submitting the amendments. As I understand them, they provide that if such credit is otherwise available on reasonable terms—on terms somewhere near the equivalent of those provided for in the bill—then the Administrator shall not make these loans. In other words, if a reasonable "deal" can be obtained from private sources, that should be done. I believe that is the entire purpose of the Senator's amendments. Is not that correct?

Mr. THURMOND. That is correct.

Mr. BUSH. Mr. President, I certainly wish to associate myself strongly with the Senator's amendments, and I urge the Senate to adopt them.

I believe these amendments are very similar to, if not identical with, one proposed by the distinguished minority leader, the senior Senator from California [Mr. KNOWLAND].

I believe these amendments are very sound, and will greatly improve the bill—although I have very strong reservations about the bill.

Mr. THURMOND. I thank the Senator from Connecticut.

Mr. President, let me say that on page 2 of the print of the bill, the following paragraph appears:

> It is the purpose of this title to authorize the extension of credit to assist in the provision of essential public works or facilities by States, municipalities, or other political

subdivisions of States, where such credit is not otherwise available on equally favorable terms or conditions.

My amendment would strike out the words "equally favorable terms or conditions," and in lieu thereof would insert the words "reasonable terms."

It is my belief that the Federal Government should not inject itself into private enterprise, if private enterprise is willing to do the job.

Furthermore, I do not believe it will be possible or likely that a municipality or a political subdivision will be able to obtain loans for 50 years. Where is the lender who will make loans for 50 years? Yet the bill provides for 50-year loans.

Mr. BUSH. Mr. President, will the Senator from South Carolina yield again to me?

Mr. THURMOND. I yield.

Mr. BUSH. I have at the desk an amendment on that point. It is designed to reduce the limit to 40 years. I hope the Senator from South Carolina will find it possible to support that amendment.

It seems to me that 50 years is much too long a term during which to extend credit; and it is very seldom done, even in connection with the best credit available to lenders.

So I hope the Senator from South Carolina will find it possible to support the amendment which provides for a term of 40 years.

Mr. THURMOND. I shall be glad to do so. I think even 40 years is a very long term.

Mr. BUSH. It certainly is.

Mr. THURMOND. Mr. President, on the point the Senator from Connecticut has made, let me say that the bill provides a $1 billion authorization. The first to come would be the first to be served. On that basis, it is possible that projects which could be financed altogether by private enterprise would be financed by Government loans; whereas, the bill, as I understand it, is intended to be an antirecession measure, one to make possible the construction of projects which otherwise could not be built. Therefore, the purpose of the bill would not be accomplished if such loans were made on the basis of applications for projects which could qualify to obtain loans through private financing.

Mr. President, I repeat that I do not favor having the Government attempt to do for the people what they are perfectly capable, through private resources, of accomplishing for themselves.

States and municipalities which otherwise cannot obtain financing on reasonable terms for necessary projects should be given the advantage of a lower interest rate, for it is they who most need assistance.

By pegging the eligibility requirements to the standards as established in the bill, the Federal Government would merely be substituted as financier of an enormous number of projects which would be undertaken regardless of Federal participation. By limiting eligibility for assistance under the bill to those projects which could not otherwise be financed on reasonable terms, the funds authorized in the bill could be reserved exclusively for projects which could not be built without Federal participation. Only in this way can the bill be converted from the familiar "pork barrel" measure into a measure which is calculated to combat the recession.

The PRESIDING OFFICER. The Chair assumes that the Senator from South Carolina wishes to have his amendments considered en bloc.

Mr. THURMOND. Yes, Mr. President; I should like to have them considered en bloc.

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

Mr. BUSH. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Connecticut will state it.

Mr. BUSH. What amendments are to be considered en bloc?

The PRESIDING OFFICER. The two amendments which are identified as "4-15-58-B." One of the amendments is to language on page 2 of the bill; the other is to language on page 3 of the bill.

Mr. BUSH. I see. Both of them are printed under the designation "4-15-58-B," are they not?

The PRESIDING OFFICER. That is correct.

The question is on agreeing en bloc to the amendments of the Senator from South Carolina [Mr. THURMOND.] On this question, the yeas and nays have been ordered.

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

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

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

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

Mr. PROXMIRE. Mr. President——

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. PROXMIRE. The distinguished Senator from South Carolina has proposed an amendment which it seems to me could result in very sharply increasing the effective interest rate to be charged under the bill, and in virtually eliminating the value of the bill.

I understood the distinguished Senator from South Carolina to say it would have the effect of carrying forward existing law. It would certainly put the Administrator in such a position that he could say if a community could get 4⅝-percent-interest rates on revenue obligations, and 4⅛-percent rates on general obligations, which is what the general law provides, that would be reasonable.

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

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from South Carolina?

Mr. PROXMIRE. I yield for a question.

Mr. THURMOND. I think the Senator did not hear all of my speech, or he would not have made such a statement. I did not mention any percentages.

Mr. PROXMIRE. I appreciate the fact that the distinguished Senator did not mention percentages. That is my own interpretation, not the interpretation of the Senator from South Carolina.

Mr. THURMOND. That is the interpretation of the Senator from Wisconsin?

Mr. PROXMIRE. Yes.

Mr. THURMOND. Excuse me.

Mr. PROXMIRE. I agree; the Senator from South Carolina did not mention any figures.

Mr. MONRONEY. Mr. President, will the Senator yield to me?

Mr. PROXMIRE. I yield to the Senator from Oklahoma.

Mr. MONRONEY. I concur in the statement of the distinguished Senator from Wisconsin, that the amendment offered by the distinguished junior Senator from South Carolina would leave the small communities in the same impossible morass of financing in which they find themselves today.

If New York City, Philadelphia, Chicago, Houston, or Dallas, want to issue bonds they can borrow money for less than 3 percent interest. Obviously those cities are not going to need the help which will be provided by the pending bill. The bill under consideration is a community facilities bill primarily for the benefit of the small towns of the States of all Senators who sit in this Chamber.

Before we attempt to rewrite the bill to require that the administrator find that sufficient funds cannot be obtained at a "reasonable" rate of interest, we should remember that the record is clear and concise and absolute that any rate of interest, no matter how high, is a "reasonable" rate of interest to the Eisenhower administration.

In the case of the housing bill we have seen action on the floor resulting in a $1 billion increase in interest charges, supported almost 100 percent by the Republican Members of this Chamber.

When we undertake to allow a Republican appointed administrator to decide whether the interest rate at which a city can borrow money is reasonable we are negating completely the fine efforts of the distinguished chairman of the Committee on Banking and Currency, the junior Senator from Arkansas [Mr. FULBRIGHT] to give assistance to the small communities. If we expect to do anything for those small communities then we must vote down the amendment which is now before the Senate. Whether the rate is 5 or 6 percent, no Republican appointee will think such a rate is too high.

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

Mr. MONRONEY. I agree 100 percent with my distinguished colleague, the Senator from Wisconsin. If we are to accomplish the purposes of the bill the amendment should be defeated or the distinguished Senator from South Carolina should withdraw it. We should follow the recommendations made as a result of lengthy hearings before the Committee on Banking and Currency. The interest rate has already been fixed at a higher rate than is desirable, when the amendment to allow small communities to construct public works at a rate of financing was rejected yesterday.

Mr. THURMOND. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I will yield to the Senator from South Carolina in a moment.

First, I should like to say to the distinguished Senator from Oklahoma that he has put his finger precisely on the difficulty the amendment would cause if it should be added to the bill. The amendment leaves discretion with the Administrator to determine what is a reasonable interest rate. As the distinguished Senator from Oklahoma has pointed out, if there is one hallmark of the Eisenhower administration it is high interest rates. The first positive action of this administration, when it took office in 1953, was to start shoving interest rates up. That has been done consistently and persistently. If history means anything, we know the administration will continue to do so in the future.

Certainly, the bill as it would read, if the amendment offered by the Senator from South Carolina were adopted, would give the administration such discretion.

I yield to the Senator from South Carolina for a question.

Mr. THURMOND. I thank the Senator from Wisconsin very much I wanted to ask the distinguished Senator from Oklahoma a question.

Mr. MONRONEY. I shall be glad to answer a question, if the distinguished Senator from Wisconsin will yield for that purpose.

Mr. PROXMIRE. I will yield, with the understanding that I do not lose my right to the floor.

Mr. THURMOND. Is the Senator from Oklahoma willing to submit to a question?

Mr. MONRONEY. I shall be happy to answer a question.

Mr. THURMOND. I understood the Senator to say that the purpose of the bill was to help the small towns, rather than to help the large cities.

Mr. MONRONEY. The Senator is correct.

Mr. THURMOND. Would the Senator mind showing me that portion of the bill? The bill as I have read it has removed the limitation which exists in the present law restricting assistance to towns with a population of 2,500 or less. I realize the Senator has been away in Switzerland and has just returned, and possibly has not had time to read the bill. The bill removes that limitation, and throws the door wide open for loans to any size city, including New York City, the largest city in the Nation, Philadelphia, or a city of any size. The bill would apply not only to cities but, under the interpretation of the distinguished chairman of the Committee on Banking and Currency, the Senator from Arkansas [Mr. FULBRIGHT], as he stated yesterday, when I asked him the question, it also would apply to States. Even States can borrow money under the provisions of the bill. Therefore, the purpose is not limited to the small towns. The purpose includes the large cities as well as the small ones, and it includes States and counties also.

I did not know whether the Senator was familiar with that fact, inasmuch as he has been away.

Mr. MONRONEY. The Senator is somewhat familiar with the going rate of interest on municipal bonds. As I understand the bill, it provides a rate of about 3½ percent interest. I am certain the distinguished junior Senator from South Carolina knows that the city of New York and the other large cities he has mentioned, as well as the States, are borrowing money today at less than that interest rate. They are not going to turn to the Federal Government and pay more for the money. Consequently, the principal result of this bill will be to afford relief to those communities which do not have access to credit at a rate comparable to the city of New York.

What the distinguished Senator from South Carolina would accomplish by his amendment would be to throw the cities on the tender mercies of the bond dealers who managed to increase the interest charges to the Government by about $3 billion during the period 1955 to 1957.

If we are to be realistic in trying to arrest the depression, which I believe was largely caused by the soaring interest rates and the tight-money policy, we should not go in the direction of higher interest rates, and this is the direction the amendment of the distinguished Senator from South Carolina would take us. I am sure the distinguished Senator does not intend to go in that direction, but the effect of the amendment would be exactly that.

Only the small communities who today have to pay more than 3½ percent interest are interested in the pending legislation, because the large municipalities have no difficulty at all floating bonds or debentures. These debentures are exempt from Federal taxation. Consequently, at an interest rate of 3½ percent, the investor who has to pay taxes in the 50-percent bracket will be receiving the equivalent of 7 percent, which is a very good net return on a municipal bond, even under Eisenhower.

The adoption of the amendment would be a step in the wrong direction. Instead of arresting the current recession and reducing unemployment, it would leave without help small communities where there is the greatest volume of need. Many of these small communities need to modernize their utilities, waterworks, filtration plants, and all other facilities.

I hope that the Senator from South Carolina, on reconsideration, will discover that the adoption of the amendment would be a step which would defeat the very purpose of the bill.

Mr. THURMOND. Mr. President, if the Senator from Oklahoma feels that way about it, would the Senator agree to an amendment to place in the bill the limitation provided by the present law, so as to restrict the loans to towns not exceeding 2,500 in population? The Senator says the large cities will not receive the benefit of the proposed legislation. If that is the Senator's opinion, then I feel certain he would not object to including such a provision as that proposed by the chairman of the Banking and Currency Committee, which is the provision now contained in the present law.

Mr. MONRONEY. For the information of the Senator, I have in my hand the Wall Street Journal under date of Wednesday, April 16, which is today. I am looking at an advertisement by which J. P. Morgan & Co., the First National Bank of Chicago, Mercantile Trust Co., and so on—about 50 of the leading brokers—are advertising for the city and county of San Francisco, a $19,225,000 bond issue carrying from 2¼ to 2½ percent interest. The statement is made, "Interest exempt, in the opinion of counsel, from all present Federal income taxes."

If the city of San Francisco is able to float its bonds for 2¼ or 2½ percent interest, the city of New York, the city of Chicago, the city of Pittsburgh, and the city of Philadelphia, about which the Senator is worrying, are not coming to the Federal Government to borrow money at 3½ percent. It is not necessary to write into the bill a prohibition which might restrict freedom of operation. If the large cities were exempted, it might help to raise the interest rate a little for the city of San Francisco, because when there is an open window and the Federal Government is ready, willing, and able to lend to any municipality at 3½ percent, we do not find the money lenders and bond brokers pushing the rate up to 5 or 6 percent. That has been the very pattern of the successful freeing of money for necessary investment through 20 years of Democratic administrations. It required only 5 years of Republican administration by the tight money and high interest policy to bring this great country to record unemployment.

I am sure that is not what my distinguished colleague from South Carolina would seek to do; but unfortunately that is what his amendment would achieve.

Mr. THURMOND. The Senator agrees, does he not, that the bill does make provision to lend money to the largest cities in the Nation, the largest States in the Nation, or any political subdivision which wishes to borrow? I am sure the Senator would agree that the bill would do that.

Mr. MONRONEY. I have just shown the distinguished Senator an advertisement from J. P. Morgan & Co., indicating that the city of San Francisco is obtaining money for 2½ percent. I do not know of any city which loves the Federal bureaucracy so much that it would come hat in hand to borrow money at 3½ percent. It does not make sense.

Mr. THURMOND. If it does not make sense, would the Senator agree to an amendment to restore the provision of the present law, placing a limit on the size of towns which in some cases need help, and removing the power of the Federal Government to lend money to States, and to the largest cities and towns in the Nation, injecting the Federal Government into business to a greater extent than ever before, and making a banker out of the Federal Government, which the bill would do on a tremendous scale?

Mr. MONRONEY. The junior Senator from Oklahoma has repeatedly said that he is interested in maintaining low interest rates on loans for public improvements in the largest and smallest States and in the largest and smallest towns. I do not wish to help close the window, and thus help to increase the interest rate of 2¼ or 2½ percent which the city of San Francisco or any other city may be enjoying. I like to leave the window open. I should like to have a ceiling of 3½ percent on the interest rate, so that we can put people to work.

I think the way to do it is to enable the municipalities, whether they be large or small, to finance their projects. So long as Uncle Sam has the capability of making loans, the interest rates will remain low. But if we bar the large cities, or provide for an administrative determination that no financial assistance shall be extended unless the financial assistance applied for is not otherwise available at reasonable rates, we shall get back to 6 percent money for the smaller communities.

The larger communities may find their rate inching up above the 3½ percent provided for in the bill. They will not borrow at 3½ percent if we retain this mechanism. If we were to follow the pattern which my distinguished colleague would have us follow, we would destroy the value of a large publicly financed program, with the best security in the world, the future of the municipalities of this great Nation.

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

Mr. PROXMIRE. Mr. President, I have the floor. I am happy to yield for a question.

Mr. BUSH. I thank the Senator. I did not realize he had the floor. I thought the Senator from South Carolina had the floor.

Mr. THURMOND. Mr. President, will the Senator from Wisconsin permit a question to be propounded to me?

Mr. PROXMIRE. I am happy to do so, with the understanding that I shall not lose the floor.

Mr. BUSH. I thank the Senator.

I wish to associate myself thoroughly with what the Senator from South Carolina has said in answer to the remarks of our good friend, the junior Senator from Oklahoma [Mr. MONRONEY]. The Senator from South Carolina has offered a very sound amendment to the bill, one which I think would help the bill a great deal, if it should be adopted.

The whole purpose of the amendment is to make it necessary for communities to borrow in the open market if there is reasonable credit available to them in the open market. That is the way it has always been. Why the sudden change, as the Senator from South Carolina has so ably asked?

I hope the Senator from South Carolina will stand by his amendment. It would greatly improve the bill.

Mr. THURMOND. I thank the distinguished Senator for those remarks.

Yesterday I voted for the FULBRIGHT amendment to reduce the interest rate from 3½ to 3 percent. I believe in low interest rates. I think they are best for the people of the Nation. But I do not believe in plunging the Nation into the banking business, as this bill would do.

The bill would establish a fund of $1 billion to be loaned to cities, towns, and other political subdivisions, even including the States of the Nation. I do not think that is the business of the Federal Government. That purpose was not envisioned by our forefathers. Each State is a separate entity. It can borrow money. Each township is a separate entity, and it can borrow money. Each city is a separate entity, and each county is a separate entity. They can borrow money. I do not believe it is the business of the Federal Government to be lending money to every political subdivision in the United States. I think that would be a serious mistake.

I believe we are embarking upon a program which we shall regret. Our Government today owes more money than do all the other nations in the world combined. We are operating at a deficit. I believe that if a businessman were to operate his business in the way the United States Government is being operated today, he would not long remain in business. It seems to me that the Federal Government should not go into business to any greater extent than is necessary.

I wish to make my amendment clear. I would merely provide that if the cities and other subdivisions could obtain money elsewhere on reasonable terms, they might not borrow from the Government. If they could not obtain it on reasonable terms, they might borrow it from the Government. What is more reasonable than that? Why should the Federal Government enter the field at all? If it is to enter the field, why should it not be prevented from entering the field of finance so long as municipalities and other subdivisions can obtain money elsewhere on reasonable terms? If they cannot obtain money on reasonable terms, they can still come to the Federal Government to obtain it. I believe that even that is a mistake, but municipalities and other subdivisions could do so, even under my amendment. However, so long as they can obtain money from private sources on reasonable terms, the Federal Government should not enter the business.

My amendment would prevent the Federal Government from dealing with the various political subdivisions throughout the United States so long as they could obtain money on reasonable terms. I think it would be sound business to have such a requirement.

Mr. PROXMIRE. Mr. President, of course, nothing is more reasonable than the word "reasonable." The only difficulty with applying the standard is that if unreasonable people determine what is reasonable—to follow that confused combination—we can see that a very unreasonable decision can be rendered.

In my judgment—and I believe in the judgment of the American people—this administration, while being right on many things, has an unreasonable attitude toward interest rates. Their idea of what is a reasonable interest rate is clearly indicated, on the basis of experience, as a high interest rate.

Mr. President, I should like to point out that the overwhelming argument, in my judgment, against the amendment offered by the able and distinguished Senator from South Carolina is the fact that interest rates have not dropped as much, certainly, as the Federal Reserve Board would like to have seen them drop. It is true that the rediscount rate has gone down. It is true that the Federal Reserve Board has tried to expand the reserves. Nevertheless, I call attention again, as I have before, to a very thoughtful and persuasive article which appears in the current issue of U. S. News & World Report, which states:

IS IT EASIER TO BORROW MONEY?—HERE'S A REPORT FROM LENDERS

Ordinary borrowers can't count on cheaper loans this year.

That goes for small-business men, and consumers on their installment loans. Reductions in mortgage rates will be small.

That is the prospect shown by a country-wide survey.

The cheap credit that Government has been fostering for nearly 6 months is not working its way down to the average borrower very fast. So far, the ordinary individual finds he has to pay just about as much as before for a loan.

A nationwide survey by U. S. News & World Report shows this:

Home buyers in some cities are getting mortgage loans costing one-fourth of 1 percentage point less—say 5¼ percent instead of 5½ percent. In some cases the reduction has been as much as one-half of 1 percentage point. Yet, in a great many places mortgage loans have not come down at all.

I feel that this is the only way in which the Congress can act to help drive down interest rates, because it will indeed increase competition provided for the bankers. However, I am sure the Senator from South Carolina and the Senator from Connecticut agree that all of us believe in free enterprise, and that none of us believes in a socialistic system. There is no question about the fact that a billion-dollar loan program provided by the Federal Government is a big and important loan program.

I should like, however, to call to the attention of the Senate the fact that $7 billion of new State and local debt was issued during 1957. One billion dollars of Government loans to serve as a yardstick for $7 billion of private money.

Under the circumstances, a bill which attempts to hammer down the interest rates which municipalities must pay for the money they must borrow is a sensible and logical way to attempt to work our way out of the depression. This bill without—I repeat without—the amendment will provide jobs. Hundreds of thousands of jobs. There is no question about it on the basis of the facts that have been put into the RECORD. Other Senators have put these facts into the RECORD for their States, and I did it recently for Wisconsin, by putting into the RECORD a list of projects in the State of Wisconsin which I consider to be very worthwhile projects—schools, sewer projects, and so forth—which would put people to work on projects that should be built as soon as possible, and would constitute also an increase in the wealth of the country.

I should like to go on and show why it is so important that we lower interest rates for the small-business men.

The recession which has hit this country in the last few months has had serious repercussions on almost every citizen. The time to act has arrived. Optimistic forecasts that things will be better tomorrow are no longer in order. They are an exercise in self-deception.

I should like to spend just a few minutes in talking about the general plight of the small-business men, so that we can put the whole interest rate discussion and argument in its proper perspective. The blow to the small business may be a fatal blow, unless we move quickly and boldly.

The big corporations, cushioned by comfortable profit margins of the postwar period, large capital reserves and relatively easy credit, can ride out a brief recession. Many small businesses, operating on a margin which has become more slim with the passing of each year, will certainly go under unless relief is immediate and substantial.

So far in 1958, businesses are dying at the rate of 350,000 discontinuances a year, a large proportion of which are forced, with high interest rates a significant contributory factor. At the same time, the business birth rate is going down and the trend toward the safe haven of merger and giantism is stronger than ever. An estimated 400,000 a year are merging.

The Senate Small Business Committee, of which I am happy to be a member, has made a thorough study of small business problems, including some very fruitful hearings in my own State of Wisconsin last fall. We know what the problem is. I should like to point out that those hearings brought out the danger and desperation of small business. For example, the testimony of the referee in bankruptcy for southern Wisconsin showed that there were more small business failures in southern Wisconsin last year than at any time in history, including 1932. It is little wonder that the attitude of the people of my State—not just of the liberals or Democrats or labor leaders or economists, but also of all people of my State—is to act promptly.

Relief to small business must come from several approaches. First, there are the general antirecession measures which are essential. Unemployment in the cities—which is already the worst since 1940—and hard times on the farm are reflected in the account books of the businessman who sells groceries and clothes and cars.

Second, Congress must act on the longstanding needs of small business. Even before the recession reached its present proportions, the Small Business Committee reported a very worthwhile tax adjustment bill. The House Ways and Means Committee is now considering similar legislation, and I am hopeful we will have a chance to vote on it before the end of the session.

I am personally supporting a series of measures to combat the general recession in addition to those already approved, such as the housing bill.

I should like to point out that some of those measures have unfortunately not been discussed in the context of the small-business depression which is being suffered in many parts of the country. It is unfortunate that the President has seen fit to veto the farm bill. That measure has been discussed almost entirely in terms of its effect on the farmers. Of course it has that direct and immediate effect. However, the effect of it on small business is depressive, because the number one customer of the small-business man, not only in Wisconsin, but in California, and in Vermont, and in Utah, and in Colorado, and in other States, is the farmer.

I wonder how many of us realize that in every year except in 1955 the farmer has been the principal customer and the biggest single customer for steel in this country. He has been a bigger customer for steel than the entire automobile industry.

I wonder how many people recognize the fact that the farmer is the No. 1 customer for petroleum. The farmer consumes more petroleum than any one armed service. The farmer consumes more petroleum than any one industry. The farmer consumes more rubber than any one industry. Therefore, the farmer is certainly a customer of big business. However, primarily and fundamentally the farmer is the customer of small business.

Therefore, when we have a situation of the kind that we have in Wisconsin, in connection with which the Eisenhower veto will take $40 million out of the pockets of Wisconsin farmers this year, unless Congress sees fit to override the veto, it is $40 million which, in the first place, is going to come out of the pockets of the farmers, and in the second place, out of the cash registers of the Wisconsin small-business men.

That is why I feel as strongly as I do that Congress should override the veto—and, of course, we must provide a long-term agricultural act that really works—and that to override the veto is in the great interest of the American small-business men.

In the second place, there has been some discussion, which has been very informative and helpful discussion, on whether we should provide a tax cut. I see on the floor the distinguished senior Senator from Colorado. I know that before the recess he felt very strongly that a tax cut was unwise. Many other wise people have agreed with him, including Mr. Bernard Baruch and a number of distinguished economists. Nevertheless, I believe that if we were to take any kind of consensus among economists, it would show that they generally agree that a tax cut, under present circumstances, would be the quickest way to get money into the stream of commerce, and would benefit and help not only small business but all of our economic society. At any rate, I feel that a tax cut, which would increase exemptions by $100, or preferably $200, would be translated promptly into purchasing power.

The argument against this is that, after all, much of this money is likely to be saved now; that we must create a psychology of optimism, a psychology which argues that it is desirable to spend. Otherwise, tax relief simply will end up in savings accounts in savings banks.

In that case the question is, of course, Who gets the tax relief? The fact is that almost two-thirds of the people of the Nation save practically no money. They cannot save money. They spend virtually every cent they earn. They always have followed that course. They have established the habit. Most of the people, the overwhelming majority, would not start now the habit of saving money because of a moderate tax cut.

The money received would be spent promptly. A tax cut would pump 3, 4, or 5 billion dollars into the economy directly many billions more as the money is spent and respent.

The proposal now made has the support not only of many distinguished economists, but in Wisconsin it has the support of the business community, although I must say frankly many working people and farmers feel that it would not be helpful. We realize that it will not be helpful directly to the unemployed. Many farmers do not pay income taxes, because they do not have much net income.

Nevertheless, it seems to me that it would be an overall help to the economy.

I am delighted to cite the fact that a great former President of the United States, Harry S. Truman, has just testified that this tax exemption program is the kind of program which would put money into the economy promptly.

There are other measures which I think would help the economy, although I think they would have a two-edged effect on the businessman. Increasing the unemployment compensation would undoubtedly increase the sales of small-business men, but it would also increase his taxes and costs. Nevertheless, I favor increased unemployment compensation.

I favor also increasing social security, because unquestionably it would increase spending and the sales of small-business men, although at the same time it would increase his taxes.

But there is one measure, the measure which is under discussion today, the amendment of the Senator from South Carolina, which goes to the heart of the subject; it would be an unqualified help, that is, lower interest rates. The small-business man is a debtor. He has to be. I have been in small business myself; I know. He cannot finance inventory, unless he is a very unusual businessman, without borrowing. If he is lucky enough to be a small-business man having a product which is expanding its sales, the only way in which he can expand is to borrow money; and to borrow money means he has to pay interest.

The amendment unfortunately would in part, drive up the price which the small-business man must pay for the money he desperately needs in order to expand.

The distinguished junior Senator from Iowa [Mr. MARTIN] has placed in the RECORD a questionnaire which is most revealing on the whole subject. On February 28, the junior Senator from Iowa mailed a questionnaire to every

20th householder in Iowa, a total of 40,638 questionnaires. He received replies from 5,638 persons to whom he sent the questionnaire. The results of the questionnaire were shared with the Senate by the Senator from Iowa on March 31, when he placed a tabulation of the replies in the RECORD.

I compliment the Senator from Iowa on using this method, along with many others, to go to his people for their views. I am sure he has benefited by hearing from his constituents in response to his carefully worded questions.

One question asked by the Senator from Iowa has special relevance to this debate; namely, question No. 11, which reads:

> Do you approve increasing the Federal debt to build hospitals, highways, schools, flood control projects, etc., to stimulate our economy when needed?

The answers to this question certainly are revealing. Almost 2 out of 3 who answered—62.96 percent—favored Federal projects to stimulate the economy when needed, even if it were necessary to increase the Federal debt. More than that, every category of respondent was in favor of Federal projects, even if those projects increased the debt.

The farmers were in favor, labor was in favor, businessmen were in favor, professional people were in favor, women were in favor, and even the miscellaneous people were in favor of Government projects to stimulate the economy.

The Senator from Iowa asked a series of 36 questions, many of which dealt with antirecession measures. The only antirecession proposals for which he received affirmative answers were, first, No. 11:

> Do you approve increasing the Federal debt to build hospitals, highways, schools, flood control projects, etc., to stimulate our economy when needed?

That is exactly what the measure before the Senate will do.

The second question to which an affirmative answer was received was No. 10:

> Do you approve the Federal Reserve Board's increasing the availability of credit and reducing interest rates to stimulate our economy when needed.

On that question, 7 out of 8 persons in all categories agreed that it was desirable.

For example, among the farmers, 1,010 favored reducing interest rates; only 171 replied "No."

Among business people, 315 favored reducing interest rates; only 37 said "No."

The same kind of decisive reply was received from every single category concerning the increasing of the Federal debt, if necessary, in order to build hospitals, highways, and schools, according to the replies received by the junior Senator from Iowa.

The businessmen—and, of course, they were the small-business men—who replied to the questionnaire voted more than 2 to 1 in favor of the Federal projects to stimulate the economy. In other words, the businessmen were more enthusiastic for the building of Federal projects than were the respondents as a whole.

It seems perfectly clear to me that when people favor Federal projects to stimulate the economy, even when it means increasing the Federal debt, they certainly would be even more in favor of projects which accomplish the same purpose with no cost to the Federal Government, where even the cost of administration is covered without adding to the burden of the taxpayers.

The bill as now amended provides not only no cost to the Federal Government, but also provides a handsome one-half of 1 percent profit. Before the bill was amended yesterday, it fully and adequately covered the cost of the money to the Federal Government at a rate of 3 percent. But the rate has now been increased, by the amendment, to 3½ percent. The Federal Government will make a profit out of that. The taxpayers as a whole will receive benefit from it. Unfortunately, what will happen if the amendment of the Senator from South Carolina prevails—and he did not deny it—will be that the interest rates which now prevail in the law—4⅝ percent on revenue bonds and 4⅛ percent on general obligation bonds of the Federal Government—will result in a greater profit. But the question is whether or not this proposal will be used. I submit, of course, it will not be used, because there is plenty of money now authorized to cover the kind of small-change demands which are received at 4⅝ percent and 4⅛ percent, and less than $100 million is being used now.

If we provide the so-called reasonable interest rates to be administered by the administration, which thinks that 4⅝ percent and 4⅛ percent are reasonable, the result will be that there simply will not be the kind of jobs provided which are necessary.

All these measures I have discussed would go far to save small business by spurring general economic recovery. But small-business ills are not merely of the head-cold variety; they are a continuing virus in the blood stream of the American free-enterprise system.

One of the chief difficulties has been a tax system which has worked to the disadvantage of the small firm. The narrow profit margins of the postwar period have prevented small business from accumulating the capital it needs to expand or to replace old equipment.

Therefore, I have joined in sponsoring a 7-point tax-adjustment bill. I am sure many other Senators are aware of that, because a number of them have sponsored the bill. In fact, I believe that almost one-third of the entire membership of the Senate have joined in sponsoring the bill. Its enactment has been recommended by the Select Committee on Small Business and its able chairman, the distinguished Senator from Alabama [Mr. SPARKMAN]; and I urge that the Congress pass the bill this year.

The heart of the bill is a tax deduction for earnings reinvested in the trade or business. The small firm could deduct 50 percent of the first $10,000, 30 percent of the second $10,000, and 20 percent of the third $10,000 of earnings reinvested.

Senators are familiar with the bill, and they know its advantages. There is no question that during a time of recession a very large number of small businesses simply do not make any money at all. I wish I had available at this time the statistics in that connection; but there is no question that in a period of recession, such as the present, the overwhelming majority of small businesses have incomes of less than $5,000. In fact, nearly a majority of the small businesses of the country had incomes that small during the recent period of prosperity.

Under such circumstances it is obvious that a bill such as this one, good as it is for many small businesses, simply does not help a small business which is making less than $5,000 or $6,000. In the second place, unfortunately such a bill does not help the majority of American businesses, which are not incorporated and, thus, cannot take advantage of such provisions.

I think the bill is a good one, and I favor its enactment. But if we are to help the unincorporated businesses—the proprietorships and partnerships—we must do something about the large elements of cost for small businesses; and the one element of cost on which Congress can act properly, conservatively and help everyone is the interest cost.

In addition, the bill provides for tax deductions for retirement plans of the self-employed, installment payment of estate taxes, the same depreciation allowances on used equipment which now are allowed on new equipment; and there are several other provisions.

Mr. President, speaking on the basis of my own experience, I would wager that the overwhelming majority of small businesses in the country purchase used equipment. Certainly that is true in the business with which I am particularly familiar; namely, the printing business.

The provision for depreciation allowances for new equipment, which Congress has written into the law, is of little use to the great majority of American manufacturers. I am sure that is another example of inadvertence, in connection with Congressional action, which is of benefit to big business, but is not of benefit to small business.

Mr. President, I shall do my utmost to have credit made more available to the individual entrepreneur, through the Small Business Administration or through a national capital bank.

Mr. President, the proposed legislation for small business is not a handout. Instead, it is a survival bill. Mr. President, I speak not only of the tax bill, but also of the community-facilities bill. It is not a handout bill. The tax bill still requires that small business pay a substantial tax.

How could anyone request anything more reasonable, and anything less of a subsidy, than a provision for loans to be made at a substantial profit to the Government—a profit one-half of 1 percent higher than the cost, when the cost to the Government is 2¾ percent—or at a total cost of no more than 3 percent?

Mr. President, there are many vital and important issues which the Congress is going to debate during this session. But I think the two forgotten men in our economy have been the farmer and the small-business man. I believe there has been a great deal of very constructive thought, work, effort, and publicity regarding the farm problem; and I am convinced that the Congress will give it careful consideration, and that either at this session or in the very near future the Congress will write a farm bill which really will help the farmer get back on his feet and earn an adequate income.

But even after proper provision is made for the farmers, small business—a tremendously important part of our economy—will still be neglected, forgotten, and imposed upon. Business and professional income has increased only one-third as rapidly as have the incomes of the other segments of the American economy.

Under these circumstances, Mr. President, I believe that any legislative enactment which will hold down the interest rate, and thus help keep down the costs of small business, will be of definite help to the small businesses of the United States.

However, I feel very strongly that the amendments of the distinguished Senator from South Carolina [Mr. THURMOND] unfortunately will do just exactly the opposite. It will directly increase the local taxes of small business. It will indirectly keep his interest costs high.

Mr. President, regularly the Members of Congress pay verbal tribute to small business as the foundation stone of American free enterprise. Now let us pay a real tribute by enacting meaningful legislation which will enable the small-business men to live with the giants.

Mr. President, I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

VETO OF RIVERS AND HARBORS BILL

Mr. CHAVEZ. Mr. President, the President of the United States has seen fit to veto the omnibus river, harbor, and flood control bill, S. 497, which passed the Senate and House by sizable majorities, and recently the conference report was accepted by a vote of 52 to 11 in the Senate, with a number of Senators indicating that if they were present they would vote for the bill.

The bill was very carefully considered by the Senate Subcommittee on Flood Control, Rivers, and Harbors, with the Senator from Oklahoma [Mr. KERR], the chairman of the subcommittee, devoting many days to conducting hearings and obtaining factual information on every single project which was included in the bill. Every project has been the subject of engineering studies. Therefore, the Congress has not ignored the recommendations of the executive agencies responsible for preparing engineering studies and making recommendations to the Congress. The Congress in its judgment felt that certain items of local cash contributions were not appropriate, and made certain adjustments.

The President pointed out that there are 14 projects which would cost about $168 million, and he contends that the local participation provided for in the bill does not adequately reflect the substantial benefits which would result. These projects are in Illinois, Wisconsin, New York, Alabama, Arkansas, Louisiana, Oklahoma, New Mexico, Iowa, and Florida. I have a tabulation which shows the specific projects and estimated Federal cost which, as the President points out, would amount to about $168 million.

The bill as passed by the Congress provided for a total of $66,838,000 of local contributions on the 14 projects, making a total cost of $234,518,000. The Corps of Engineers recommended a local contribution of about $87 million, which is some $20 million more than that recommended by the Congress. The Bureau of the Budget in turn recommended a local contribution in the amount of about $101 million, which is about $34 million more than that adopted by the Congress, which is about $14 million more than that recommended by the Corps of Engineers. Obviously there is not complete agreement among the executive agencies as to what should constitute an appropriate local contribution.

In view of this complete lack of agreement among the executive agencies, it is evident that there is no consistent policy of the President which would justify his statement that the bill does not "adequately reflect the substantial local benefits which would result." It is true that by adopting the recommendations of the President, as contrasted with the recommendations of the Congress, local people would be called upon to contribute a larger portion of the cost. This attitude on the part of the executive branch to continue to impose heavier cost upon local people is reflected very clearly by various directives which have been issued by the executive branch, specifically, budget circular A-47. This attitude is not reflected in the administration's recommendations for foreign aid water-development project.

In other words, circular A-47 recommends cutting down the number of local projects, but not one word is said about foreign projects. Such projects can go on without directives or without any recommendations whatsoever. They are foreign projects; they are not local projects. They do not affect the Purgatory River in the State of my friend from Colorado.

The President in his message indicated that the best test of a project is a willingness of local people to invest their own money in a joint enterprise with the Federal Government. There is no question about willingness of local people to invest their money in any of these projects, since who else pays for these projects but the taxpayers of our country? When local people would contribute as much as $67 million, with the Federal Government contributing about $168 million, there is certainly evidence that there will be a substantial contribution.

For example, in my own State of New Mexico, the Dark Canyon Floodway project at Carlsbad, N. Mex., is included in the 14 projects listed by the President. It would cost about $2½ million calling for a total local contribution of about $730,000, of which about $275,000 represented recommended cash contribution. Therefore, by eliminating the $275,000 there would still remain some $455,000 in estimated costs, in providing lands, flowage easements, and certain relocation costs, which must be taken care of by the local people. Another project in New Mexico is the Socorro project, which would cost about $3,400,000, of which $273,000 would be the local cost for lands, rights-of-way, and so forth, and include an item of about $49,000 as a cash contribution. The Congress eliminated this item of cash contribution for these two projects, which I certainly feel is quite appropriate, since, as in the case of all local flood protection projects, we have required that the local people provide rights-of-way to take care of relocation and provide for maintenance of the projects after completion. The item of cash contribution is simply an added and improper charge. I am sure this should not be included.

Navarro Mills, Tex., which had been previously authorized, was given the benefit of the policy of Congress in reducing the estimated contribution to which the President objects.

The President speaks of 4 projects costing more than $27 million on which adequate reports have not been submitted to Congress. These projects, two of which are in California, the Hedden and Buchanan Reservoirs, were the subject of an engineering report by the Corps of Engineers and were contained in a report dealing with other projects, some of which have been authorized and are under construction.

The projects had been authorized heretofore. Other projects have been started. All the committee did, which Congress approved, was to recommend continuance of the particular work. Therefore, the contention that there is no adequate report is without foundation.

Greenville Harbor, Miss., has been reported on by the Mississippi River Commission and certainly the Mississippi River Commission is equipped to make engineering investigations and recommendations.

The Gila River Basin project in Arizona is among the four, and has been the subject of a field draft report which indicates the feasibility of the project, and with only $1½ million certainly very little construction work could be completed.

The 3 projects which the President indicated would cost about $115 million

and which he states do not have economic justification are in the White River Basin, Ark. and Mo. and the Mohawk River at Rome, N. Y. Apparently, the President complained about the projects in the White River Basin because of the inclusion of power features in some of these projects. The matter of excluding power can certainly be worked out before construction is initiated.

The Presidents objects to the Federal Government making allowances for work already accomplished by local interests on La Quinta Channel, Tex. Presumably this is on the basis that local interests had proceeded with certain unauthorized work on the projects. It would seem to me that the action of the local people certainly reflects a great interest in the project and a need for such work and, therefore, the local people should be allowed credit for work which they have already done.

The President points out that a small boat harbor at Hull Creek, Va., was included in spite of the fact that adequate harbors are located nearby. In this case, it would seem to me that if the Corps of Engineers have recommended a boat harbor there certainly must be need for such a facility.

The President says that there are adequate harbors located nearby. The President says the projects should be recommended by the Army Engineers as feasible. In this instance the Army Engineers made the recommendation. The Army Engineers recommendation is all right, so long as it agrees with the contention of the executive department, but it is all wrong if it does not agree with the contention of the executive department.

It is stated, further, that there is a doubt that the local contributions can be met. If that is the case, then obviously the authorization of the project would result in no expenditure of funds.

The President objects to compensating the St. Joseph Indian School, Ft. Pierre, Chamberlain, and Eagle View, S. Dak., for damages which resulted from the construction of Oahe and Ft. Randall Reservoirs. These amounts vary from $5,000 to $210,000; and certainly there is no one more conscientious than the Senator from South Dakota [Mr. CASE] in making requests. I am very confident that with his recommendations there can be no question about fairness in payment of these claims.

I consider the Senator from South Dakota and the other Senators on the minority side who serve on the committee to be as honest, as conscientious, and as desirous of saving money for the American taxpayer as any member of the executive department.

The President objects to the part of section 205 which would provide for the inclusion without reimbursement of water storage for increasing the flow times of low water. He points out that such storage could be included without cost to the beneficiaries even though they are clearly identifiable. During the debate of the conference report on April 2, 1958, this matter was discussed by the Senator from Oklahoma [Mr. KERR], the Senator from South Dakota [Mr. CASE], and the Senator from Kentucky [Mr. COOPER]. During the colloquy on this particular subject which will be found on page 6117 of the CONGRESSIONAL RECORD of that date the Senator from South Dakota [Mr. CASE], raised this question:

> 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 nonreimburseable allocations where there are identifiable beneficiaries?

The Senator from Oklahoma [Mr. KERR], stated:

> The Senator is correct.

Therefore, it would seem quite clear that there is no intention to furnish water at no cost where there are identifiable beneficiaries.

The President speaks of 3 projects costing about $38 million which represents initial program of hurricane flood protection in tidal areas. These projects are in the New Bedford-Fairhaven and Acushnet areas of Massachusetts, Narragansett Bay, Rhode Island and Massachusetts and Texas City, Tex. These areas and many other areas around our eastern seaboard and the gulf coast have been visited by disastrous hurricanes and certainly everything that possibly can be done should be done to prevent recurrences. The President suggests that further review is required to determine the cost sharing and other implications of this program. This is certainly a new field of endeavor for the Federal Government and there may be some elements which need to be studied further. However, I do not believe that these projects should be delayed and the people of those areas left unprotected because of policy disagreements.

In conclusion, I should like to repeat that the Public Works Committees of the Senate and House considered all the projects very carefully and conscientiously recommended the policies under which the projects should be authorized and constructed. I believe that we in Congress have a responsibility for determining policy, and I do not feel that we should subordinate ourselves to the executive agencies, or be confused by their inability to reach agreement even among themselves.

Mr. President, I should like to invite the attention of Senators to some of the projects included. I give this information for the benefit of Senators from the individual States wherein the projects are located.

Mississippi River at Alton, Ill.
Port Washington Harbor, in Wisconsin.
Irondequoit Bay, in New York.
Water hyacinths.
Tombigbee River, Ala.
White River backwater area, Arkansas.
Boeuf and Tensas Rivers, Ark.
Millwood Reservoir, Oklahoma.
Pecos River at Carlsbad, N. Mex.
Rio Grande, Socorro, N. Mex.
Des Moines River, Iowa.
Kaskaskia River, Ill.
Saline River, Ill.
Hendry County, Fla.

Mr. President, I ask unanimous consent that a table containing the names of the projects, together with factual information concerning each project, be printed in the RECORD at this point as a part of my remarks.

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

S. 497

TABLE A.—*Projects involving change in local cooperation*

[In $1,000]

Project	Total cost	Federal cost in bill	Local contribution			
			Recommended by Engineers	Recommended by Budget	Amount in bill	Difference (4)−(5)
	(1)	(2)	(3)	(4)	(5)	(6)
Mississippi River at Alton, Ill.	$167.0	$101.0	$66.0	$105.0	$66.0	$39.0
Port Washington Harbor, Wis.	3,116.3	2,181.0	184.6	1,356.3	935.3	421.0
Irondequoit Bay, N. Y.	3,848.4	1,938.0	1,910.6	1,983.4	1,910.4	73.0
Water hyacinths	6,750.0	5,062.5	1,687.5	3,375.0	1,687.5	1,687.5
Tombigbee River, Ala.	21,873.2	19,711.0	7,427.8	7,427.8	2,162.2	5,265.6
White River backwater area, Arkansas	2,380.0	2,380.0		767.0		767.0
Boeuf and Tensas Rivers, Ark.	2,040.0	1,212.0	828.0	1,409.0	828.0	581.0
Millwood Reservoir, Okla. [1]	103,035.0	53,235.0	58,062.0	58,062.0	43,035.0	15,027.0
Pecos River at Carlsbad, N. Mex.	2,520.9	2,066.0	729.7	729.7	454.9	274.8
Rio Grande, Socorro, N. Mex.	3,375.7	3,152.0	273.0	273.0	223.7	49.3
Des Moines River, Iowa	44,500.0	44,500.0		4,500.0		4,500.0
Kaskaskia River, Ill. [2]	75,109.0	23,000.0	14,887.0	19,387.0	14,887.0	4,500.0
Saline River, Ill.	6,618.0	5,970.0	1,346.0	1,346.0	648.0	698.0
Hendry County, Fla.	3,172.0	3,172.0				920.0
Total	279,425.5	167,680.5	87,402.2	100,721.2	66,838.0	33,883.2

[1] See also table C. Cost allocated to water supply and power on basis of incremental cost rather than separable cost-remaining benefit method as recommended by Engineers and Bureau of the Budget. Dollar figures shown for local contribution are for water supply and enhancement contributions. Difference in cost of power not evaluated.

[2] This total cost consists of $41,585,000 for the authorized Carlyle Reservoir and levees downstream therefrom and $33,524,000 for the additional work recommended in the bill, which includes the Shelbyville Reservoir. The Bureau of the Budget considers that local contributions toward the costs of previously authorized projects proposed for modification or reauthorization in current reports should be based on current policies. Application of this criteria would increase the local cost for the authorized projects by $4,500,000.

NOTE.—Col. (1) includes costs of $6,765,000 additional for Millwood and $37,222,000 for Kaskaskia River which would not be reflected in totaling cols. (2) and (5).

TABLE B.—*Projects not fully reported on*

Project:	Total Federal cost
Buchanan Reservoir, Calif	$10,900,000
Hidden Reservoir, Calif	12,500,000
Greenville Harbor, Miss	2,530,000
Gila River Basin, Ariz	1,570,000
Total	27,500,000

TABLE C.—*Other objections*

Project	Amount	Nature of objection
White River Basin, Ark. and Mo	$57,000,000	Opposed to authorization of power features in Lone Rock Reservoir and addition of Gilbert Reservoir. Projects found not economically justified by Chief of Engineers.
Sherwood and Broken Bow Reservoirs	56,245,000	
Mohawk River at Rome, N. Y	2,069,000	Is opposed to project on basis that project is not economically justified.
Total	115,314,000	
La Quinta Channel, Tex	954,000	Objects to reimbursement for work accomplished prior to authorization of project.
Hull Creek, Va	269,800	Recommends against authorization unless local interests give assurances of local cooperation.
Millwood Reservoir, Okla	53,235,000	In addition to objection given in table A, opposes project on basis that additional features not recommended by Chief of Engineers were included in authorization.
Hendry County, Fla	3,172,000	Objects to item in bill reducing amount of local cooperation by an undetermined amount.
Missouri River damages	412,000	Not recommended by Corps of Engineers.

TABLE D.—*Hurricane projects*

Project:	Total Federal cost
New Bedford-Fairhaven and Acushnet, Mass	$15,490,000
Narragansett Bay, R. I. and Mass	16,180,000
Texas City, Tex	6,166,000
Total	37,836,000

COMMUNITY FACILITIES ACT OF 1958

The Senate resumed the consideration of 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.

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). The question is on agreeing to the amendments, en bloc, offered by the Senator from South Carolina [Mr. THURMOND].

Mr. JOHNSON of Texas. Mr. President, if no other Senators desire to address the Senate at this time, I wish to suggest the absence of a quorum, following which I believe the Senate will be prepared to vote shortly on the amendments offered by the Senator from South Carolina.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

Aiken	Curtis	Humphrey
Allott	Dirksen	Ives
Anderson	Douglas	Jackson
Beall	Dworshak	Javits
Bennett	Eastland	Jenner
Bible	Ellender	Johnson, Tex.
Bridges	Ervin	Johnston, S. C.
Bush	Flanders	Kefauver
Butler	Frear	Kennedy
Byrd	Fulbright	Kerr
Carlson	Gore	Knowland
Carroll	Green	Kuchel
Case, N. J.	Hayden	Langer
Case, S. Dak.	Hennings	Malone
Chavez	Hickenlooper	Mansfield
Church	Hill	Martin, Iowa
Clark	Hoblitzell	Martin, Pa.
Cooper	Holland	McClellan
Cotton	Hruska	McNamara
Monroney	Proxmire	Stennis
Morse	Revercomb	Symington
Morton	Robertson	Talmadge
Mundt	Russell	Thurmond
Murray	Saltonstall	Thye
Neuberger	Schoeppel	Watkins
O'Mahoney	Smathers	Wiley
Pastore	Smith, Maine	Williams
Payne	Smith, N. J.	Yarborough
Potter	Sparkman	Young

The PRESIDING OFFICER. A quorum is present. The question is on agreeing en bloc to the amendments offered by the Senator from South Carolina [Mr. THURMOND]. On this question the yeas and nays have been ordered.

Mr. FULBRIGHT. Mr. President, I have a 2-minute statement which I should like to make in order to describe what I believe would be the effect of the amendment. We are discussing two amendments which have been printed. The Senator from California had an amendment identical with the one offered by the Senator from South Carolina. These amendments would remove language which permits the agency to deny a loan if the applicant can obtain funds on "equally favorable terms or conditions." The language proposed by the amendment would permit the agency to deny a loan if the applicant can obtain funds elsewhere on reasonable terms. This amendment would permit the agency to arbitrarily determine what is reasonable and would undoubtedly result in a rejection of applications if private funds could be obtained at some rate higher than the Federal rate, whatever the Federal rate might be.

Recent experience with language of this kind caused the Congress to use the phrase "equally favorable terms and conditions" in the college housing loan program. The 83d Congress amended the college housing law to permit the agency to reject applications if private money was available upon comparable terms and conditions. The agency administered this language to reject applications if private money was available at one-quarter of 1 percent higher than the Federal rate. In 1955, the 84th Congress changed this law to permit rejection only where private funds were available on "equally favorable terms and conditions." It is reasonable to assume that if this amendment is accepted, the agency would adopt some standard of reasonableness which would cause them to reject applications if private money is available at some rate higher than the Federal rate.

Under existing law, an application can be rejected if private funds are available on reasonable terms and the agency has determined that 4⅛-percent interest on 30-year general obligation bonds is reasonable, and has determined that 4⅝-percent interest on 30-year revenue bonds is reasonable. I see no reason why it should not make the same determination again. Therefore, there would be no point at all to passing the bill.

In addition to the reasonable expectation that the amendments would be administered to minimize the use of the program, it would also cause inequities among applicants. For example, if the Federal rate happened to be 3½ percent, and if "reasonable terms and conditions" were termed to be 4 percent, applicant A would be rejected because he could obtain 4-percent money, while applicant B would get a 3½-percent loan because 4-percent private money was not available to him. I believe the amendments, if adopted, would destroy the effectiveness of the bill.

Yesterday the Senate voted to make the interest rate 3½ percent. I was not in favor of the provision, but the Senate voted to make that the interest rate. The amendment now pending before the Senate would make the rate still higher for applicants rejected under the discretionary power given to the agency.

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

Mr. FULBRIGHT. I yield.

Mr. MONRONEY. I have read in the press that the city of San Francisco through J. P. Morgan & Co. is advertising bonds carrying 2¼ or 2½ percent. It is the small communities which need help for the construction of essential facilities. If the amendment were adopted such communities would not be able to borrow money at anywhere near a reasonable rate, even at the rate of 3½ percent, because all Republican administrators seem to feel that a reasonable rate is any rate the traffic will bear, plus a 2-percent surcharge. If we expect to meet the need of small towns, we must not give the Republican administrator the power to negate or nullify the provisions of the proposed act.

Mr. FULBRIGHT. The Senator is quite right. Yesterday, the rate provided in the bill as reported was retained. The amendments of the Senator from South Carolina constitutes an attempt to raise the rate even higher. If it is proposed to whittle the bill away in this fashion, there is no point in having the bill. At present about $50 million, which has not been used, is available, because the interest rate, 4⅝ percent, is too high.

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

Mr. FULBRIGHT. I yield.

Mr. MALONE. Why was the 3½-percent rate set in the first instance?

Mr. FULBRIGHT. The Senate voted yesterday to make the rate 3½ percent. I think it should be 3 percent.

Mr. MALONE. Did that action have some relation to the interest rate which the Government pays for the money?

Mr. FULBRIGHT. It is considerably more than the interest rate which the Government pays on its obligations as a whole.

Mr. MALONE. But there was some connection, was there not?

Mr. FULBRIGHT. The formula which I advocated and offered was based upon what the Government pays plus one-fourth of 1 percent. The present rate in the bill is what the Government pays plus three-fourths of 1 percent.

Mr. MALONE. The rate of 3½ percent was thought to be a reasonable amount above what the Government pays.

Mr. FULBRIGHT. I do not think so; but the Senate thought so and overrode me.

Mr. MALONE. That is the policy which the Senate adopted.

Mr. FULBRIGHT. That is the rate in the bill at present.

Mr. MALONE. What, in the Senator's opinion, would happen if the amendment of the Senator from South Carolina were adopted?

Mr. FULBRIGHT. If the amendment were adopted, I presume that the present administration would say that a reasonable rate was 4⅝ percent for revenue bonds and 4⅛ percent for general obligation bonds.

Mr. MALONE. Then a reasonable rate would be what the money could be obtained for elsewhere.

Mr. FULBRIGHT. It would be whatever the Administrator considered reasonable. This cannot be disassociated from the officials who administer the program. That is the trouble with the amendment. It would result in treating 1 borrower in 1 way, and another borrower in another way. The Administrator could say, "This community can get money at 4 percent, which I think is reasonable." The other community might say, "I cannot get any loan at all." Then the Administrator would have to give him the 3½-percent rate.

Mr. MALONE. Then there is a definite connection. The bill provides for the lending of money to areas which are distressed or are unable to get money elsewhere at a reasonable rate. The charge for the money would be a charge to the borrower.

Mr. FULBRIGHT. Under the term "reasonable," I could not guarantee what it would be. I could only guess that it would be what the Administrator presently says is reasonable.

Mr. MALONE. At least, the Government would be repaid whatever the cost of the money was, plus at least an amount which would be adequate.

Mr. FULBRIGHT. Oh, absolutely; I think the Government would receive much more than the cost.

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

Mr. FULBRIGHT. I yield.

Mr. MANSFIELD. What does the Government charge those who borrow money for the REA?

Mr. FULBRIGHT. Two percent. I might ask, What does the Government charge for loans to foreign countries? I have just made a calculation of loans negotiated between January 1953 and January 1958. During those 5 years we have loaned more than $1.2 billion to countries outside the Western Hemisphere at interest rates of 3 percent or lower.

Mr. BUSH. Mr. President, I shall detain the Senate but a moment or two. I shall endeavor to make a short rebuttal to what has been said in opposition to the amendment.

Under the bill as it is at present, the interest rate would be, according to the information I get from the Senator from Arkansas—and I do not dispute it—approximately 3½ percent. Under the terms of the bill, if a borrower says he cannot borrow money at 3½ percent, the Administrator must lend it to him, because the terms of the bill speak of equally favorable terms and conditions.

The amendment assumes that the Administrator has some intelligence and discretion. He does not have to lend if the credit is available elsewhere on reasonable terms. For instance, if the going rate is 3½ percent, but a community can borrow at 3¾ percent, the Administrator might determine that that was a reasonable rate for such credit; therefore, he would not be obliged to lend money of the United States Government at 3½ percent. He could say, "No; you must go into the open market and borrow at 3¾ percent, because that is a reasonable rate for the type of credit available to you."

It seems to me that in this period, when every dollar which is advanced or loaned by the Administrator must be taken from the Federal Treasury, or go into the deficit, the bill without the amendment will add to the deficit, unquestionably, and therefore be highly inflationary.

It seems to me that the Administrator should be given some authority to use his discretion as to whether loans may be obtained elsewhere on reasonable terms. That is the whole issue as it affects the amendment offered by the Senator from South Carolina.

A vote for the amendment is a vote against inflation. Those who vote against the amendment will simply say, "We want the Federal Government to lend money." If the amendment is not adopted, the bill will add to the deficit which we have in prospect for fiscal 1959. For that reason, I hope the Senate will support the amendment.

SEVERAL SENATORS. Vote! Vote!

Mr. THURMOND. Mr. President, I shall take but a moment or two. The purpose of the amendment is to keep the Federal Government out of the lending business, if the political subdivisions of the States can obtain loans on reasonable terms elsewhere. If they find it impossible to obtain loans on reasonable terms elsewhere, then they can borrow under the bill. The amendment simply prevents the Federal Government from going into the lending business when the political subdivisions can obtain reasonable rates elsewhere. That is the purpose of the amendment. It will keep the Government from becoming a tremendously big banker in dealing with States and political subdivisions of States, if they can get the money at reasonable rates elsewhere.

Mr. KNOWLAND. Mr. President, I support the amendment offered by the Senator from South Carolina. I believe it is a perfectly sound amendment. I think what should be done is to encourage the communities to operate in the open market whenever that is possible.

I think the amendment gives the Administrator some discretion. Considering the condition of the Federal Treasury, communities should certainly be encouraged to borrow elsewhere if that is possible.

As the Senator from Connecticut [Mr. BUSH] has pointed out, under the provisions now in the bill, even if a community can get money at 3¾ percent or 4 percent, the Federal Government will be required to make a loan at 3½ percent.

It seems to me this is a sound amendment, one in keeping with the fiscal conditions of the Federal Treasury.

The PRESIDING OFFICER. The question is on agreeing en bloc to the amendments of the Senator from South Carolina [Mr. THURMOND]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FREAR (when his name was called). On this vote, I have a pair with the junior Senator from Louisiana [Mr. LONG]. If the junior Senator from Louisiana were present, he would vote "nay." If I were at liberty to vote, I would vote "yea."

I withhold my vote.

The legislative clerk resumed and concluded the call of the roll.

Mr. MANSFIELD. I announce that the Senator from Ohio [Mr. LAUSCHE], the Senator from Louisiana [Mr. LONG], and the Senator from Washington [Mr. MAGNUSON] are absent on official business.

The Senator from North Carolina [Mr. SCOTT] is absent because of illness.

On this vote the Senator from Washington [Mr. MAGNUSON] is paired with the Senator from Arizona [Mr. GOLDWATER]. If present and voting, the Senator from Washington would vote "nay" and the Senator from Arizona would vote "yea."

Mr. DIRKSEN. I announce that the Senator from Indiana [Mr. CAPEHART] is absent because of illness.

The Senator from Connecticut [Mr. PURTELL] is absent on official business.

The Senator from Ohio [Mr. BRICKER] and the Senator from Arizona [Mr. GOLDWATER] are necessarily absent.

The Senator from Wyoming [Mr. BARRETT] is detained on official business.

If present and voting, the Senator from Wyoming [Mr. BARRETT], the Senator from Ohio [Mr. BRICKER], and the Senator from Connecticut [Mr. PURTELL] would each vote "yea."

The Senator from Arizona [Mr. GOLDWATER] is paired with the Senator from Washington [Mr. MAGNUSON]. If present and voting the Senator from Ari-

zona would vote "yea" and the Senator from Washington would vote "nay."

The result was announced—yeas 33, nays 53, as follows:

YEAS—33

Allott	Dworshak	Mundt
Bennett	Flanders	Potter
Bridges	Hickenlooper	Robertson
Bush	Hoblitzell	Saltonstall
Butler	Hruska	Schoeppel
Byrd	Jenner	Smith, N. J.
Carlson	Knowland	Thurmond
Case, S. Dak.	Kuchel	Watkins
Cotton	Martin, Iowa	Wiley
Curtis	Martin, Pa.	Williams
Dirksen	Morton	Young

NAYS—53

Aiken	Hennings	Morse
Anderson	Hill	Murray
Beall	Holland	Neuberger
Bible	Humphrey	O'Mahoney
Carroll	Ives	Pastore
Case, N. J.	Jackson	Payne
Chavez	Javits	Proxmire
Church	Johnson, Tex.	Revercomb
Clark	Johnston, S. C.	Russell
Cooper	Kefauver	Smathers
Douglas	Kennedy	Smith, Maine
Eastland	Kerr	Sparkman
Ellender	Langer	Stennis
Ervin	Malone	Symington
Fulbright	Mansfield	Talmadge
Gore	McClellan	Thye
Green	McNamara	Yarborough
Hayden	Monroney	

NOT VOTING—10

Barrett	Goldwater	Purtell
Bricker	Lausche	Scott
Capehart	Long	
Frear	Magnuson	

So Mr. THURMOND's amendments were rejected.

Mr. SPARKMAN. Mr. President, I move that the vote by which the amendments were rejected be reconsidered.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table.

The motion to lay on the table was agreed to.

Mr. BUSH. Mr. President, I call up my amendments designated 4-15-58-F. I may say to Senators I think we can dispose of the amendments rather quickly. I shall speak on the amendments very briefly. They are very simple, and very clear.

The PRESIDING OFFICER. The amendments of the Senator from Connecticut will be stated.

The CHIEF CLERK. It is proposed on page 5, line 23, to strike out "$1,000,000,000" and to insert in lieu thereof "$500,000,000."

On page 7, line 10, it is proposed to strike out "$400,000,000" and to insert in lieu thereof "$200,000,000."

Mr. BUSH. Mr. President, I ask for the yeas and nays on the amendments.

The yeas and nays were ordered.

Mr. BUSH. The purpose of the amendments is to reduce the authorization in the bill from $1 billion to $500 million.

My reason for offering the amendments is that, judging by the experience under existing legislation, there seems to be no necessity for such a large authorization.

Mr. President, the bill before the Senate has been forced into the Senate on the basis that it is an antirecession measure. The Senate has before it no evidence that it is an antirecession measure whatever. There is no evidence that, if the bill were enacted, any of the money loaned for the purposes for which it would be borrowed would ever be put to work for a period of months in the future, and probably some of the money would not be used to provide jobs even late this year or early next year.

Furthermore, there is little evidence that the additional credit, which under the bill would be provided by the United States Government, is necessary. There is no evidence that as much as $1 billion could possibly be used for such purposes. Therefore, I think the amount authorized should be reduced at least to $500 million.

I repeat what I said respecting the previous amendment. What is proposed is straight deficit financing. The amount which will be voted for in the bill by way of authorization, and which will be borrowed by eligible borrowers, will simply add to the deficit we certainly face in the coming fiscal year.

I believe that is one of the chief objections to the bill, and it seems to me that is a reason in favor of cutting down the authorization from $1 billion to $500 million.

I believe the amendments which I have offered on the floor were offered by the distinguished Senator from Virginia [Mr. ROBERTSON] in committee, and the vote against the amendments was very close. They were rejected by a vote of 8 to 7. The vote could not have been any closer. So I urge the Senate to support the amendments and cut the authorization from $1 billion to $500 million.

Mr. FULBRIGHT. Mr. President, I shall not debate the amendments except to state there is good evidence in the record that many projects could be gotten under way within 60 days if money were available. We had evidence to that effect. The reason why a number of projects have not gotten under way is that the present interest rate is too high. The present interest rate is 4⅝ percent, and most of the communities cannot pay such a high interest rate. The bill carries in it provision for an interest rate of 3½ percent. I think that is a reasonable rate. If the bill is to be passed, I think $1 billion is a reasonable amount. The amount of the authorization has already been reduced from $2 billion to $1 billion. The proposal is simply an effort to emasculate the bill so there will be no legislation at all.

The PRESIDING OFFICER. Without objection, the amendments offered by the Senator from Connecticut [Mr. BUSH] will be considered en bloc. The question is on agreeing to the amendments of the Senator from Connecticut. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Ohio [Mr. LAUSCHE], the Senator from Louisiana [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], and the Senator from Virginia [Mr. ROBERTSON] are absent on official business.

The Senator from North Carolina [Mr. SCOTT] is absent because of illness.

On this vote the Senator from Washington [Mr. MAGNUSON] is paired with the Senator from Arizona [Mr. GOLDWATER]. If present and voting, the Senator from Washington would vote "nay" and the Senator from Arizona would vote "yea."

The Senator from Louisiana [Mr. LONG] is paired with the Senator from Virginia [Mr. ROBERTSON]. If present and voting, the Senator from Louisiana would vote "nay" and the Senator from Virginia would vote "yea."

Mr. DIRKSEN. I announce that the Senator from Indiana [Mr. CAPEHART] is absent because of illness.

The Senator from Connecticut [Mr. PURTELL] is absent on official business.

The Senator from Ohio [Mr. BRICKER] and the Senator from Arizona [Mr. GOLDWATER] are necessarily absent.

The Senator from Wyoming [Mr. BARRETT] and the Senator from New Hampshire [Mr. BRIDGES] are detained on official business.

If present and voting, the Senator from Ohio [Mr. BRICKER], the Senator from New Hampshire [Mr. BRIDGES], and the Senator from Connecticut [Mr. PURTELL] would each vote "yea."

The Senator from Arizona [Mr. GOLDWATER], is paired with the Senator from Washington [Mr. MAGNUSON]. If present and voting, the Senator from Arizona would vote "yea" and the Senator from Washington would vote "nay."

The result was announced—yeas 33, nays 52, as follows:

YEAS—33

Aiken	Dirksen	Martin, Pa.
Allott	Dworshak	Morton
Beall	Flanders	Mundt
Bennett	Hickenlooper	Saltonstall
Bush	Hoblitzell	Schoeppel
Butler	Hruska	Smith, Maine
Byrd	Ives	Smith, N. J.
Carlson	Jenner	Thurmond
Case, S. Dak.	Knowland	Watkins
Cotton	Kuchel	Wiley
Curtis	Martin, Iowa	Williams

NAYS—52

Anderson	Hill	Neuberger
Bible	Holland	O'Mahoney
Carroll	Humphrey	Pastore
Case, N. J.	Jackson	Payne
Chavez	Javits	Potter
Church	Johnson, Tex.	Proxmire
Clark	Johnston, S. C.	Revercomb
Cooper	Kefauver	Russell
Douglas	Kennedy	Smathers
Eastland	Kerr	Sparkman
Ellender	Langer	Stennis
Ervin	Malone	Symington
Frear	Mansfield	Talmadge
Fulbright	McClellan	Thye
Gore	McNamara	Yarborough
Green	Monroney	Young
Hayden	Morse	
Hennings	Murray	

NOT VOTING—11

Barrett	Goldwater	Purtell
Bricker	Lausche	Robertson
Bridges	Long	Scott
Capehart	Magnuson	

So Mr. BUSH's amendments were rejected.

Mr. FULBRIGHT. Mr. President, I move that the vote by which the Bush amendments were rejected be reconsidered.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The motion to reconsider was laid on the table.

Mr. WATKINS. Mr. President, I offer the amendments which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendments will be stated.

The CHIEF CLERK. On page 3, line 6, it is proposed to strike out the period and insert in lieu thereof a semicolon and the following: "and to purchase the securities and obligations of, or to make loans to, nonprofit hospitals to finance specific projects."

On page 4, line 14, it is proposed to strike out the period and insert in lieu thereof a comma and the following: "and by the then current urgency of the need for construction, repair, or employment of nonprofit hospitals."

On page 5, after line 17, it is proposed to insert the following:

(6) No financial assistance shall be extended under this section for the construction, repair, or improvement of any public or nonprofit hospital involving an increase in the number of beds, or for the construction of any public health center, unless the Surgeon General of the Public Health Service finds, and certifies to the Administrator, that the project is in conformity with the applicable State plan approved under section 623 of the Public Health Service Act (42 U. S. C. 291f).

On page 8, line 13, it is proposed to strike out the quotation marks.

On page 8, after line 13, it is proposed to insert the following:

(c) As used in this title the terms "hospital", "nonprofit hospital", and "public health center" have the same meaning that they have in title VI of the Public Health Service Act (42 U. S. C., ch. 6A, subch. IV).

The PRESIDING OFFICER. The Chair inquires of the Senator from Utah whether or not he wishes to have the amendments considered en bloc.

Mr. WATKINS. I ask to have them considered en bloc.

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

Mr. WATKINS. Mr. President, I wish to offer an additional amendment to make effective the amendments which have been stated, and I ask unanimous consent that it be considered in connection with the other amendments.

The PRESIDING OFFICER. Without objection, it is so ordered. The amendment offered by the Senator from Utah will be stated.

The CHIEF CLERK. On page 2, after line 20, it is proposed to insert the following:

The foregoing declaration of policy and findings applies equally in the case of nonprofit hospitals, and it is likewise the purpose of this title to authorize the extension of credit to assist in the provision of those facilities.

The PRESIDING OFFICER. Without objection, the amendments will be considered en bloc.

Mr. WATKINS. Mr. President, I think these are very important amendments.

The effect of the amendments which I have proposed to S. 3497 would be to make nonprofit private hospitals equally eligible with public hospitals for loans as set forth presently in the bill. The reasons that may be given in the case of public hospitals apply with like force to the nonprofit private hospitals.

These reasons, in part, include the following:

First, the nonprofit hospitals render services to our people as do the public hospitals. I am advised that in most States they carry as large a share of the load as do the public hospitals, if not a larger share. In my State I believe they carry considerably more of the load of taking care of the ill than do the public hospitals. Largely, they are community institutions, financed and supported in the main by their communities. We have in the Hill-Burton Act already evidenced Congressional recognition of their equal importance.

Moreover, both the nonprofit and the public hospitals are at the center of our entire system of institutional care for the seriously ill.

Both, likewise, carry large burdens in the provision of care for those persons who find themselves unable to pay.

Another point is that if the private nonprofit hospitals did not exist, then surely State and local governments would have had to build public hospitals to perform those services now provided by the nonprofit institutions.

We have also heard this bill, S. 3497, referred to and described as an "antirecession measure." I should like to note that normally the nonprofit hospitals find a greater measure of difficulty in borrowing from private sources and are compelled to pay higher rates of interest than the public institutions.

In the case of hospitals the rate of interest charged will determine largely the use which will be made of the program. As a rule-of-thumb index it may be noted that for each 1 percent gain in the interest rate a 50-to-75-cent-per-day addition applies to patients' costs individually. Thus a long-term low-interest-rate provision can find expression in workable terms.

For example, if the rate made available is 3.5 percent, and the hospital getting favorable consideration for the loan does not have to go into a normal market—and I am told in my State that means paying out now about 5 or 5.5 percent—then the hospital administration is in a safe position to go ahead with much needed improvements. Basically, that is all that is intended by my amendments to the bill.

The amendment that I have just proposed has the full support, among others, of the American Hospital Association and the Utah State Hospital Association.

In proposing this amendment I should like briefly to note that there is much in this particular bill with which I am not in accord. I hope we can improve it.

Also, if my action in this instance is not effective, I hope that the policy here expressed may find its way into other legislation now being considered.

The case of the private nonprofit hospital is urgent.

If our private hospitals need assistance under such a program as S. 3497 envisions then certainly so do our nonprofit private hospitals.

In this particular regard they may well deserve to be treated alike.

Mr. President, I hope the Senate will vote favorably on my amendments.

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. WATKINS. I yield to the Senator from North Dakota.

Mr. LANGER. Is it not true that under the terms of the Senator's amendments private hospitals would be able to enlarge their capacity?

Mr. WATKINS. That is true. In my own State a private nonprofit hospital is now attempting to enlarge its capacity. It is doing a good job, but it needs to borrow money at a lower rate of interest than 5 or 5½ percent. It could do so under the terms of the bill.

Mr. LANGER. A similar situation exists in my State and in some of the neighboring States. I am very glad the Senator has offered the amendments, and I hope they will be adopted.

Mr. WATKINS. I was hopeful that the chairman of the committee would be willing to accept the amendments. It seems to me that it would be a difficult thing to say to the private nonprofit hospital, "You can carry the load; you can borrow money at whatever rate you can get it for in the market," and, at the same time, to say to the public hospital, which is carrying a much smaller share of the load, "You can borrow at a cheaper rate."

That is the effect which refusal to accept my amendments would have if the bill should pass.

Mr. President, I should like to have the attention of the Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, I was going to say a few words, if the Senator from Utah has concluded his remarks.

Mr. WATKINS. I yield the floor.

Mr. FULBRIGHT. Of course I am very sympathetic toward the objective of the amendment. However, I should like to remind the Senate that we already have in existence a very important special program in this field, which serves private and public institutions, under the Hill-Burton Act. That act is considered every year by the appropriate committee. It is a grant program. If the chairman of the Committee on Labor and Public Welfare is quite satisfied with the amendment, I am willing to go along. Our committee has given no consideration to the matter. The first I have heard of it was just a few minutes ago. I do not know all the ramifications. However, if those who are expert in the field, on the Committee on Labor and Public Welfare, feel that the amendment would be an asset to the hospital program, that is another matter. However, I wish to remind Senators that there is in existence now a grant program which has served the country very well.

If we add this amendment without proper consideration by a committee, and it has the effect of preventing the appropriation of funds under the Hill-Burton Act, and turns that program into a lending program, providing for 3½ percent interest, which is a very high interest rate, many Senators may live to regret their action in that regard.

I am not at all sure that it would benefit the hospitals; to the contrary, it

might injure them. I believe it is very dangerous to accept such an amendment on the floor of the Senate without its first being considered, with a full opportunity to explore all its ramifications.

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

Mr. FULBRIGHT. I yield to the chairman of the Committee on Labor and Public Welfare.

Mr. HILL. Was this matter considered by the Senator's committee?

Mr. FULBRIGHT. The amendment was not before our committee. The first I heard of it was today. I discussed it with the Senator from Utah, and I suggested that perhaps he might not offer it because of lack of consideration of it on the part of any committee, and a lack of an understanding of all of its ramifications.

Mr. HILL. I will say that the first knowledge I had of it was just a few minutes ago, when the Senator from Utah offered it.

Mr. WATKINS. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. HILL. I will say to the distinguished Senator that since his committee has not been able to give the matter any consideration——

Mr. FULBRIGHT. That is correct.

Mr. HILL. And has not had an opportunity to do so——

Mr. FULBRIGHT. That is correct.

Mr. HILL. We have had no opportunity to give it any consideration, because I knew nothing of the amendment until a few minutes ago, when the distinguished Senator from Utah offered the amendment, and I would not want to see anything done which would affect the grant program. It has worked very well, indeed, in the construction of hospitals. I would not want to see the grant program converted into a loan program.

I would be glad to consider any amendment the Senator wishes to submit, and the Committee on Labor and Public Welfare would be perfectly willing to consider such an amendment. That is the committee which handles hospital legislation as well as other health legislation. Certainly, we would be very happy to consider it very carefully and thoroughly. However, without having an opportunity to carefully examine the amendment and its provisions I cannot favor the Senator's amendment.

Mr. FULBRIGHT. I thank the Senator.

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

Mr. FULBRIGHT. I yield to the Senator from Utah.

Mr. WATKINS. Is it not a fact that the Senator's committee considered the subject of hospitals when the pending bill was before the committee? Is that not one of the public facilities the committee took into consideration?

Mr. FULBRIGHT. Public hospitals are eligible. However, the Senator from Utah is asking us to extend the program to the private hospital field. I am certainly in favor of aiding private hospitals, as I am in favor of aiding private schools. However, I would not wish to extend this program to private schools, and it is not being extended to private schools. We have a program which involves college housing, under the housing bill.

At any rate, I believe the amendment should be properly considered by a committee before it is added to a bill. I would also point out that the subject of dormitories for student nurses and interns will be considered by our housing subcommittee under the chairmanship of the Senator from Alabama [Mr. SPARKMAN].

I believe this amendment confronts us with a rather important change of policy. I would not like to see the Hill-Burton Act converted into a lending program.

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

Mr. FULBRIGHT. I yield.

Mr. WATKINS. Is it not a fact that the Hill-Burton program cannot apply in these instances? Does the Senator want us to say, if nonprofit hospitals are willing to pay for the construction of certain facilities, that they should not be permitted to do so? Are we going to say to them, "You must take a grant; you cannot get a loan"? Is that not the effect of what the Senator is arguing now?

Mr. FULBRIGHT. I am sympathetic with the purpose of the amendment, and if a proper bill were introduced and it received the proper consideration by the appropriate committee, I would probably support it. I am not at all sure what the effect of his amendment would be with reference to the other program. I have asked the chairman of the Committee on Labor and Public Welfare, who certainly has much more knowledge of these matters than I have, and he has expressed his opinion. That is about all I have to say on the subject. I believe it might be a very dangerous thing to extend the pending bill into the other field.

Mr. WATKINS. I have in mind a specific case, in which the Hill-Burton program would not provide enough money to take care of the construction. It involves a hospital in my State. It wishes to do some building right away. They are willing to borrow the money, but the high interest rate makes it very difficult for them to borrow the money.

Mr. FULBRIGHT. I understand the Senator is referring to a private institution. Is that correct?

Mr. WATKINS. It is a private institution. It is serving the public even better than some of the public institutions in my State. It is a very excellent hospital, but it is having difficulty in borrowing the money it needs, at a low enough rate of interest, to make it feasible for it to go ahead with its construction. Are they to be denied, even though they have the initiative to go ahead and are willing to go ahead and borrow the money, and are they to be forced to get the money under the Hill-Burton Act? Why should they not be permitted to borrow the money so that they may continue to work in the interest of the public?

Mr. FULBRIGHT. All I can say is that I have sympathy for the Senator's amendment. If he were to present a bill of that kind to the committee, and we would have an opportunity to examine it, and find out what the effect of it would be, and how much would be involved, I would probably have no objection to it. Nevertheless I believe it may be dangerous to accept this kind of amendment without first giving it some consideration in committee. The Senator did not offer it to me or to the committee prior to today. He will have other opportunities, and he can still submit it to the appropriate committee, the Committee on Labor and Public Welfare.

Mr. WATKINS. This does not apply to the housing bill. It involves a facility for the people. It is a hospital program, and it is a better facility than some of the public facilities. These private groups are doing a better job, generally speaking.

Mr. FULBRIGHT. This whole program is under the jurisdiction of the Housing and Home Finance Agency.

Mr. WATKINS. That does not make it a housing proposition. A hospital is more than a house, as we who have been in a hospital understand. It seems to me that it would be very unfair and unjust and unsound policy to say to these private institutions: "We will give you the money, to a limited extent, but we will not let you borrow money under the terms of this bill. We know you are doing a very good job, but we are going to discriminate against you. The public institutions can borrow this Federal money, but you cannot do it on those same terms."

If the Senate wants to go on record in such a situation, then I believe it ought to go on record, and in that connection I ask for the yeas and nays on amendment.

Mr. FULBRIGHT. Just before that question is put, I remind the Senator that he has already voted to raise the interest rate and to cut the available money in half.

Mr. WATKINS. I have not raised the rate to 5 or 5½ percent. All I want to provide is that borrowers must pay what the United States must pay; that is all. The people I have in mind are willing to go along with that kind of program. If we are going to have this kind of bill, let us make it a better one by helping people who are doing a better job than is being done by public institutions.

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

Mr. FULBRIGHT. I yield.

Mr. IVES. I should like to ask the Senator from Utah a question.

Mr. FULBRIGHT. I yield for that purpose.

Mr. IVES. Does the amendment involve a loan directly to the hospital?

Mr. WATKINS. Yes; it would be made directly to the hospital as an institution.

Mr. IVES. As an institution?

Mr. WATKINS. That is correct.

Mr. AIKEN. Mr. President, I wish to say that I can think or no more worthy use of Government loans than in the construction or improvement of community hospitals. Such hospitals are, in the main and technically, private hospitals. In many cases towns and communities are not authorized by law to operate a

public hospital, and they therefore have to have private hospitals.

Nevertheless, they are nonprofit institutions serving a public purpose. Today there is a great need for hospital facilities throughout the country. I think hospitals certainly should be included in the list of institutions which can borrow under the Community Facilities Act.

I have been a strong supporter of the Hill-Burton Act ever since the day it was passed, and even before it was passed. I shall continue to be a supporter of it. I hope Congress will continue to authorize and appropriate adequate sums to forward the Hill-Burton program as it has been operated in the past.

Nevertheless, there are communities, as has been pointed out by the Senator from Utah, in which the need for hospital facilities is very great, but the communities cannot qualify under the Hill-Burton Act. Therefore, it seems to me that Congress would be grossly negligent to exclude one of the most needed institutions from the benefits of the community facilities bill, when and if it becomes law.

I strongly support the amendment of the Senator from Utah. I do not want it to be said that I voted against including hospitals among the beneficiaries of the proposed legislation.

Mr. IVES. Mr. President, so far as I have been able to observe, there is no conflict whatever between what is proposed in the amendment and the provisions of the Hill-Burton Act. The amendment simply modifies the procedure. It is an amplification of the process. It is a complementary undertaking. I think the proposal will be very useful, as the Senator from Utah has pointed out, in situations where hospitals desperately need assistance.

The money provided under the Hill-Barton Act is not sufficient. No damage whatsoever will be done to the Hill-Burton Act if the amendment is adopted. Since the measure is a community-facilities bill, the amendment to provide for assistance to hospitals properly belongs in the bill.

I do not see how anyone can be for the bill and object to such an amendment as is offered. I hope the amendment will prevail.

Mr. LANGER. Mr. President, I call attention to the fact that under the present system Indians are being cared for in private hospitals in places where the public hospitals cannot take them. At Devils Lake, N. Dak., 20 percent of the hospital patients are Indians. I am certain the distinguished Senator from Utah, who is familiar with the conditions of the Indians, is aware of that situation.

Mr. ALLOTT. Mr. President, at this hour the probabilities are that the bill will be passed, including the billion dollars for the communities.

I compliment the Senator from Utah on the great humanitarian heart which causes him to think in terms of including hospitals in the facilities named in the bill.

We who are familiar with the hospital facilities in our communities know that they are strained to the utmost, and that those which need the most help are the private hospitals.

I join with the Senator from Utah in his amendment. More than that, I commend him for having the foresight to recognize this great need.

Mr. MORSE. Mr. President, I had not heard anything about the amendment until the Senator from Utah offered it; but it seems to me that when we can reach such quick agreement, as most of us can, on the principle and the high idealism of the Senator's objective, it should be possible to work out in conference, if there are any difficulties about it, any problems which may develop.

I think it is always very sound legislative process to try to translate into legislation an ideal such as the Senator from Utah has in mind. I intend to support his amendment.

Mr. WATKINS. I thank the Senator from Oregon.

The question was raised whether or not we should go into other fields besides those which are mentioned in the bill. We are not really going into other fields. The bill already covers public hospitals. We shall merely be giving some aid and a cheaper interest rate to other hospitals serving the public. In effect, we will be permitting the borrowing of money by hospital organizations which do not have the same kind of security which tax-supported institutions have. So that argument, I think, is not effective in this case at all. Let me repeat we are not going into a new field. Hospitals must have been contemplated when the committee was considering the bill.

This is not something entirely new; it simply involves the question whether we shall take into consideration the needs of the private institutions which today are carrying heavy public burdens. It will not be very encouraging to them if we reject this amendment, while they are trying desperately to take care of the public needs and are continuing to do the superb work they have always done in the past.

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

Mr. WATKINS. I yield.

Mr. THYE. I am in complete support of the Senator's amendment. I think the objective sought is a most worthy one, because it will improve the facilities of the hospitals if we make it possible for them to obtain Government loans.

Mr. WATKINS. In many communities there has been a great increase in population. The private institutions are in desperate straits in their efforts to take care of the increased load which they have been called upon to bear.

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

Mr. WATKINS. I yield.

Mr. JOHNSON of Texas. I have spoken several times to the distinguished Senator from Utah about the amendment. I have great sympathy for the purpose of the amendment.

I have talked with the distinguished chairman of the Committee on Banking and Currency and the distinguished chairman of the Committee on Labor and Public Welfare.

If the Senator from Utah will yield to the chairman of the Committee on Public Welfare for a few questions and will answer them, I express the hope that the Committee on Banking and Currency will see the wisdom of accepting the amendment as a part of the bill.

Mr. WATKINS. I shall be glad to yield to the Senator from Alabama in a moment, after I have yielded to the Senator from New Jersey.

Mr. CASE of New Jersey. I thank the Senator from Utah for yielding to me. I have asked him to yield only to permit me to express my complete agreement with everything he has said. I commend him for his thoughtfulness, and I suggest that it would be a little incongruous for us to provide assistance to various kinds of community facilities, worthy as they are, but to neglect one class of facilities which, in every community I know about, has a greater need than all the others combined.

Mr. WATKINS. I thank the Senator from New Jersey for his observations. Now I yield to the Senator from Alabama.

Mr. HILL. As I said previously, I knew nothing about the Senator's amendment and had no opportunity to examine the subject matter of it previous to its being offered. I have now examined the amendment, and I wish to ask the Senator a few questions.

As I understand the amendment after reading it, before any loan can be made the Surgeon General of the Public Health Service, the official of the Federal Government responsible for the administration of the Hill-Burton Act, must find and certify that the project is in conformity with the applicable State plan. That is the plan provided for in the Hill-Burton Act and required in each State receiving grants under the act. Is that correct?

Mr. WATKINS. That is correct. On page 1, line 10, the amendment reads:

> No financial assistance shall be extended under this section for the construction, repair, or improvement of any public or nonprofit hospital involving an increase in the number of beds, or for the construction of any public health center, unless the Surgeon General of the Public Health Service finds, and certifies to the Administrator, that the project is in conformity with the applicable State plan approved under section 623 of the Public Health Service Act.

I think that takes care of the matter. That is the intent.

Mr. HILL. Is it the Senator's opinion that before any loan can be made to a hospital, the hospital will have to be in the State plan and be so certified by the Surgeon General of the Public Health Service to the Administrator of the Community Facilities Administration of the Housing and Home Finance Agency?

Mr. WATKINS. I think that is correct.

Mr. HILL. So any hospital for which a loan would be made would conform to the plan of the State in which the hospital is to be constructed.

Mr. WATKINS. That is correct.

Mr. HILL. As I said, I did not know about the Senator's amendment and had no opportunity to read it until now. But after my careful reading of the amendment and after listening to the explanation given by the Senator, I do not object to it, because I realize that the bill will have to go to the House of Representatives,

where the matter can be more fully considered than it can be in the Senate this afternoon. In the House the bill will be referred to a committee, which will hear witnesses, take testimony, and then carefully consider all matters covered by the measure.

Mr. WATKINS. I thank the Senator from Alabama for his comments.

Mr. JOHNSON of Texas. I express the hope that the Senator from Arkansas, who is the chairman of the Committee on Banking and Currency, will accept the amendment, and let the Senate proceed to the consideration of the Bush amendment, because it is desired to recess as early as possible, under circumstances which I shall explain later.

Mr. FULBRIGHT. Mr. President, in view of the statement of the Senator from Alabama [Mr. HILL], the chairman of the Committee on Labor and Public Welfare, and one of the authors of the Hill-Burton Act, I certainly am willing to take the amendments to conference, because my principal concern has been regarding the effect the amendments might have on the Hill-Burton Act, which has had such good results.

Mr. NEUBERGER. Mr. President, will the Senator from Utah yield to me?

The PRESIDING OFFICER (Mr. CHURCH in the chair). Does the Senator from Utah yield to the Senator from Oregon?

Mr. WATKINS. I yield.

Mr. NEUBERGER. Mr. President, let me say, very briefly, that I commend the distinguished Senator from Utah for submitting the amendments. They have the worthy purpose of assisting nonprofit hospitals to care for their patients.

If a yea-and-nay vote were taken on the question of agreeing to the amendments of the Senator from Utah, I would vote in favor of them, and would be so recorded. Inasmuch as a yea-and-nay vote will not be taken, let me announce that when a voice vote is taken on the question of agreeing to the amendments, I shall vote in favor of their adoption.

Mr. WATKINS. I thank the Senator from Oregon.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Without objection, the amendment offered by the Senator from Utah [Mr. WATKINS] is agreed to.

Mr. BUSH. Mr. President, I call up my amendment which is identified as "4-15-58-H," and ask that it be stated.

The PRESIDING OFFICER. The amendment of the Senator from Connecticut will be stated.

The CHIEF CLERK. On page 5, after line 17, it is proposed to add the following new subparagraph:

(6) At least 50 percent of the funds authorized under this title shall be used solely for the purpose of financing the construction of public elementary and secondary school buildings.

Mr. BUSH. Mr. President, I think the amendment speaks for itself, and needs virtually no explanation.

The amendment simply provides that 50 percent of amount authorized shall be set aside for the exclusive use of loans to finance the construction of public elementary and secondary school buildings.

I believe Congress has sadly neglected this subject, both last year and this year.

Several years ago the so-called Presidential Committee on Elementary Education was appointed. Its investigations disclosed that at that time there was a very substantial deficit of classrooms. I believe that even at the present time the deficit is measured by the Department of Health, Education, and Welfare in terms of approximately 40,000 classrooms.

The administration has sent to the Congress on at least two occasions a bill which called for authorization of an appropriation of $300 million a year, for each of 4 years, for the purpose of rendering to the States assistance in connection with the construction of classrooms and public schools. But no bill of that sort has ever been reported to the Senate by the appropriate Senate committee.

Last year a similar bill was defeated in the House of Representatives by a very narrow margin.

Therefore, Mr. President, in view of the hearings the Johnson preparedness subcommittee held—which heard witnesses such as Dr. Teller and Dr. Vannevar Bush state that one of the chief reasons why the United States is "behind the 8 ball" in connection with scientific developments is the deficiency in elementary and secondary school education in the United States—I believe we should proceed to take steps to remedy that situation.

Mr. President, we can very easily provide that a substantial proportion—I propose that it be 50 percent—of the pending authorization shall be set aside for the construction of public-school buildings.

Our country is facing a critical situation with regard to public-school education; and that situation has developed as a result of the deficit in the number of classrooms available for education.

The pending bill contains provision for loans for the construction of sidewalks, parkways, parking lots, public refuse and garbage disposal facilities, and sewage and sanitary facilities. But, Mr. President, it seems to me that such facilities are not nearly so important as are facilities for public-school education.

Therefore, the adoption of the amendment will greatly fortify the bill, which then will serve a much greater public need and a much greater national need than would be the case in the absence of a reservation of this sort.

The Committee on Labor and Public Welfare has, as I have stated, not reported to the Senate a bill on this subject. This amendment provides the Senate with an opportunity to express its views regarding the rendering of assistance for the construction of classrooms. The pending bill provides for loans, instead of grants, whereas the administration's bill called for grants.

Therefore, Mr. President, I believe this amendment will be even more acceptable to the Senate than the bill which on at least two occasions was sent here by the President.

Mr. President, that is all I have to say on this subject.

Mr. THYE. Mr. President, will the Senator from Connecticut yield to me?

Mr. BUSH. I shall be glad to yield to the Senator from Minnesota.

Before I yield, Mr. President, I wish to say that I hope the Senate will adopt the amendment.

Now I yield to the Senator from Minnesota.

Mr. THYE. Mr. President, I should like to ask whether the amendment provides that one-half of the sum shall be allocated for school construction.

Mr. BUSH. It provides that at least one-half of the authorization "under this title shall be used solely for the purpose of financing the construction of public elementary and secondary school buildings."

Mr. THYE. Mr. President, on yesterday I submitted an amendment which proposed a 2-percent interest rate for loans for the construction of schools. Shortly thereafter, I withdrew the amendment, for the following reasons: first, if the amendment were agreed to, the bill would then provide for 2 rates of interest, and that would make the bill difficult of administration; second, I am in the process of drafting a bill to authorize the making of loans for the construction of schools.

A year ago, I prepared such a bill, and circulated it in the Department of Health, Education, and Welfare and among other Government officials, in an endeavor to develop a bill which would prove to be of assistance to the schools in connection with obtaining the facilities necessary for the proper education of our youth.

Inasmuch as I have such a bill in the process of drafting at the present time, and inasmuch as the Senate is at this time endeavoring to authorize the appropriation of funds for the construction of facilities within municipalities, I shall find it necessary to oppose the pending amendment, because it proposes that at least one-half of the authorization shall be restricted or applied only to the construction of schools.

However, I am in accord with the purpose of the Senator from Connecticut, namely, to help the schools build the necessary facilities.

But I believe we need to go one step further, namely, within a Federal law make provision for aid to a school district which has reached the maximum permissible debt limit under the State law. Schools in such a situation would, despite all the loan provisions the Congress might make, have no opportunity to take advantage of such provisions, so long as that ceiling remained in effect.

Therefore, I believe a Federal law on this subject not only should make such loans available but also should make provision for taking care of the need of a school district which has reached the maximum permissible debt limit under the State law, and when the property in the school district has been assessed at its true and full value, and therefore the school district is unable to aid itself. Under such circumstances, even with a loan-authorization provision similar to the one contained in the amendment

submitted by the distinguished Senator from Connecticut, such a school district still would find itself unable to obtain necessary funds.

Therefore, Mr. President, my objection to the amendment of the Senator from Connecticut is, first, that it will tie up too much of these funds; second, it will not reach the situation of a school district which is in great distress for lack of opportunity, because of the restrictions imposed by State law.

Mr. BUSH. I thank the Senator from Minnesota.

Mr. AIKEN. Mr. President, will the Senator from Connecticut yield to me?

Mr. BUSH. I shall be glad to yield in a moment.

Mr. President, at this time I should like to say that it is not the purpose of my amendment to cure all the ills or to meet the entire situation in respect to the national deficit of classrooms; but this amendment is a step in that direction, and is one which properly can be taken by the Senate in connection with the pending bill.

Mr. KENNEDY. Mr. President, will the Senator from Connecticut yield to me?

Mr. BUSH. I yield to the Senator from Massachusetts who has introduced a bill in connection with the matter of the construction of classrooms. Let me say that I am much interested in what he has to say.

Mr. KENNEDY. Mr. President, let me say that the Committee on Labor and Public Welfare has been holding hearings for 2 months, under the leadership of the distinguished senior Senator from Alabama [Mr. HILL]. As the Senator from Connecticut has said, some of us who serve on that committee had introduced proposed legislation to deal with the problem of school construction, which I believe is a very real and definite problem.

My objections to the amendment of the Senator from Connecticut are twofold: In the first place, it does not provide standards—which I believe should be provided in a bill relating to Federal aid to education—to the effect that any State which wishes to take advantage of such a provision must first expend a minimum amount, before it shall be eligible to receive Federal assistance.

That has been an integral part of every Federal aid to education bill which has been passed, the purpose being to prevent money being given to a State which does not itself spend at least the national average for that purpose.

Mr. BUSH. I may remind the Senator from Massachusetts loans are provided in the bill, not grants.

Mr. KENNEDY. That is true, but the decision must be made by the administrator of the program, who in this case would be Mr. Cole, as I understand.

Mr. BUSH. The loans would be under the FHHA.

Mr. KENNEDY. The loans would be under Mr. Cole, who has no particular competence in this field.

Mr. BUSH. A wide range is covered, including schools, so there is nothing new proposed except to set aside a percentage of the amount. Schools are included in the bill, on page 8.

Mr. KENNEDY. The Senator proposes to lend half a billion dollars without any of the safeguards or direction which I think should be included in any lending program for education—the kind of direction which I think the Committee on Labor and Public Welfare, which I think has competence over education matters, would provide. In my opinion this is a question which should be considered by that committee, hearings held on it, and a bill reported. If the bill should not be satisfactory, amendments could be offered. But I think the adoption of the pending proposal would destroy the chances of other aid-to-education measures.

Mr. BUSH. I am becoming discouraged about having a schoolroom bill reported by the committee. This is the first opportunity the Senate has had to consider the issue. With all due respect to the Senator from Massachusetts, I do not think his argument is very persuasive. I have sufficient confidence in the communities to know that if they are going to build schools, they know what the standards are. I do not think the Federal Government should set the standards.

Mr. KENNEDY. I do not mean the standards of education. I am saying minimum standards which are set forth in every aid bill, should be applied and provided before a States receives aid from the Federal Government.

Mr. BUSH. I disagree with that statement. I do not really believe it is necessary. The Senator from Massachusetts knows more about this subject than I do, but I see no reason at all why a school or a school district which today can borrow money in the public market or why a school district which has no credit whereby it can go into the public market and borrow should not be included in the bill, or if it can borrow more advantageously under the provisions of the bill.

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

Mr. BUSH. I yield to the Senator from Vermont.

Mr. AIKEN. I think we may as well realize the situation as it is. I am willing to make the prediction that if the community-facilities bill becomes law there will be no school-construction bill passed by Congress this year. I think that is a conclusion we may well draw, because a great many communities would much prefer to borrow money at a low rate of interest, say not more than 2½ percent, than to put up with all the conditions which would be written into a school construction bill or any kind of school bill which Congress might enact.

I think the proposal of the Senator from Connecticut represents about the only opportunity we have to get a guaranty of aid for school construction this year; but, in my opinion, we should incorporate in the amendment of the Senator from Connecticut the amendment which the Senator from Minnesota [Mr. THYE] withdrew, which provided that the Federal Government would provide money for schools at a low rate of interest. I see no complications in the Federal Government's administering one loan at 2 or 2½ percent and another loan at 3½ percent.

If we are interested in getting school construction under way and providing Federal assistance in the way of a subsidy for school construction, we had better provide a lower rate of interest for such loans. I think the school districts would not be attracted by an interest rate as high as 3½ percent. They would be attracted by an interest rate of 2 or 2½ percent, and we could do a world of good by so providing. Communities would take advantage of such a low interest rate very rapidly if they were not tied down by conditions under which inevitably they would have to operate in connection with a school construction bill.

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

Mr. AIKEN. I do not have the floor.

Mr. BUSH. I have the floor. I shall be glad to yield to my friend from Minnesota, but first I want to thank the Senator from Vermont for his interest in the amendment.

Mr. AIKEN. I should like to add that I am not sure we would be wise in fixing a definite percentage for school purposes. I think we should fix an interest rate for school construction which would encourage construction of better facilities.

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

Mr. BUSH. I shall yield, but first I wish to make an observation concerning the remarks of the Senator from Vermont. The question of the amendment of the distinguished Senator from Minnesota was fully discussed on the floor yesterday. It was disposed of. I hope it will not be pressed upon the amendment which is now pending. The amendment of the Senator from Minnesota had a full airing and a full discussion yesterday afternoon.

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

Mr. BUSH. I yield to my good friend from Minnesota.

Mr. THYE. I withdrew the amendment yesterday, so it actually was not discussed or voted down. My reason for withdrawing the amendment was that it might possibly jeopardize the enactment of the bill which is now before the Senate. That was the first reason. The second reason was that when we are considering loans or assistance for school construction on the Federal level we should recognize the fact that many school districts in our Nation have reached the maximum of their borrowing ability. They have borrowed to the maximum permissible under State law. They have assessed every dime they can possibly levy against properties. Yet they are unable to obtain funds necessary to meet school construction needs.

An authorization for school districts to make loans does not give relief to the school districts I have described, which have borrowed to the maximum permissible under State law.

If my amendment could be modified so as to encompass a provision that loans could be made to school districts which have reached their maximum

borrowing capacity, then I think my amendment would be proper. I am endeavoring to write such a proposal to cover the school districts I have described.

For the reasons which I have outlined, I withdrew my amendment yesterday. It was not defeated. I share the expression of the Senator from Vermont that there is no more worthy undertaking than to aid the school districts of our Nation.

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

Mr. BUSH. I yield to the Senator from Kentucky.

Mr. COOPER. Mr. President, as one of the sponsors of the bill, I have voted against amendments which I thought would cripple it or hinder its passage. I am in great sympathy with the purpose of the amendment of the Senator from Connecticut. He talked to me about it and I was interested in the amendment.

I know the sincerity with which the Senator offers the amendment and of his deep interest in education. I must say, however, that I shall vote against the amendment. Because the Senator talked to me about his amendment, I should like to give my reasons for my position.

First, I invite attention to the fact that the bill includes schools as facilities for which loans can be made. I doubt that fixing a sum equal to 50 percent of the amount authorized, or $500 million, would mean that any more schools would be built. Where they are needed, applications will be made and loans made.

The second reason I have decided to oppose the amendment is one of policy. I think it is absolutely evident that one of the greatest needs in this country is for schoolrooms. While the amount provided in the amendment would help the situation, it would not in any way meet the need. It is estimated $10 billion or $12 billion would be required to build the schoolrooms needed at present merely to provide adequate classrooms for the present school population. With the school population growing from 34 million at present to an estimated 40 million in 1960 even more classrooms will be required.

Much as I am in sympathy with the sincere motives of the Senator from Connecticut, I am afraid if his amendment is adopted, and the bill is termed a school-construction bill, it will effectively block the passage of the real school-construction bill the country needs. There is a duty upon the Congress at this session to pass such legislation. There is a duty upon the committees having charge of the subject—the Senate Committee on Labor and Public Welfare and the House Committee on Education and Labor—to hold hearings and to report a bill and for the Congress to pass a bill which will meet the great need for schools. I hope the administration will support such a bill strongly. But the responsibility lies on the majority party in the Congress.

If we really want to do something for the No. 1 problem of America, which is the education of the youth of the land, we can do it.

I say reluctantly, for the reasons I have stated—first, that we can build schools under the provisions of the bill without the adoption of the amendment of my friend; and, secondly, because its adoption might be considered, and even used, not by the Senator from Connecticut, but by others, as a substitute for a school-construction bill, which this Nation needs—I must vote against the amendment offered by the Senator from Connecticut.

Mr. BUSH. Mr. President, I thank the Senator for his remarks. Of course, the Senator's interest in the general subject is very profound. If I had the confidence the Senator from Kentucky has that a classroom construction bill will come before the Senate I would not press the amendment. I do not have that confidence. I rather share the views of my good friend, the Senator from Vermont, who is very skeptical about the possibility of consideration of such a bill.

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

Mr. BUSH. I shall yield to the Senator in a moment. I should like to ask for the yeas and nays on my amendment.

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

Mr. BUSH. I yield.

Mr. JOHNSON of Texas. Mr. President, when the Senator from Connecticut concludes his remarks I should like to make a motion to lay his amendment on the table, if the Senator will yield to me for that purpose.

Mr. BUSH. I yield for that purpose.

Mr. JOHNSON of Texas. Mr. President, I move that at the end of 5 minutes the amendment of the Senator from Connecticut be laid on the table, and I ask for the yeas and nays on that motion.

The PRESIDING OFFICER. Is there a sufficient second?

The yeas and nays were ordered.

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

Mr. BUSH. I yield to the Senator from Arkansas.

Mr. FULBRIGHT. The Senator from Connecticut did not propose the amendment in the committee. The first I have heard of it is today. The Senator a moment ago suggested a cut of the total amount to $500 million, and now he is suggesting an allocation of $500 million to schools. If I thought the adoption of the amendment would be for the benefit of schools, since I am a former school teacher and have been at various times a sponsor of school construction bills, I would vote for it. However, the amendment would not have the effect of helping schools, in my opinion. The amendment, instead, would have the effect of destroying what opportunity the schools may have under the pending legislation.

Obviously, the amendment is designed to kill the bill. I sincerely hope the amendment will not be adopted by the Senate. It has no possibility, in my opinion, of being accepted by the other body.

I hope the Senate will reject the amendment.

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

Mr. BUSH. I yield to the Senator from Pennsylvania.

Mr. CLARK. Mr. President, I hope the amendment will be defeated. In my judgment it would be a great mistake to allocate 50 percent of the funds for school construction.

I associate myself completely with the remarks made by the able Senator from Kentucky (Mr. COOPER) a minute or two ago. I shall vote against the amendment in the prayerful hope that the Committee on Labor and Public Welfare will soon report for the consideration of the Senate a school construction bill which will really meet school construction needs.

Finally, if the amendment is adopted, not one single school will be built under such a provision in the Commonwealth of Pennsylvania, because of the peculiarities of the law of the State.

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

Mr. BUSH. I yield to the Senator from Vermont.

Mr. AIKEN. Although I thought $500 million was an adequate amount for the program, I feel I should point out that, although the effect of the amendment offered by the Senator from Connecticut would be to make $500 million available, if $500 million should be set aside for school construction, I doubt if there are many communities in the United States which would be interested in borrowing money for school construction at 3½ percent interest rates at this time. They might have done so a year ago, but not now. Therefore, the effect of the amendment offered by the Senator from Connecticut would be to reduce the total amount to possibly not much more than $500 million. I am for a limit at that amount, but I would rather provide it in another way.

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

Mr. BUSH. I yield to the Senator from New York.

Mr. JAVITS. I also am a cosponsor of the bill. I should like to identify myself with the views of the Senator from Kentucky [Mr. COOPER].

I have the deepest of respect for the Senator from Connecticut, and I feel he offered the amendment only because of his profound conviction this was the only way to get an allocation for school construction. I take the other view. We have an honest difference of opinion. We have to back our judgment by our votes.

Mr. BUSH. I thank the Senator. I yield the floor.

The PRESIDING OFFICER. The Senator from Texas made a motion that at the expiration of 5 minutes the amendment of the Senator from Connecticut be laid on the table, on which question the yeas and nays have been ordered.

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

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

Mr. JOHNSON of Texas. Mr. President, the Senator from South Dakota [Mr. CASE] has an amendment he desires to offer. Senators should be on notice, that after we have had the yea and nay vote on the motion to table the amendment of the Senator from Connecticut, the Senator from South Dakota [Mr. CASE] will offer his amendment.

Mr. President, I ask unanimous consent that the Senate vote on the amendment to be offered by the Senator from South Dakota [Mr. CASE] after 10 minutes, with 5 minutes to be controlled by the Senator from South Dakota and 5 minutes to be controlled by the chairman of the committee.

Mr. KUCHEL. Mr. President, reserving the right to object, may I ask the Senator if he will indicate the subject matter of the amendment.

Mr. JOHNSON of Texas. The Senator from South Dakota has a modification of the Davis-Bacon amendment he desires to offer. He says he does not think it will require over 5 minutes for each side.

Mr. CASE of South Dakota. I do not think it will take that long. It has been submitted to the Senators who are interested in it.

Mr. JOHNSON of Texas. The Senator was agreeable to a 10-minute limitation.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Texas? The Chair hears none, and it is so ordered.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON of Texas. As I understand, the question upon which the Senate is about to vote is the motion of the Senator from Texas to lay on the table the amendment of the Senator from Connecticut [Mr. BUSH].

The PRESIDING OFFICER. The Senator is correct.

Mr. JOHNSON of Texas. And the yeas and nays have been ordered?

The PRESIDING OFFICER. The Senator is correct.

All the time having expired, and the yeas and nays having been ordered, the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Ohio [Mr. LAUSCHE], the Senator from Louisiana [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], and the Senator from Georgia [Mr. RUSSELL] are absent on official business.

On this vote the Senator from Louisiana [Mr. LONG] is paired with the Senator from Connecticut [Mr. PURTELL]. If present and voting the Senator from Louisiana [Mr. LONG] would vote "yea" and the Senator from Connecticut [Mr. PURTELL] would vote "nay."

On this vote the Senator from Washington [Mr. MAGNUSON] is paired with the Senator from Ohio [Mr. BRICKER]. If present and voting the Senator from Washington [Mr. MAGNUSON] would vote "yea" and the Senator from Ohio [Mr. BRICKER] would vote "nay."

Mr. DIRKSEN. I announce that the Senator from Indiana [Mr. CAPEHART] is absent because of illness.

The Senator from Connecticut [Mr. PURTELL] is absent on official business.

The Senator from Ohio [Mr. BRICKER] and the Senator from Arizona [Mr. GOLDWATER] are necessarily absent.

If present and voting, the Senator from Arizona [Mr. GOLDWATER] would vote "nay."

The Senator from Ohio [Mr. BRICKER] is paired with the Senator from Washington [Mr. MAGNUSON]. If present and voting the Senator from Ohio would vote "nay," and the Senator from Washington would vote "yea."

On this vote the Senator from Connecticut [Mr. PURTELL] is paired with the Senator from Louisiana [Mr. LONG]. If present and voting the Senator from Connecticut would vote "nay," and the Senator from Louisiana would vote "yea."

The result was announced—yeas, 60, nays, 27, as follows:

YEAS—60

Aiken	Hayden	Morse
Anderson	Hennings	Murray
Beall	Hill	O'Mahoney
Bible	Holland	Pastore
Butler	Humphrey	Payne
Byrd	Ives	Proxmire
Carlson	Jackson	Revercomb
Carroll	Javits	Robertson
Case, N. J.	Jenner	Smathers
Chavez	Johnson, Tex.	Smith, Maine
Church	Johnston, S. C.	Smith, N. J.
Clark	Kefauver	Sparkman
Cooper	Kennedy	Stennis
Douglas	Kerr	Symington
Eastland	Malone	Talmadge
Ellender	Mansfield	Thurmond
Ervin	Martin, Iowa	Thye
Frear	McClellan	Williams
Fulbright	McNamara	Yarborough
Green	Monroney	Young

NAYS—27

Allott	Dworshak	Martin, Pa.
Barrett	Flanders	Morton
Bennett	Gore	Mundt
Bridges	Hickenlooper	Neuberger
Bush	Hoblitzell	Potter
Case, S. Dak.	Hruska	Saltonstall
Cotton	Knowland	Schoeppel
Curtis	Kuchel	Watkins
Dirksen	Langer	Wiley

NOT VOTING—9

Bricker	Lausche	Purtell
Capehart	Long	Russell
Goldwater	Magnuson	Scott

So the motion of Mr. JOHNSON of Texas to lay on the table the amendment of Mr. BUSH was agreed to.

Mr. MANSFIELD. I move that the Senate reconsider the vote by which the motion to lay on the table was agreed to.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion to lay on the table was agreed to.

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays on the passage of the bill, so that all Senators may be on notice.

The yeas and nays were ordered.

Mr. CASE of South Dakota. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 8, after the amendment by Mr. CASE of New Jersey, it is proposed to insert:

(b) In carrying out the duties of the foregoing subsection, the Secretary of Labor shall make a predetermination of the minimum wages to be paid laborers and mechanics in accordance with the provisions of the foregoing subsection which shall be set out in each project advertisement for bids and in each bid proposal form and shall be made a part of the contract covering the project.

The PRESIDING OFFICER. Under the unanimous-consent agreement entered into, the time for the debate is limited to 10 minutes, 5 minutes to each side.

Mr. CASE of South Dakota. Mr. President, yesterday the Senate adopted an amendment, offered by the Senator from New Jersey [Mr. CASE] and other Senators, which provided a modified application, so to speak, of the Davis-Bacon Act. In offering it, the Senator from New Jersey stated it was comparable to the paragraph which was incorporated in the Federal-Aid Highway Act of 1956. That is correct.

However, in the Federal-Aid Highway Act there is a subsection (b) which provides two things. First, it provides that there shall be consultation by the Secretary of Labor with State highway departments, and, secondly, that there shall be a predetermination by the Secretary of Labor of applicable rates to be paid mechanics and laborers.

I have submitted my amendment to the Senator from Arkansas [Mr. FULBRIGHT] and to the Senator from New Jersey [Mr. CASE]. So far as I know, it is agreeable to both of them.

The amendment merely takes the second half of subsection (b) which is now contained in the Highway Act, and requires that the Secretary of Labor, in making the determination of wages, shall make a predetermination which shall be announced, so that the contractors bidding on a contract will know what they are bidding.

Mr. FULBRIGHT. Mr. President, I am willing to accept the amendment.

Mr. CASE of South Dakota. Mr. President, I reserve the remainder of my time.

Mr. KUCHEL. Mr. President, I regret that I must suggest that, if we adopt the amendment, we will put one more stumbling block in the path of speedy and efficient construction by any municipality or local political subdivision which would otherwise qualify under the bill as it is now written. I suggest that such a hazard is involved in the amendment. I know it is not a hazard which the able Senator who offers the amendment envisions, but in my judgment it is present. I do not believe the Senate should accept the amendment willy-nilly. That is all I have to say, Mr. President.

Mr. CASE of South Dakota. Mr. President, in response to the Senator's statement, I merely wish to say that it has not proved to be a hazard in connection with the Highway Act. From both sides I have heard that it is working well in the case of the Highway Act. I suggest that, if contractors know what

the wages are, action upon contracts will be facilitated, rather than the contrary.

SEVERAL SENATORS. Vote! Vote! Vote!

The PRESIDING OFFICER. Do both sides yield back the remainder of the time? Does the Senator from South Dakota yield back the remainder of his time?

Mr. CASE of South Dakota. I do.

The PRESIDING OFFICER. All time for debate has expired. The question is on agreeing to the amendment offered by the Senator from South Dakota [Mr. CASE].

The amendment was agreed to.

Mr. JOHNSON of Texas. Mr. President, I should like to ask all Members to remain in their seats after the vote on the bill. I have an important announcement to make and a very important resolution to offer.

Mr. FULBRIGHT. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 4, line 17, after the word "this", it is proposed to strike out the word "act" and insert in lieu thereof the word "title"; on page 8, line 3, after the word "this", to strike out the word "act" and insert in lieu thereof the word "title."

Mr. FULBRIGHT. Mr. President, this is purely a technical amendment to correct a mistake in the drafting of the bill. The word "act" was used instead of the word "title." Obviously no one intends it to apply to the whole Housing Act, but only to the title.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Arkansas [Mr. FULBRIGHT].

The amendment was agreed to.

Mr. PAYNE. Mr. President, I ask unanimous consent that a statement which I have prepared on the bill be printed in the RECORD at this point.

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

STATEMENT BY SENATOR PAYNE

The Community Facilities Act of 1958 as reported from the Banking and Currency Committee contains a sound, balanced program of Federal assistance to localities for construction of needed public works. This bill would enlarge the present program of public facility loans being administered by the Community Facilities Administration by providing additional Federal financing on liberalized terms for construction of new public facilities.

While the prospect of increased construction work may help in restoring confidence in the economic outlook, this bill cannot properly be considered as primarily anti-recession legislation. Testimony on this bill before the Banking and Currency Committee supported this point conclusively. In a majority of the communities affected by this bill, delays of 6 to 18 months would be involved before construction could begin. In no case could a contractor begin work in less than 60 days after enactment. To claim that this $1 billion authorization is to be used to combat the current recession is therefore inaccurate.

With this knowledge of the legislation and its effect on the economy, I offered four amendments to the bill in the Banking and Currency Committee. These amendments are aimed at placing the measure in proper relationship with the overall housing program as well as other major spending bills now moving through the Congress. All four were adopted and are now included in the bill.

My first amendment set the total loan authorization at $1 billion rather than the $2 billion figure which was originally suggested. It must be remembered that several other large spending measures are either before the Congress or have already been enacted. Many of these are of far greater value in aiding the economy. Under these circumstances this $1 billion in new authorization is more than adequate for this program.

Second, the interest-rate formula now in the bill is a more realistic approach than the one previously suggested. Since passage of this bill will undoubtedly bring applications for loans from a number of communities, both large and small, the interest rate offers an excellent means of eliminating the least deserving. Only those unable to obtain credit at a lower rate elsewhere will apply to the Federal Government for loans. While the interest rate is somewhat higher (about 3½ percent), it does provide the best method of channeling funds to those communities which need them.

In order to limit the ultimate size of this program, the bill contains my amendment setting the revolving fund maximum at $400 million. Any funds in excess of that figure which are loaned will be returned to the Treasury upon repayment. Such a limitation will restrict the future inflationary effects of this program.

A grace period of 2 years is allowed the communities prior to commencing repayment of the loan. My amendment reduced this time from the originally suggested 5-year period. Since these loans may have maturities up to 50 years, 2 years should be sufficient time for localities to set the financial affairs in order and commence payments.

With these amendments the bill aims at a removal of the limitations which restrict the present public facility loan program and the subsequent expansion of that program. The loan fund is increased by $900 million. The list of eligible projects is extended to include almost every type of public construction project rather than the three—water, gas, and sewer—allowed in the present law. The prohibitively high interest rate of 4⅝ percent now being charged on loans is reduced in order to make these loans more attractive to communities. The present maximum term of 40 years is increased to 50 years, also to encourage the use of these funds. The law now limits this program to communities of under 10,000 population; however, this restriction is removed in this bill and communities of any size may participate. All these revisions will be of considerable assistance in increasing local construction of public works.

A substantial number of public facilities are ready for construction, including an estimated $300 million worth of such projects planned with Federal planning advances. Five Maine communities have plans completed or near completion for nearly $3 million worth of public works. These are: Eliot (water system), Mars Hill, Falmouth, Cape Elizabeth, and Freeport (all with sewer systems).

This bill, as amended by the committee, embodies a program of valuable Federal financial assistance to communities least able to obtain financing in the private market. It will allow these localities to move ahead with construction of planned and needed public facilities and will be of great benefit to the citizens of these communities throughout the Nation.

Mr. MANSFIELD. Mr. President, it is a distinct pleasure to have joined in the introduction of S. 3497. This is one of the finest pieces of anti-recession legislation being considered by the Congress. The enactment of this legislation will expand the public facility loan program of the Community Facilities Administration.

The bill provides for low-interest loans to communities for local projects which can be started quickly to help offset the current economic recession. The authorization of $1 billion for this loan program will make it possible for towns and cities throughout the country to construct local public works projects. I would assume that every community has more than one project, a hospital, a water system, a school or sanitation program to name only a few, that they would like to construct, but cannot because of inflationary prices and tight money.

There are many of these projects in Montana where the recession has hit particularly hard. In fact, Montana held, until recently, the dubious distinction of having the highest rate of insured unemployed in the Nation. In the instance of Butte, Mont., they have been planning a water pollution project for a number of years but have not been able to get the project under way because at the present time they do not feel that they can place an additional tax load on their residents to finance the project during the present severe recession in the mining industry.

This program will permit the construction of these projects and will provide badly needed local employment.

Early this year I corresponded with the Silver Bow County Surveyor, George D. McCarthy of Butte, Mont., and he presented to me a proposal which is in many ways very similar to the program the Senate is considering today.

Mr. President, I ask that Mr. McCarthy's résumé of a federally authorized local improvement district program be printed at this point in the CONGRESSIONAL RECORD.

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

FEDERALLY AUTHORIZED LOCAL IMPROVEMENT DISTRICT PROGRAM

(a) Plan: Create special local improvement districts and general obligation districts for purpose of constructing items listed under (b) work. All districts formed for the purpose of constructing the various improvements will be formed according to the respective laws of the States. The local governments shall establish the districts, sell the bonds, collect the taxes as provided by their respective laws. The taxes paid by the taxpayers for said improvement districts that have been authorized by the Federal Government, in areas of distressed employment, shall receive equal credit on their Federal income tax. In other words, for each amount of money paid in tax on federally authorized improvement districts the taxpayer is allowed equal amount credit on his Federal income tax payment.

When the local taxpayer makes his payment for taxes on the federally authorized improvement district, his receipt from the local government will be used as money in paying his Federal income tax.

(b) Work, authorized under the plan: Local improvement programs administered by city, county or State as required, may set up districts for the purpose of constructing

any one or group of the following: administration buildings, libraries, city halls, courthouses, State capitols, sanitary sewers, storm sewers, sewage disposal plants, sewerage lift stations, sidewalks, curbs and gutters, streets, roads, bridges, flood control structures, parks, playgrounds, airports, airport administration buildings, slum clearance and lighting.

(c) Theory of plan: The year 1958 in the United States has started as the year of frightful indecision, confusion, pessimism and false optimism. Our national economy is suffering from overproduction, inflation caused by foreign aid and defense expenditures, and serious unemployment. There is no individual who can presently state what the future economic conditions will be for the balance of 1958 or future years. From all corners of the country various stopgap and temporary solutions have been offered, in various shades of special aid for particular sections of the economy. It is certain that the program as simply outlined here will help sustain our large economy. The large expenditures that we are presently making and which will undoubtedly continue in the field of defense—mainly missiles and foreign aid, are inflationary in our normal economy; but in our present depressed economic condition, not sufficient to maintain the national economy. The use of this program will not only sustain the national economy but will increase the value of our Nation. In a practical sense money spent on improvements such as outlined here are assets on our financial statement, not inflationary expenditures, and will tend to stabilize our economy.

The Federal Government will authorize certain communities that are distressed areas, to proceed with the plan of constructing improvements in specified amounts as calculated by the formula in paragraph (d). The income tax credit extended by the Federal Government for such construction will in no way impair the present Federal income tax collections. For example, an average wage earner out of work in a community, taking as an average—a married man with two children, will not pay any Federal income tax. However, if he is hired in the construction of the project or in the supplying of the material for the project, his income tax on $3,600 per year would be approximately $168, and say his 1-year tax on the improvement district is $50, he would still pay Uncle Sam $118. Many will say this is inflationary, and it is, only in the sense of maintaining a sound economy, and will need to be administered only in areas of distress. Our whole economic system with its various built-in stabilizers needs additions, as does any system devised by man, in times of great distress.

It will be easy for many to criticize the program, but regardless of the individual or group criticism of the plan as simply outlined, with much of the detail of administration, selection, etc., omitted, it is workable, sound and badly needed in our present floundering economy. The Federal Government has requested the local governments to take up the burden of aid to education, aid to employment, aid to school and aid to construction, which this would accomplish, and the result of the aid by tax dollars from this plan would be a full dollar and not a Federal aid dollar of half value.

(d) Examples and formulas: Using Butte, Mont., as an example the present estimated demand for needed public works of the type listed is approximately $38,500,000, using a population of 50,000 for the Butte area, and by direct proportion the demand for the entire United States would be approximately $125 billion. The Federal administering agency of the program could authorize work in communities, that are distressed areas of unemployment, that is 6 percent or greater of working population unemployed by allowing the following federally authorized improvement district expenditures: 6 percent unemployed, $1.5 million per 10,000 population; 7 percent unemployed, $1.7 million per 10,000 population; 8 percent unemployed, $1.9 million per 10,000 population; 9 percent unemployed, $2.1 million per 10,000 population; 10 percent unemployed, $2.3 million per 10,000 population.

In other words if 10 percent of the workers in the country were unemployed the maximum amount that could be authorized in any one year would be $2.3 million per 10,000 population, or on the basis of 160 million population, would be $36.8 billion.

This type program would allow each city, county, and State in the country to immediately provide for their unemployed. Or say that the city of New York had 6 percent unemployed with a population of approximately 3 million—the plan would allow federally authorized improvement district in the amount of $450 million. The Federal Government would not be faced with the huge and expensive job of setting up an organization to administer a public works program. There would be no actual expenditures of Federal money in the program. The Federal Government would act as the doctor administering to the sick areas of his patient, quick effective relief. Under the program the communities would be obtaining the necessary improvements to their physical plants, increasing their value and helping to stabilize the economy of the Nation. The local governments along with the tax watchdogs of the communities would insure efficient administration of the programs.

(e) Comments: A plan such as this far outweighs the effect of an income tax reduction. At the present time as unemployment is rising the source of revenue to the Government from income tax is slowing rapidly, a cut in the income tax will cause a much larger deficit Government operation. The tendency for certain portions of the economy to maintain its vigor, such as retail sales, is due to unemployment compensation, jobless pay, pensions and social security; however, many of these are for a specific length of time, failure of the economy to turn up prior to their lapse means an even greater sinking of our economic activity, with a possibility of an even larger depression than 1929. The old adage of "an ounce of prevention is worth a pound of cure," could very well be used at the present time. Immediate action such as outlined here is needed, failure to do so could have disastrous results on our economy. An income tax cut of 5 billion dollars means nothing when divided among the hundreds of million taxpayers, and will add nothing to the virility of our economic activity. The most important factor of our economic status of today is our national debt, consumers installment debt, and housing debts as all are measured on today's value of the dollar, to increase the value of the dollar, by making it worth more, means to plunge the Nation and its people into a greater debt. The problem is how to maintain our present value and prevent further deflation or inflation.

Assuming for example, although very improbable that the maximum 36.8 billion dollars worth of improvement were taking place in 1 year in the Nation, the net cost to the Federal Government assuming only 30 percent of the total money expended was used in direct wages, would be approximately 1.8 billion dollars, and this would be as money credited to payments on improvement districts with no actual expenditures. Also the Government would be collecting the Federal income tax from the workers, plus the taxes from all those benefiting thereby.

When the unemployment in the distressed area dropped below 6 percent, the community would no longer be eligible for federally authorized improvement districts. The economic effect of the program would be another tool in helping to maintain a steady economy—whereas the only effective tool presently used is by the Federal Reserve Board to control the money supply, a tightening effect, a program such as this could be used for expansion of economic activity to balance out too tight a restrictive policy.

Mr. MORSE. Mr. President, Mr. J. A. Beirne, president of the Communications Workers of America, AFL–CIO, made a very fine statement in support of the Kennedy proposals for the amendment of the Fair Labor Standards Act. He said:

On behalf of the 370,000 employees working in the communications industry throughout the United States, who are represented by CWA, I urgently recommend that your committee take immediate action with respect to the Kennedy compromise proposals (S. 1853) which provide for extended coverage and the elimination of certain exemptions under the Fair Labor Standards Act of 1938, as amended.

I ask unanimous consent that the entire statement of Mr. Beirne be printed in the RECORD at this point.

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

FAIR LABOR STANDARDS ACT AMENDMENTS—STATEMENT OF J. A. BEIRNE, PRESIDENT, COMMUNICATIONS WORKERS OF AMERICA, AFL–CIO, TO COMMITTEE ON LABOR AND PUBLIC WELFARE, UNITED STATES SENATE, APRIL 14, 1958

Mr. Chairman and members of the committee, on behalf of the 370,000 employees working in the communications industry throughout the United States, who are represented by CWA, I urgently recommend that your committee take immediate action with respect to the Kennedy compromise proposals (S. 1853) which provide for extended coverage and the elimination of certain exemptions under the Fair Labor Standards Act of 1938, as amended.

CWA is on record as favoring and urging enactment of provisions much broader in scope than those contained in S. 1853. This position has gone unchanged. However, in our considered judgment, the differences between the Kennedy bill and the Morse bill (S. 1267) are outweighed by the imperative need for prompt action. I should make it quite clear, though, that we are not in favor of the enactment of proposals, such as have been placed before you by the administration, which merely lend lipservice to pledges made to America's workingmen and workingwomen.

The Kennedy bill would reduce by 6 million the number of second-class economic citizens in this Nation. When compared with the total of 20 million workers who are now suffering denial of a decent standard of living through substandard wages, this figure would appear to be the bare minimum requiring immediate relief. There is apparently no reason or justification for further delay on the part of your committee in reporting out a bill of at least the scope of S. 1853 in order that action may be taken thereon by the whole Senate and the Congress.

This legislative proposal has been in the hands of your committee for nearly 1 year now. In the meantime, the cost of living has continued to rise to the point where it is now reported to be at an all-time high of 122.5 percent of the 1947–49 average. This is 3.2 percent higher than it was 1 year ago. The current economic indicators reflect no

hope for any drop in the cost of living in the foreseeable future.

The very purpose of the Fair Labor Standards Act is to correct and eliminate labor conditions detrimental to the maintenance of the minimum standard of living necessary for the health, efficiency and general well-being of workers. The 20 million workers now deprived of this protection lack the barest essentials of life, such an adequate and decent food, housing, clothing and medical and dental care. This is an intolerable situation and must not be permitted to continue.

With respect to the existing unjustified and discriminatory exemption relating to telephone switchboard operators in exchanges with less than 750 stations, the Kennedy bill would provide relief to some 20,000 of the 22,000 operators now deprived protection. Any operator who is providing telephone service through a telephone switchboard located in such operator's home, however, would be exempt from the act's minimum wage and maximum hours provisions under S. 1853.

As I pointed out in my testimony before the Senate subcommittee on March 8, 1957, any exemption based on the number of stations in an exchange is completely contrary to the stated purpose of the exemption. The act as originally adopted did not exempt any telephone operators. However, in 1939, because it was believed that small telephone companies were financially unable to comply with the act's wage provisions, the exemption was enacted.

The original intent of the Congress in enacting this exemption was to exempt only those very small telephone companies employing possibly one or two operators. In effect, however, even the multi-billion dollar Bell System, the billion dollar General Telephone Corp., and other large prosperous independent telephone companies have been permitted to pay substandard wages to their operators working in exchanges with less than 750 stations.

There is no justifiable reason to require these persons to continue to subsidize their employers. It must be remembered that only the switchboard operators in such exchanges are denied the protection of the act—all other employees in such exchanges are covered by the act.

I trust that these brief comments are sufficient to cause your committee to take the necessary immediate steps leading toward consideration of the Kennedy bill by the whole Senate and ultimately by the entire Congress.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that I may have printed in the RECORD at this point a statement I have prepared in support of the pending bill.

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

STATEMENT BY SENATOR YARBOROUGH

I would be considerably remiss of my duty to the people of my State as well as all of our citizens if I did not call to your attention some of the fallacies of the arguments presented in opposition to S. 3497, the Community Facilities Act of 1958.

This proposed bill has a two-fold purpose—to stimulate the economy and to assist States and local units to accomplish the provision of facilities which are sufficient to accommodate their rapidly expanding populations and spreading urban areas.

There are those who have sought to convince us that neither of these goals will be achieved through the passage of S. 3497. Some would have you believe that the passage of the bill would create more problems than it would solve. In the words of an opponent it is claimed that: "It could retard economic recovery, and would saddle the country with an inflationary bulge of spending a year to 18 months hence." For some time now there has been an attempt to avoid "an inflationary bulge." The result is that today there are some 5.2 million unemployed; there are more than 1 million workers who are employed on a part-time basis; food costs are high and still rising; new plant and equipment programs have been decreasing and some business executives anticipate up to 30 percent decrease in outlay. Inflation is still with us and unemployment is not diminishing as promised by this time of the year. Last Friday the Department of Labor announced that initial claims for unemployment compensation have risen, not decreased as predicted. Why then this concern for an inflationary bulge—1 year or 18 months hence? Surely, the residue of liquid resources resulting from a tax reduction could exert an equally dangerous inflationary pressure on prices should shortages develop.

The more regular salaries and wages we have, the more consumers will have to spend. If you have no salary, you have no income tax worries. Public works would provide jobs and income to those of our citizens who are now unemployed, together with much-needed roads, parks, sewer lines, etc., while tax reductions would provide additional income for hoarding by individuals who are already employed. The current level of unemployment strongly suggests that tax reduction alone would not accomplish the needed stimulant to the economy.

It is claimed that since construction of public facilities reached a new high during the months of January and February, 1958, the States and municipalities are already obtaining adequate financing for the construction of needed public facilities. There is no indication that January and February are barometers of State and municipal construction activity. To the contrary, there does not seem to be any monthly or seasonal pattern to the issuance of new securities by State and local government units, despite the fact that construction activities usually begin increasing in March. In 1954, April, May, June, and December had the highest level of security activity, in terms of dollars; in 1955, June, October, and November had the highest activity; in 1956, February, June and October; in 1957, April was the highest, followed by January, October, November and December. It can thus be readily seen that the January-February 1958 sales of long-term bonds by States and municipalities cannot be an accurate gage of the ability of these governmental units to secure sufficient financing to meet the demands of growing populations for expanded and improved facilities.

The ability of State and local units to provide the finances necessary for new streets and roads, schools, water supply, hospitals and other facilities depends upon the feasibility of increasing current tax structures and the creation of additional debt. According to the data available to the Federal Reserve Board State and local government expenditures have been rising at an unprecedented rate since 1945. The outstanding debts of State and local governments are very high and rates paid on municipal securities are now higher than they have been for several years although they are lower than some other interest rates. This does not take into consideration the increase in cost which is included in the 1957 dollar volume. According to the Department of Commerce cost index, the $6,958 million in securities issues in 1957 would be equal to only $6,151 million in 1954 dollars, compared to $6,969 million in 1954. This actually reflects a $800 million decrease in expenditures for needed facilities, in the face of an increased population of about 7.2 percent between January 1, 1954 and January 1, 1958.

In most communities the need for more public facilities is a generally accepted fact. The problem is how to supply these facilities without bankrupting the taxpayers in the community. The huge backlogs of projects already on the drawing boards, and the needs of the increased populations predicted for the future will continue to push State and local spending upward. It has been estimated that the current backlog of needed public works runs well over $100 billion. If this be true, then how can it be contended that the $1 billion authorized by this bill would merely substitute Federal funds for private financing?

One half of all of the major labor markets in the United States have "substantial unemployment"—70 areas out of 149 major industrial areas have substantial labor surpluses. With respect to the secondary or smaller labor markets, there are an additional 121 areas with substantial unemployment. Two counties in my State of Texas—Laredo and Texarkana have substantial labor surpluses. In Laredo, 9½ percent of the labor force is not engaged in productive labor; in Texarkana there are 10.7 percent unemployed.

Local units can put public works projects in force almost immediately in many instances because the projects are of such comparatively small scope. These projects are not of the tremendous size of Federal public works projects. Most projects would come under only one jurisdiction, eliminating much redtape and diminishing the time lag which so often occurs between the planning and the actual beginning of construction. Therefore, the argument advanced by the Investment Bankers Association that S. 3497 would generally not create employment or purchase of construction materials for over a year is not accurately taken. This bill would create an appreciable volume of additional construction which would create employment for an increasing portion of the labor force currently existing on unemployment compensation stipends. There is no question but that the creation of more employment will lead to more spending. Most of our citizens are interested in maintaining a reasonably high standard of living and given the income with which to do so, they will increase their purchases of durable goods. The volume of construction materials which will be needed to accomplish the construction, repair, and improvement of public streets, sidewalks, highways, parkways, bridges, airports, parking lots, transportation facilities, water, sewage and sanitary facilities, public schools, libraries, offices and other public buildings, and to continue our all-important progress in providing land, water and timber conservation facilities, is apparent.

A step-up in spending, through the construction of public works and public facilities, will have its influence on all areas of our economy, including those hardest hit by the recession. At the same time States and local units can begin furnishing urgently needed facilities. Even the most optimistic have ceased to ignore the fact that the recession is an actuality, there are no arguments against the necessity for taking some type of immediate action—action which will achieve beneficial results in both the long- and the short-run. One of the answers is embodied in S. 3497—the Community Facilities Act of 1958—it should become law without any further delay.

Mr. WATKINS. Mr. President, I ask unanimous consent that a statement I have prepared on the bill be printed at this point in the RECORD.

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

STATEMENT BY SENATOR WATKINS

It appears from the votes on the amendments that this bill will be approved by the Senate tonight. I appreciate the fact that my amendment for the inclusion of nonprofit hospitals within the provisions of the bill was accepted. I think this greatly improves the bill. This amendment recognizes the great contribution our private non-profit hospitals have made and are now making to public health and since the bill may possibly become law, I am glad, indeed, that this amendment was adopted.

This amendment should permit nonprofit hospitals which are planning expansions to take care of a greatly increased hospital load, to borrow money at lower interest rates than they would be required to pay without such a provision. These institutions have rendered great service in the past, and in my State of Utah, I believe, they have carried a greater portion of hospital load than have tax-supported hospitals.

Notwithstanding this improvement of the bill by the adoption of my amendment, I believe, the bill as a whole, if finally enacted, will be unsound legislation. If the sum authorized for lending had been cut to reasonable portions and been available only to States and legal sub-divisions thereof, which cannot secure credit to build essential public facilities on reasonable terms, then I think I could vote for the bill.

It also is bad policy, in my judgment, for the Federal Government, which is heavily indebted, to borrow money and increase a deficit this year, and probably in the years to come, for the purpose of loaning it, to States and subdivisions thereof, which in many instances are completely out of debt, and have credit available to them at rates of interest no greater than provided for in the bill. Because under all the circumstances I believe it is unsound legislation for these reasons and others, I shall vote against this proposed legislation.

SEVERAL SENATORS. Vote! Vote! Vote!

The PRESIDING OFFICER. The bill is before the Senate and open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The question is on the passage of the bill. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Ohio [Mr. LAUSCHE], the Senator from Louisiana [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], and the Senator from Georgia [Mr. RUSSELL] are absent on official business.

On this vote the Senator from Louisiana [Mr. LONG] is paired with the Senator from Connecticut [Mr. PURTELL]. If present and voting the Senator from Louisiana [Mr. LONG] would vote "yea" and the Senator from Connecticut [Mr. PURTELL] would vote "nay."

On this vote the Senator from Washington [Mr. MAGNUSON] is paired with the Senator from Ohio [Mr. BRICKER]. If present and voting the Senator from Washington [Mr. MAGNUSON] would vote "yea" and the Senator from Ohio [Mr. BRICKER] would vote "nay."

Mr. KNOWLAND. I announce that the Senator from Indiana [Mr. CAPEHART] is absent because of illness.

The Senator from Connecticut [Mr. PURTELL] is absent on official business.

The Senator from Ohio [Mr. BRICKER] and the Senator from Arizona [Mr. GOLDWATER] are necessarily absent.

The Senator from Illinois [Mr. DIRKSEN] is detained on official business.

If present and voting, the Senator from Indiana [Mr. CAPEHART], the Senator from Arizona [Mr. GOLDWATER], and the Senator from Illinois [Mr. DIRKSEN] would each vote "nay."

The Senator from Ohio [Mr. BRICKER] is paired with the Senator from Washington [Mr. MAGNUSON]. If present and voting, the Senator from Ohio would vote "nay" and the Senator from Washington would vote "yea."

On this vote, the Senator from Connecticut [Mr. PURTELL] is paired with the Senator from Louisiana [Mr. LONG]. If present and voting, the Senator from Connecticut would vote "nay" and the Senator from Louisiana would vote "yea."

The result was announced—yeas 60, nays 26, as follows:

YEAS—60

Aiken	Hayden	Monroney
Allott	Hennings	Morse
Anderson	Hill	Murray
Barrett	Hoblitzell	Neuberger
Beall	Humphrey	O'Mahoney
Bible	Ives	Pastore
Carroll	Jackson	Payne
Case, N. J.	Javits	Potter
Chavez	Johnson, Tex.	Proxmire
Church	Johnston, S. C.	Revercomb
Clark	Kefauver	Smathers
Cooper	Kennedy	Smith, Maine
Douglas	Kerr	Sparkman
Eastland	Knowland	Stennis
Ellender	Kuchel	Symington
Ervin	Langer	Talmadge
Frear	Malone	Thye
Fulbright	Mansfield	Wiley
Gore	McClellan	Yarborough
Green	McNamara	Young

NAYS—26

Bennett	Dworshak	Mundt
Bridges	Flanders	Robertson
Bush	Hickenlooper	Saltonstall
Butler	Holland	Schoeppel
Byrd	Hruska	Smith, N. J.
Carlson	Jenner	Thurmond
Case, S. Dak.	Martin, Iowa	Watkins
Cotton	Martin, Pa.	Williams
Curtis	Morton	

NOT VOTING—10

Bricker	Lausche	Russell
Capehart	Long	Scott
Dirksen	Magnuson	
Goldwater	Purtell	

So the bill (S. 3497) was passed.

Mr. MANSFIELD. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER (Mr. CHURCH in the chair). The question is on agreeing to the motion of the Senator from Texas to lay on the table the motion of the Senator from Montana.

The motion to lay on the table was agreed to.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the bill be printed as amended.

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

LEGISLATIVE RESPONSIBILITIES

Mr. JOHNSON of Texas. Mr. President, we have just had a vote of very great significance. It is a vote which, I believe, the country will study with great care.

The measure which we have just passed came to us under good auspices. It received the careful consideration of the Committee on Banking and Currency, which reported it to the Senate by a vote of 13 to 2.

I commend the chairman of that committee, the distinguished Senator from Arkansas [Mr. FULBRIGHT], and all the other members of the majority and minority who helped to bring the bill to the floor.

There is no conceivable combination of logic and mathematics which can put a partisan label on a committee vote of 13 to 2.

For the past few days, the newspapers have reported "rumors" that antirecession legislation will be scanned carefully in order to determine its political impact. I hope such rumors are not well grounded.

It is not the responsibility of the United States Senate to create issues. It is the responsibility of the United States Senate to transact the people's business.

From my personal point of view, one of the most important pieces of business before the country is to attempt to do something about 5,200,000 men and women who need jobs.

I can well understand differences of opinion on the question of what should be done. In all my life, I have never known a man, or a woman, or a group of men or women who can truthfully claim a monopoly on the qualities of wisdom and judgment.

A difference on the proper course of action is something which can be debated and resolved through our democratic processes. But a difference of opinion which comes down to a question of action or inaction in the face of a problem is more difficult to understand. Paralysis is rarely an adequate alternative.

In the days which lie ahead, the Senate will be confronted with many difficult and perplexing problems. There are more proposals to combat the recession. We must resolve the issues of aid and trade. The President has sent us a challenging proposal on defense reorganization. We will face the question of outer space.

The list is far from exhaustive.

Under any circumstances, it will be difficult to arrive at adequate answers. But our difficulties will be compounded if our people come to suspect that our decisions are based upon the facts of next November rather than the facts available now.

I am very proud of the conduct of the United States Senate.

Prior to the taking of the Easter recess, the Senate passed measure after measure by overwhelming and distinctly nonpartisan votes. Mr. President, I am very happy that the vote taken tonight was such a vote.

I hope that throughout the session the Senate will continue to act on that basis. No partisan credit is to be gained from a recession, but there can be plenty of partisan discredit.

This measure has been debated fully. The Senate has fully discharged its responsibility. Regardless of how Senators voted on this bill, I am sure that each Member felt in his own conscience that he was voting on the basis of the merits, not on the basis of any label.

Mr. President——

The PRESIDING OFFICER. The Senator from Texas.

PRINTING OF COMMITTEE PRINT "RECRUITING AND TRAINING FOR THE UNITED STATES FOREIGN SERVICE" AS A SENATE DOCUMENT

Mr. JOHNSON of Texas. Mr. President, in order that some measure may be before the Senate as the pending business, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1447, Senate Resolution 281.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. Res. 281) authorizing the printing of the committee print "Recruiting and Training for the Foreign Service of the United States" as a Senate document.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the resolution.

REPORT OF CITIZENS COMMITTEE ON JUVENILE DELINQUENCY IN MULTNOMAH COUNTY, OREG.

Mr. MORSE. Mr. President, many citizens of the State of Oregon render fine humanitarian public services that go unheralded. The people who engage in such work seldom seek the praise of their fellow citizens; they are content with the thought that the good they do is sufficient reward in itself.

However, when an exceptionally meritorious activity in the field of public service is performed by a citizen of Oregon, such as one which came to my attention recently, I feel that notice of it should be disseminated in the RECORD, and brought to the attention of appropriate Congressional committees.

The matter to which I refer, Mr. President, is a recently issued Report of the Portland-Multnomah County Citizens' Committee on Juvenile Delinquency of March 1958, prepared under the able chairmanship of an outstanding Oregon jurist, the Honorable Virgil Langtry, judge of the Circuit Court of Oregon, fourth judicial district.

The committee that issued this report was formed by citizen volunteers, and illustrates the type of local community activity that is exemplary in its efforts to deal with one of our very grave social problems—that of juvenile delinquency.

Mr. President, I ask unanimous consent that this report be inserted in the RECORD at this point in my remarks.

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

REPORT OF CITIZEN'S COMMITTEE ON JUVENILE DELINQUENCY, COUNTY OF MULTNOMAH, CITY OF PORTLAND, MARCH 1958

To the Mayor and City Commission of Portland, and the County Commissioners of Multnomah County:

I

This is the report of your committee designated as the Portland-Multnomah Citizens Committee on Juvenile Delinquency. The committee was formed as a result of a meeting held in January of 1957, called by several interested community groups after extensive publicity following an outbreak of violent juvenile offenses in the several weeks preceding the meeting. Pursuant to a resolution passed at the meeting, the mayor and the county commissioners each appointed approximately one-half of the membership of a committee of 25 which has undertaken a study requested by the resolution, and makes the following report and recommendations. The membership of this committee has changed somewhat during the year, and ended several members short of 25.

Numerous consultants, listed at the end of the report, were invited to sit and confer with the committee, and it acknowledges its indebtedness to them and the agencies which they represent.

The committee has met together about 25 times, and there have been more numerous meetings of subcommittees which have studied extensive case files, courts, institutions, police departments, schools, etc. We have attempted to familiarize ourselves with the results of recent research and with the recommendations of various interested national groups. Comparisons have been made between our situation and that in other communities.

The committee broke itself down into six subcommittees, as follows: (1) Law-enforcement agencies; (2) welfare services; (3) character building agencies; (4) juvenile court and institutions; (5) family life; (6) schools and employment.

Each of these subcommittees made its report to the whole committee, and from these reports and the deliberation of the whole committee, the final report has been drafted.

II

Under Oregon law, children under 18 years who are in trouble with the law are handled as juveniles and not as adults charged with crime. A nonlegal definition of delinquency is one which views the delinquent child as one who is persistently in trouble as the result of his or her behavior.

The policy of the law in Oregon and of the juvenile court in Multnomah County is based on the concept of discovering and alleviating or removing the underlying causes of disturbed behavior. The court looks upon its duty in this regard as twofold: (1) The protection of society, and (2) the treatment of the child so that his behavior may become acceptable in society.

The following table summarizes offenses by children under 18 referred to the juvenile court from 1949 through 1957, and further classifies all referrals, including traffic, during that period:

Classification of offenses for the 9-year period, 1949 through 1957

	1949	1950	1951	1952	1953	1954	1955	1956	1957	Percent increase, 1957 over 1956
Automobile theft	115	166	202	167	151	116	155	269	328	22
Burglary or unlawful entry	86	104	130	116	147	86	173	145	235	62
Stealing	305	300	259	257	332	415	410	535	582	8
Robbery								9	16	78
Truancy	103	143	156	213	156	124	125	93	106	14
Runaway	59	74	65	96	109	114	179	166	164	
Ungovernable	160	150	190	222	243	370	311	566	665	17
Morals	47	51	52	61	80	69	69	88	121	37.5
Injury to person	10	6	3	18	5	12	40	70	69	
Malicious mischief	34	21	15	14	25	131	236	275	438	60
Traffic	345	370	467	439	341	822	1,084	1,481	1,464	
Other delinquent behavior	50	53	64	124	168	285	284	264	328	24
Miscellaneous misdemeanors	182	177	207	115	162					
Total delinquencies	1,496	1,615	1,810	1,842	1,919	2,434	3,066	3,958	4,516	14

While much of the increase of 1,496 referrals in 1949 to 4,516 in 1957 can be accounted for by greater emphasis on traffic, increased child population, and stepped-up police activity, the fact remains that there has been a tremendous increase in all types of juvenile offenses.

Why this increase or why delinquency at all? The problem is baffling. A recent pamphlet published by the National Congress of Parents and Teachers says:

"What causes delinquency? There is nothing simple about delinquency. If the problem of defining it is difficult, the problem of sifting its causes is complex and baffling. The less people know about delinquency the readier they are to venture an opinion on what causes it. The majority of the men and women who have spent long years working with the problem—sociologists, psychiatrists, clinical psychologists, social workers, juvenile court judges, criminologists—are far more cautious and less positive. They arrive at their theories far more slowly and laboriously than the layman reaches his opinion. And they hold their theories tentatively, with a readiness to revise them as research and experience reveal more information about delinquent behavior."

There is no difficulty in finding people who have cures, but your committee has concluded that it should be suspicious of the "one cure."

Numerous things seem related to cause. Among recurring factors are disorganized

home life, strained relationships between parents and children, inconsistent discipline, problems of mental health, poverty and neighborhood, school failure and truancy, lack of wholesome recreation, multiple temptations to children presented by modern means of communication, including the automobile, television and radio, reading matter and movies, and the example set by part or all of adult society itself. This does not attempt to cover all the network of related factors, but it probably does embody most of the factors that seem related to many of the problems which bring a child to the attention of the police and courts.

If the above enumeration seems to be related to the cause, then it is axiomatic that the approach to the cure must be upon numerous fronts. Most of all, it can be said that it is a community and a family endeavor. If inroads are to be made upon the ever-increasing number of children in trouble, there must be a united cooperative effort on the part of law-enforcement agencies, schools, courts, charitable agencies, groups such as community clubs, parent-teacher associations, recreation programs, churches, and people generally.

There is a need to distinguish between the child who may be properly classified as delinquent because he is consistently engaged in deviant behavior, and the other rather large number of teen-agers who need fair and firmly consistent discipline at home, at school, and from the police, to avoid being in trouble. It is not suggested that it is easy to distinguish between these children when they are near the borderline in groupings. The committee thinks that the greatest hope for making serious inroads into the mounting numbers of children who get into trouble lies in the field of prevention, and this report will make recommendations which it believes will improve action in the prevention field. The emphasis upon prevention, however, should not deemphasize the necessity of dealing more successfully with children who are in serious trouble. So this report will deal also with this latter question.

Before commencing discussion of specific recommendations, it should be said that this committee and its subcommittees have come to the same conclusion so often heard from others who have studied this question; namely, that a good home is basic to rearing children, and there is no substitute. Schools, churches, social agencies, courts, and police are, to a great extent, simply trying to help parents with the problems that they and their children have.

III

Following are the specific recommendations for the Portland-Multnomah County area made by the committee. The committee has made no attempt to list recommendations in their order of relative importance, thus, a recommendation may be found toward the end of the report that may be relatively more important than one found at the start of the report. In the same way, little effort has been made to group the reports with reference to the various agencies to which they are directed.

The specific recommendations in each instance represent the majority thinking of the committee, but there is disagreement on the part of some committee members with reference to a few of the recommendations.

The subcommittee reports do not accompany this report, but they are being filed with the city and county as a permanent record. In some respects, the subcommittee reports may conflict with parts of the report of the whole committee.

1. It is recommended that there be instituted as a community project a voluntary countrywide job training and placement program for high-school youth. Emphasis should be placed upon the training and employment of high-school graduates not planning further schooling as well as those who are released before graduating.

Vocational counseling is already an active program in the high schools. What is lacking is adequate training and placement services for youth after they leave high school. Some planning has already been done by the vocational counselors committee of the Portland Public Schools, but no real action has been taken. The plans so far proposed have been limited in scope, failing to include services for training and placement of early high-school leavers and high-school graduates not desiring further schooling.

It is felt that such a program would prevent numbers of them from becoming delinquent, and it would be beneficial to all concerned. Such a program would require whole-hearted cooperation from the schools, other public agencies, labor, and employers. Special reference is made to the plan as it has been developed in Detroit in some 8 years of successful operation. During that period of time, literally thousands of such students have been trained and successfully moved out into the labor market. As a result, numerous families have been removed from welfare rolls and the individuals involved were helped in the ways already indicated. A more detailed description of this plan is contained in the appendix.

Approximately 50 to 60 percent of the high-school graduates failed to go on to college or other training last year, while several hundreds more were released before graduating. A voluntary job training and placement program would have been beneficial to them.

2. We recommend increased emphasis on units in the school curricula that will assist students to adjust to our complex society as it exists today.

While the committee recognizes that the teacher is constantly faced with pressure to introduce many subjects and time is continually a problem, we feel that classes in social living and related subjects are imperatively necessary. The tensions and general unrest in our society today have their effect on adults, homes, and in turn, the teen-ager. Many school children of today are familiar in their own homes with economic stress, divorce, alcoholism, and the feeling of frustration in coping with such problems. Too many homes are unable to, or do not, give even a minimum of help to children in this regard.

Of course, Family Living and Self Understanding is available for use by school district No. 1 teachers in the twelfth grade for a period of 6 to 7 weeks, but needs to be more widely used. comparable course in the county schools is titled, "American Problems." This also is presented in the twelfth grade with plans for it to be extended into the lower grades. Here is the opportunity to thoroughly develop many aspects of social living including the responsibilities of marriage and parenthood, healthy attitudes, and emotions in relationships with others, respect for laws and better understanding of social problems such as alcoholism, divorce, and juvenile delinquency. It is necessary that everything possible be done to increase the number of capable people who can help solve more problems than they create for society to solve.

We recommend that public, parochial, and private schools examine their curricula and take immediate steps to improve or extend their offerings in this field. The services of many resource persons and responsible agencies are available to assist the school in this program.

3. We recommend that the 36 positions of summer recreation leaders and eight summer aquatic staff curtailed in 1957 be reinstated and funds provided to insure minimum supervision on the playgrounds and swimming pools during the 1958 period and ensuing years.

We recommend that citizens of the community support financially through taxation and voluntarily contribution, adequate programs of the Bureau of Parks and Public Recreation, in youth groups and organizations such as the Red Shield Boys' Club, Y's, CYO's, Boy and Girl Scouts, and Campfire Girls, and at neighborhood houses and community centers; (2) volunteer or offer to serve as youth leaders and particularly to show the interest needed when a child participates; (3) assist with plans to make available an adequate number of swimming pools, community centers, gymnasiums, and other facilities to serve a growing child population.

Every adult who has given serious thought or study to the matter knows that recreation and character building activities provide essential elements for the healthy development of children. Qualified imaginative leadership provides children with interesting and constructive activities. Appropriate facilities are highly essential in the conduct of all phases of youth programing whether in the county or city proper. It is important for the child to associate closely with an adult who can provide the kind of relationship the child needs to develop positive feelings for other people. Finally, in some of the programs for small groups of children or teen-agers undertaken at community centers or settlement houses, there is actually a planned treatment program in process aimed at helping the child to relate positively and constructively to his world.

4. It is recommended that schools, other agencies and the juvenile court institute, through cooperative effort, a school for parents of children who are in trouble.

Such schools have been tried with some success in Boston and Detroit, and other metropolitan areas have shown an interest in similar programs. Most studies point to some type of family connected failure or maladjustment as being related to a child's trouble. Most experts agree that family solidarity and strong ties of affection between parent and child are deterrents to delinquency. Most parents desire to bring up well-adjusted, happy, and useful children. Having this desire, it is reasonable to assume that with the proper approach most of them will be willing to discuss their problems and make a real effort to improve home and family ties to help their children. Many are bewildered, with one trouble mounting upon the other and blame being heaped upon them, until in desperation they withdraw into themselves and reject advances by well-meaning people and agencies.

If the time, place, and friendly type of counselors necessary can be furnished so that these people may talk among themselves and with counselors in a friendly, relaxed atmosphere, substantial numbers of them and their children will be helped. If they can learn about mistakes in their home or can be helped to see more clearly their problems, it is probable many younger children in such families will find a healthier home life which will prevent them from being the second or third child in such a family to come to the juvenile court's attention, as is now so often the case.

With well over 100 schools in the county, it should be easy to make arrangements for the use of some for evening meetings, at first on a demonstration basis, and, if successful, then on a broader basis. The community should not expect counselors in the juvenile court and in the school system, who are already overburdened with casework, and who devote many, if not most, evenings as well as their days to their job, to carry on such a program. They can and should be expected to give it direction and encouragement; but the public, through school and court budgets, should supply a few additional personnel if such a project is to succeed. Other available counseling in the community should not be overlooked; for instance, clergymen and their assistants,

church, community club, welfare and United Fund agency workers, and others in similar fields of endeavor, should be willing to embark on a cooperative effort in such a program.

It cannot be pointed out too often, as stated by Sheldon and Eleanor Glueck, noted authorities in the field of delinquency, "that the vicious circle of maladjusted, inadequate parents producing maladjusted, inadequate children can be broken only if the community makes systematic and widespread provision for the instruction of each generation of prospective parents in religious and ethical concepts, in the principles of mental hygiene, and in those practices which have been proved to make for wholesome families." [1]

5. It is recommended that the churches join in a unified approach to the delinquency problem, in order that they may strengthen themselves for their preventive role in the total picture. The committee recommends with reference to church participation in a community program the following:

(a) An orientation program for clergymen on the local delinquency problem, and the role the churches may play in cooperation with the govenmental agencies dealing therewith.

(b) This envisages close cooperation between the juvenile court and its personnel and clergymen, and would include referrals in appropriate cases by all law-enforcement personnel to clergymen.

(c) Individual churches should conduct neighborhood studies and programs based on local needs.

More cooperation between the clergy and governmental agencies dealing with children is desirable. Misunderstandings arise as each becomes confused about the other's role in individual cases. Orientation programs and just simple meeting together and talking about common problems should erase much of this difficulty if all parties concerned enter into the discussions in a spirit of cooperation. It is felt that there should be better continuity with reference to chaplains in the juvenile home.

As pointed out last summer: "We are never going to have sufficient staff in juvenile courts to supply all the services that are needed in dealing with juvenile offenders." [2] Additional leadership in the community to help with the problem will probably come first from church groups because it is in the churches that we can find the moral teaching which will give strength of character to people resulting in their becoming useful citizens. Reference is made again to the statement by Eleanor and Sheldon Glueck before the Senate Committee on Juvenile Delinquency, where they said that the vicious circle of delinquency "can be broken only if the community makes systematic and widespread provision for the instruction of each generation of prospective parents in religious and ethical concepts. * * *" [3]

6. Because of the key role played by social workers and juvenile counselors in both prevention and treatment programs in the juvenile-delinquency field, we recommend most strongly the early establishment of a graduate school of social work to be located in Portland.

A full and informative report on this important subject has been prepared by the Oregon Chapter of the National Association of Social Workers, dated July 23, 1956. We are filing copies of this with the official report of this committee, and commend it to the immediate attention of the State board of higher education.

7. We recommend to the community council and appropriate agencies favorable consideration of a planned education program, directed toward recruitment of more strong foster homes for delinquent and dependent children.

For many children in trouble, good foster homes offer the best living arrangement for varying periods of time—some comparatively short—others for perhaps a year or more. More foster homes are needed and more families should be interested in offering their homes for this purpose.

8. Specific recommendations for governmental agencies in direct contact with delinquent children.

(a) Portland Police Department: It is not felt that there is a present need for increase in the number of city police personnel assigned to the juvenile division, the women's protective division, or the juvenile traffic division, except for about five men to handle the current increase of juvenile referrals. This would bring the total personnel of the women's protective division, juvenile traffic, and juvenile division, within 5 or 10 percent of the total police force, which is the amount recommended by the National Probation and Parole Association and the Children's Bureau of the Department of Health, Education, and Welfare. It is felt that a consolidation of juvenile functions, if at all possible, between county and city should be effected as soon as possible. All police officers should receive in-service training for dealing with juvenile problems. In this connection, the committee calls particular attention to the report of its subcommittee on law-enforcement agencies.

(b) Sheriff's office: As noted under subsection (a), it is the feeling of the committee that juvenile divisions of the sheriff's and city police departments would function better if they were consolidated. Some of the functions of the juvenile division of the sheriff's office do not seem properly there. Among these are the duties of truant officer for several school districts outside of Portland, and extensive handling of dependency cases. Corresponding matters within the city are handled by regular personnel of the school district and the women's protective division. Thus, without disparaging its present personnel, who are quite devoted to their jobs, it does not appear that the juvenile division of the sheriff's office is adequately trained or staffed to handle the numerous and widely diversified matters which are called to its attention. Here again, it is felt that there is need for in-service training throughout the entire staff of the sheriff's office in juvenile matters.

The enforcement of traffic laws by the sheriff's office merits special attention. Whereas in the city, for 1957, there was an average of 385 citations per month to juvenile offenders in traffic matters, there was only an average of 17.2 per month by the sheriff's office in similar matters, and only about 40 referrals were made to the juvenile court for the full year. When it is considered that somewhat more than 400,000 live inside the city limits, and more than 100,000 live outside the city limits in the county, it is difficult to believe that the juveniles outside the city limits are that much more law abiding in traffic matters than those who live within. A few juveniles who are arrested for traffic matters in the Gresham area are taken before the justice of the peace or municipal judge there. Otherwise, virtually all enforcement of traffic laws out of Portland and in the county rests in the hands of the county police. The conclusion is inescapable that there is not as rigorous traffic enforcement outside as in the city, even though the greater concentration of vehicles and people in the city would cause the expectation that there would be somewhat more violations there in proportion to population.

(c) Schools:

(1) City: A number of activities which the committee is recommending for schools are covered under other subsections of this report.

(2) County: The points mentioned in other parts of this report with reference to the city school system are applicable as well to the county system. It is the feeling of the committee that consistent rules should apply throughout school systems in the county concerning children in trouble and concerning treatment programs. As has already been mentioned with reference to consolidation of police services in dealing with children in the city and county, the same is true with reference to schools.

It has come to the committee's attention that there seems to be some opinion on the part of some county school district boards, as well as their administrators, that they have little or no responsibility in their community problems bearing upon recreation, counseling of troubled children, etc. Limitations of budget may well account for some of this, but efforts should be made to have uniform policies throughout the county in these matters.

(d) Juvenile court:

(1) With the continuing increase in cases referred to the juvenile court, consideration must be given in the near future to having the full time of a judge devoted to juvenile matters. Presently, 1 judge spends 2 full days a week at the juvenile court, and the other spends one-half a day per week. There are now over 4,500 delinquency referrals per year to the juvenile court plus dependency cases. In spite of a well-trained professional staff of 28 counselors, it is obvious that a half-time judge is insufficient.

(2) The use of independent, legally trained referees should be available in case of need. Supervising counselors are now acting as referees in preliminary matters to carry part of the load. Even with a full-time judge in the future, there may be need for referees to handle traffic matters and make certain preliminary decisions. If referees are needed, we recommend that they be legally trained, independent of any responsibilities at the juvenile court other than judicial, and given only a limited jurisdiction subject to review by the judge of the juvenile court.

(3) A deputy district attorney should be appointed for half-time duty at the juvenile court as a legal adviser to the juvenile court and its staff, and as a prosecutor for some cases. Present law provides that the district attorney shall serve the juvenile court, but the district attorney's budget does not specifically provide for such a deputy, with the result that in some cases the judge is acting as legal counsel, prosecutor, and judge. The judges at the juvenile court have protested this. Such a deputy district attorney should have an office at the court and be available there half time for advice and service.

(4) Counselors and staff: The juvenile court counseling staff has generally kept pace with the increase in cases referred to the court, and the county commissioners should be commended for having made this possible through budget increases. It must be expected that additions to the staff, and possibly even to the excellent Juvenile Detention Home, will be required.

9. We recommend that direct social work service be given each school, and that the schools should plan on the minimum of 1 trained school social worker for each 1,000 students.

Since the 1920's the Portland public schools have had a school social work program because it has been recognized that many of the aggressive nonconforming children are identified early in their school life, and that teachers need to know more about these children and often feel the need for more help

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[1] Hearings before the Senate Subcommittee To Investigate Juvenile Delinquency, pt. I, p. 99.

[2] Msgr. John O'Grady in Juvenile Judges' Journal, October 1957.

[3] Supra, p. 9.

than can be given in the classroom setting. The full potential of this program is described more completely in a later recommendation. At this time, there are 17 school social workers giving a limited service directly to 38 elementary schools, and 43 schools are given no direct service, but are on a referral service basis. No service is available to the high schools except through referral.

Closely allied with the need for more school social workers is the great advantage to be gained from better training of teachers in the field of child behavior and guidance. Teacher training curriculums need to include carefully integrated courses so as to prepare teachers to recognize emotional disturbances in children in the early elementary grades and in how to use the services of the school social worker and other helpful resources to serve the child and his family. Both teachers and principals should have refresher courses of such a nature as part of summer-school work and also as an in-service training program.

10. We recommend additional child-guidance clinics in the community.

Ten years ago when the Community Child Guidance Clinic was established upon the recommendation and through the efforts primarily of the community council (Council of Social Agencies), it was recognized that it could serve only about one-third of the need in this county. In light of the population growth and experience verifying the amount of need (one-third) which the clinic can serve, it is more apparent each day and more urgent that additional child-guidance programs be established. Three or four auspices could well take such steps, namely: The Multnomah County Public Welfare Department; the Portland public schools; the juvenile court; and the county health department or a joint city-county health department program. We commend to each of these units of government responsibility for laying plans to inaugurate an additional adequate child guidance treatment program.

11. Workloads should be reasonable and salaries should be commensurate with training and experience for other competitive fields if well-qualified people are to function efficiently and not leave this field.

The committee united in emphasizing the fact that a thorough study should be made of the salary scales of those who are working with youth and that adjustments be made to bring lagging areas into focus with the national level.

Evidence indicates that at present qualified personnel are being lost to the Portland-Multnomah area because of inadequate compensation, and that new workers in the field are not being attracted because of the existing pay scales. Salaries for those working in the area of juvenile delinquency should be such that they will both attract and hold the best workers. Immediate steps should be taken along these lines.

12. Specific legislation needed.

(a) Smoking:

(1) The city ordinance which prohibits use of tobacco by those under 21 should be repealed. This would leave in uniform effect the State law which prohibits use of tobacco by minors under 18.

(2) However, repealing the city ordinance alone will not solve the problem. Law enforcement officials are practically unanimous in declaring that this is a most difficult law to enforce. Many high-school and college students are regularly smoking in public as well as in private.

Complete disregard of the law of the land in one regard leads very easily to disregard of other laws. The juvenile who is easily swayed and emotionally disturbed may thus learn disrespect for all law. Many parents smoke. Movie, television and sports idols make daily appearances in advertising mediums to tell others to smoke the brand they have smoked for many years. Try then to tell a teen-ager that only the cheap and dissipated smoke. A realistic approach must take into consideration the question of lowering of ages under all laws. Any lowering of age should take into consideration health and safety education.

(b) Loitering: We recommend amendment of the city and State vagrancy laws to include loitering in and around school premises during school hours.

Limiting the use of school grounds and buildings during school hours to people who have legitimate business is a vexing problem. Too often, young people not enrolled in school congregate within a block or two of the school grounds in automobiles, driving around the school premises annoying or distracting the students. They are also at times brazen enough to go into the school premises and mix, loiter and trespass on the premises during school hours. Under the existing laws, no arrest can be made for simply loitering or trespassing on school premises at any time because these grounds are considered public.

School principals have attempted to post in school building entrances notices to visitors to report at the main office. However, these rules are not enforceable. Unauthorized driving on school grounds is not specifically covered by any trespass ordinance or State statute.

Experience teaches that those who loiter and trespass invariably are found in the company of truants. A loitering statute would also afford the police an opportunity to check on any person suspected of being a sex deviate who is hanging around the schools.

(c) Use of return checks prohibited: It is recommended that a "no passout checks" law be enacted and uniformly enforced.

In the city of Portland, ordinance 20-2907 provides: "No person shall give to any person leaving such dance hall a return check or other token whereby readmission to such dance hall can be obtained without the payment of a fee the same as on original admission. No person leaving such hall shall receive any such ticket or token or gain readmission without paying the same fee as upon original admission."

No similar provision obtains under State law, and as a result, uniform enforcement of no passout check requirements outside the city is impossible. Patrons may leave at any time to go to their cars for various and obvious reasons and return. Drunkenness, as well as immorality, is often the result.

Law-enforcement officials contacted by this committee feel that a uniform law similar to the one in use by the city of Portland would help.

13. Prevention: Central services, case planning and treatment:

In addition to the coordination of agency program activities that the community council carries on, there is a need for specific case planning among the agencies concerned about a particular child and his family where delinquency is either a potential or actual problem. The best way to carry out this responsibility is still unknown, but experience in our own community, as well as in others, indicates that the following points need to be considered:

(a) A small percentage of the families in a community account for the major workload of agencies involved with juvenile delinquency—in several cities approximately 6 percent of the families account for 55 to 70 percent of the caseloads.

(b) Family patterns tend to be repeated from generation to generation. It is extremely important to find successful ways of helping children in these families to change the basic family pattern as they marry and have children of their own.

(c) Too often, one agency after another has worked with one or more members of these families without really succeeding in helping the family to become socially rehabilitated and strong enough to avoid succeeding breakdowns and difficulties.

(d) Recently, experience in St. Paul, New York City, and other cities indicates that greater success may be achieved with these "hard core" families if central case planning, reporting and treatment efforts go on steadily among the agencies involved with a particular family.

(e) More specifically, this means that with each case one agency should be primarily responsible for coordinating the case planning and for seeing that all agencies interested in this family coordinate and clear their activities with each other. This also means that no agency endeavoring to help the family would drop or discontinue its efforts, except as the central case planning indicated some other approach should be tried. The community council should call together the appropriate agencies to determine what system should be developed for the efficient exchange of information on cases. We should not lose track of unsolved problems.

(f) Centralizing responsibility for case planning is difficult. Presumably a different agency might carry the primary responsibility in different case situations. Overall, however, it seems advisable to have one organization or agency responsible, either for carrying central case planning, or for seeing to it that another agency has accepted such a responsibility. It is suggested that in our community the logical place to lodge the overall responsibility so far as school children are concerned is with the school social work program, providing it can be greatly expanded. The school is the one organization in the community that deals with most of the children and is in contact with them daily. It is in the best position to know of the headway or improvement the child is making. It does not lose track of the child and it must of necessity be concerned with the child's development from 6 to 18 years of age.

(g) It should be emphasized again that the community should know that not all families can be helped with present knowledge and social work skills. More needs to be learned before any system can assure results in every case, and the public should be aware of that. Social agencies should strive to use their contacts with families or children as a way of developing sufficient relationship so that help can be given and used constructively.

(h) It is recognized, too, that prevention work is needed often before children are of school age and with adults before they have children. This means, of course, that the prevention program should not be left entirely to any one institution such as the schools, but that every agency should be backed up with public encouragement in its efforts at prevention and at hanging on to families where it may be of constructive help.

IV

The foregoing report, constituting some 20 specific recommendations, is directed to several agencies of government and other community organizations. They may well create momentary interest and comment in the press and community, and they may stir some people or agencies to action. At best, however, a good number of them may not be considered and as a result be lost unless some organized effort is made to implement them by follow-up action. Furthermore, there is constant progress being made through research and experience which can be quite beneficial if it is applied to actual local situations with their ever-changing needs.

The conclusion is inescapable that if the most good is to be obtained from this study, the present and potential resources of the community, and advancements in knowledge, someone or some group needs to have the responsibility for carrying on and following through.

Therefore, to effect these ends, your committee finally recommends the creation of a Metropolitan Youth Commission established by official ordinance and resolution of the city and county. The ordinance and resolution should define objectives and authority. Such a commission should consist of some 15 citizens who are interested in problems of youth, and some of them should be from agencies working with youth. The commission can accomplish little unless it is reasonably financed and staffed. We recommend a competent, trained, and experienced director, and at least one office assistant with space to operate. Such commissions are being rapidly set up in metropolitan areas throughout the country as a result of the same types of study as that made by this committee.[4]

Committee members: Senior Major Leonard Adams, Dr. Winfield C. Arn, William H. Boone, Capt. Elizabeth Brown, Frank E. Brown, Lt. Edward J. Carney, Dr. Leslie M. Chase, Dr. Kenneth A. Erickson, Louis N. Gallo, Mrs. Emery Ingham, Rev. Elwood Marvin, Gordon Raney, Dr. Edward Scott, Leonard S. Shoen, Sol Stern, Rev. Martin Thielen, John Whitelaw, Don Willner, Edward J. Wilson, and Judge Virgil Langtry, chairman.

Members who did not serve through the entire study: Mrs. Margaret Bishop, Rev. Fred Broad, C. D. Burt, Mrs. Frances Matthew, Rev. Joseph Neuville, G. H. Oberteuffer, Robert J. Rickett, R. E. Schedeen.

Consultants: Albert Green, Sgt. Ralph Kennedy, Lt. John P. Kraynak, Gus B. Lange, Dorothea Lensch, Lt. Col. John H. Neilson.

Mr. MORSE. Mr. President, the thorough study and analysis and the recommended program outlined by the Portland-Multnomah Citizens Committee on Juvenile Delinquency proved to me to be very impressive. I wish to commend all the members of the committee and particularly its chairman for giving generously of their time and energy to the collection of data, exchange of ideas and formulation of policies.

The proposals made by the committee are of such a positive nature that I am convinced that when properly implemented and carried out, the Portland and Multnomah County area might well serve as a model or example for other cities and counties of the State of Oregon and of the entire Nation.

I think it is particularly important that the appropriate committees of the Congress, including the Senate Subcommittee to Investigate Juvenile Delinquency, under the chairmanship of my esteemed friend, TOM HENNINGS, should study the report of this Portland citizens' committee very carefully. The report contains a wealth of information. Its analysis of basic problems and remedies, its reference to changes in laws and administrative regulations of public agencies, and its discussion of the organization of the Metropolitan Youth Commission, should be of vital interest to all who are fervently seeking a real solution to the growing problem of juvenile delinquency in our Nation.

No discussion of this subject would be complete without a reference to the bill H. R. 652 that was introduced on the House side by one of my very able colleagues in the House, Congresswoman EDITH GREEN, herself a resident of Portland and Multnomah County. On the first day of the present Congress, EDITH GREEN introduced her bill, H. R. 652, designated as the "Delinquent Children's Act of 1957," which, in my opinion, is an outstanding piece of proposed legislation. If adopted, this proposal for assistance to and cooperation with the States in strengthening and improving their programs for dealing with juvenile delinquency, would be of tremendous help to the entire Nation. It is my hope that before the adjournment of the present Congress action will be taken to pass urgently needed legislation of this type. Our young people constitute the Nation's most valuable assets. There can be no legislation of greater significance than that which seeks to promote the well-being of the youth of our Nation.

[4] For information, see June 1957 bulletin, How Cities Control Juvenile Delinquency, of the American Municipal Association. For authority of county and city to cooperate in such a project, see ORS 190.110.

REPLY OF PROF. W. F. HAMILTON TO ANTIVIVISECTIONIST MONOGRAPH

Mr. MORSE. Mr. President, I have received a communication from a professor in the department of physiology of the Medical College of Georgia, who is of the opinion that I have done him an injustice by inserting in the CONGRESSIONAL RECORD, a monograph protesting certain experiments on animals carried on by the professor and several of his associates.

The material was inserted at the request of individuals who are deeply concerned over the possibility that inhumane practices are being followed in numerous instances by medical scientists in research projects involving animals.

In a letter dated March 6, 1958, Prof. W. F. Hamilton protested the statements contained in the antivivisectionist monograph, and supplies certain comments in answer to the charges made by the antivivisectionists. He also criticized me for having inserted this item in the RECORD.

In registering his criticism against my placing these materials in the RECORD Professor Hamilton, like several other medical scientists, failed to appreciate the fact that individuals who hold views that are vigorously opposed by the medical scientists are nevertheless entitled to be heard by the legislative branch of their Government. When I inserted, by request, materials supplied by the antivivisectionists I merely implemented their right to be heard on a subject they honestly believe needs a thorough airing.

I am pleased to do for Professor Hamilton what I did for those who objected to the experiments he conducted. Therefore, I ask unanimous consent that Professor Hamilton's letter be printed at this point in my remarks.

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

MEDICAL COLLEGE OF GEORGIA,
Augusta, Ga., March 6, 1958.

Hon. WAYNE MORSE,
United States Senator, Senate Office Building, Washington, D. C.

DEAR MR. MORSE: I have long admired your liberal and statesmanlike attitude toward national and international affairs. I am greatly chagrined to hear that you—perhaps unknowingly—have joined forces with the groundswell of anti-intellectualism which has been so important in stultifying education and progress in our country. You seem to have placed in the CONGRESSIONAL RECORD a scurrilous slander of me and my colleagues without investigating the truth of the statements made and without inquiring of us as to how our work is justified.

I refer to a statement appearing in the CONGRESSIONAL RECORD entitled "A New Experiment To Observe the Deaths of Animals Whose Hind Legs Have Been Beaten to Pulp." The implication is that we beat the dogs nearly to death and sadistically watch them die in an orgy of cruelty.

The truth of the matter is that the dogs were anesthetized and not allowed to come out from under pain killing drugs before they were killed. No cruelty whatever was involved at any time.

The experiments were performed in the hope of finding why animals and people die from crush injury and how this death can be prevented. The results of this and similar experiments done in other laboratories have given us understanding of these matters so that it has been possible to reduce the death rate of the wounded in the Korean campaign so substantially that thousands of wounded soldiers are now alive who would have been dead if World War II death rates had prevailed.

I hope that you will see fit to publish the above in the CONGRESSIONAL RECORD.

Yours truly,

W. F. HAMILTON.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, April 16, 1958, he presented to the President of the United States the following enrolled bills:

S. 280. An act for the relief of Agapito Jorolan;

S. 1703. An act to amend the act entitled "An act relating to children born out of wedlock," approved January 11, 1951;

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;

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;

S. 2230. An act to authorize the Secretary of the Interior to convey certain lands to the Charlotte Rudland Dansie Association;

S. 2725. An act to exempt from taxation certain property of the National Council of Negro Women, Inc., in the District of Columbia; and

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.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, on tomorrow, we do not expect the Senate to act on any business. Of course, there will be opportunity for Senators

to make insertions in the RECORD and to make statements; but we do not expect that any yea-and-nay votes will be taken, or that any business will be transacted.

Senators have been very diligent and have worked very hard and long, and I appreciate their courtesy.

Mr. ERVIN. Mr. President——

Mr. JOHNSON of Texas. I yield to the distinguished Senator from North Carolina.

DEATH OF SENATOR SCOTT, OF NORTH CAROLINA

Mr. ERVIN. Mr. President, it is with profound regret and sorrow that I convey to the Senate the sad, shocking tidings that my able and distinguished colleague and long-time friend, Senator W. KERR SCOTT, of North Carolina, died late this afternoon at the Alamance County General Hospital, at Burlington, N. C., where he had been undergoing treatment for a heart attack suffered during the Easter recess.

The leadership have advised me that later a date will be set for the holding, at an appropriate time, of a memorial service in the Senate.

I now submit and ask unanimous consent for the immediate consideration of the resolution which I send to the desk.

The PRESIDING OFFICER. The resolution will be read.

The resolution (S. Res. 290) was read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Hon. W. KERR SCOTT, late a Senator from the State of North Carolina.

Resolved, That a committee of Senators be appointed by the Presiding Officer of the Senate to attend the funeral of the deceased.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

ADJOURNMENT

Mr. JOHNSON of Texas. Mr. President, as a further mark of respect to the memory of the deceased Senator, I move that the Senate stand in adjournment until tomorrow, at 12 o'clock noon.

The motion was unanimously agreed to; and (at 7 o'clock and 3 minutes p. m.) the Senate adjourned until tomorrow, Thursday, April 17, 1958, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

WEDNESDAY, APRIL 16, 1958

The House met at 12 o'clock noon.

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

Deuteronomy 33:25: *As thy days, so shall thy strength be.*

Almighty God, grant that in these strange and strenuous times, we may constantly and confidently avail ourselves of Thy divine wisdom which does not err and the strength which does not falter.

We penitently confess that again and again we are more conscious of our perplexities than we are of Thy gracious providence.

May we not be cowardly when we ought to be courageous nor confused when we ought to be calm and never fickle when we ought to be faithful.

Help us to labor earnestly and pray fervently for the coming of that blessed day when men and nations shall give allegiance to the King of kings who rules not with the rod of iron but with the scepter of justice, righteousness, mercy, and love.

Hear us in His name. Amen.

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

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McGown, one of its clerks, announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 77. Concurrent resolution to extend greetings to the Federal Legislature of the West Indies.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 1708. An act to amend the act entitled "An act relating to children born out of wedlock," approved January 11, 1951.

The message also announced that the Vice President has appointed Mr. JOHNSTON of South Carolina and Mr. CARLSON members of the Joint Select Committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers referred to in the report of the Archivist of the United States numbered 58–11.

THE PRESIDENT'S VETO OF THE RIVERS AND HARBORS OMNIBUS BILL

Mr. EDMONDSON. 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 Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, there have been very few blows at the heart of water development and flood control in the United States that rank with the one which was struck yesterday by the President when he vetoed the rivers and harbors omnibus bill, which had been passed overwhelmingly by this Congress. With that veto the chances of hundreds of communities across this country to have projects that have been approved by the Army Engineers, by the Bureau of the Budget, and the Congress were substantially and detrimentally affected. By that veto the will of the Congress to establish new standards that will make possible a much more effective flood control and water development program was also obstructed. By that veto the President asserted that he will not permit this Congress to legislate and work its will even to the extent of 6 percent of an omnibus bill for authorization of rivers and harbors projects in this country. By that veto the President has demonstrated that he intends to dictate policy in this field in the future unless this Congress overrides the veto, as I hope it will.

Mr. Speaker, it is difficult to understand the reasoning of a Chief Executive who asks this Congress to give him a $4 billion blank check for foreign aid, permitting him to initiate expensive foreign river and harbor projects without any Congressional review whatsoever, and who then refuses to Congress its right to use its own judgment on 6 percent of a rivers and harbors bill for our own country.

This veto must be overridden by this Congress, if Congressional prerogatives have any significance at all today.

SMALL BUSINESS COMMITTEE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the House Small Business Committee may sit this afternoon and tomorrow afternoon during general debate.

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

There was no objection.

THE PRESIDENT'S VETO OF S. 497

Mr. GROSS. 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 Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, I take this time to commend President Eisenhower for vetoing S. 497, which would authorize the spending of $1.7 billion on various rivers and harbors and flood control projects.

While there are sound projects in the bill, there is no question that there are entirely too many provisions which cannot be justified on the basis of ratio of benefit to cost. In his veto message, the President properly enumerated a number of objectionable provisions, including three projects estimated to cost about $115 million, which the reports of the Corps of Engineers show have absolutely no economic justification.

The President's arguments against the bill are sound, and I am in full agreement with his views. As the RECORD will show, I voted against S. 497 when it was before the House, for the reasons stated, and I will vote to uphold the President if an attempt is made to override the veto.

Once again, I commend him for blocking this unwarranted raid upon the taxpayers.

RIVERS AND HARBORS BILL

Mr. MORANO. 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 Connecticut?

There was no objection.

Mr. MORANO. Mr. Speaker, I take exception to the remarks made by the gentleman from Oklahoma concerning the veto of the President. I believe there was much justification for the President's action. Of course, I am happy to see that the gentleman from Iowa [Mr. GROSS] is in agreement with the President, at least in this one instance. The gentleman from Iowa has ably given the reasons for the veto.

I happen to have a project in the Fourth Congressional District of Connecticut which is the Bridgeport Harbor project. This is a sound project. It is a project approved by the Chief of Engineers and by the Bureau of the Budget. It has been twice approved by this Congress and has failed of enactment because of a Presidential veto.

Today I am introducing a bill, an individual, special bill, to authorize the modification of the Bridgeport Harbor. I hope the Committee on Public Works will consider this bill and any others like it that may be introduced and take quick and favorable action on it. It is long overdue. The economy of the entire Bridgeport area is involved.

STORY OF FREE ENTERPRISE

Mr. ALGER. 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. ALGER. Mr. Speaker, years ago, I played golf with a fellow who shot consistently in the middle eighties. That is good golf by my standards and, by his standards, too, for he played for years with other 80 to 90 shooters and appeared to enjoy himself thoroughly.

One day, however, everything seemed to break right for him. He turned in a 74—a personal record.

On the following Saturday he went around in 83—really a bit better than his average score—but he immediately grumbled that he was "off his game." He is still grumbling, for I am afraid that something nearer 74 has become his notion of what is normal for him, at least when he is talking to others about it.

Could it possibly be that some of the isolated and anguished howls we hear today come from some who, having once done so, feel they should shoot a business or an economic 74, day in and day out, indefinitely?

During World War II some of us chuckled over the story of a young lieutenant, not long off the farm, who found himself riding in a Pullman for the first time. Nearing his destination, his embarrassment grew, for while he wanted to appear a man of the world, he had not the remotest idea how much to tip the Pullman porter. Being a direct young fellow, when the porter came to assist him with bags and coat, the lieutenant asked him straight out what he received, on the average, as a tip. Without batting an eye, the porter came back, "$2, suh."

Stunned, but trying desperately not to show it, the young lieutenant fished two bills out of his pocket and handed them over, at which the porter's eyes widened with respect. "Thank you, boss," he said, "you're the first gentlemen in 18 months to come up to my average."

RIVERS AND HARBORS BILL

Mr. McGREGOR. 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 Ohio?

There was no objection.

Mr. McGREGOR. Mr. Speaker, it is not my habit to attempt to answer any of my colleagues, but I cannot help but take exception to the remarks of my good friend, the gentleman from Oklahoma [Mr. EDMONDSON] who is a member of the Committee on Public Works and who has just criticized the President for vetoing the pork barrel legislation known as the rivers and harbors bill, S. 497.

I am sure that my distinguished friend from Oklahoma recognizes now that it does not pay to put rotten apples in a barrel of good ones. Most of the projects in the bill are meritorious and were recommended according to established procedure. But what happened? Some few Members of Congress who could not get their projects recommended according to law by the Army Engineers, the Secretary of Defense, and the Bureau of the Budget, insisted on putting their projects into the bill regardless of their adverse effect on the approved projects. The President could not do anything else but veto a bill of nearly a billion and a half dollars because there were approximately $349 million worth of projects in the legislation that have not been approved or recommended by the proper departments of this Government. So some of those who put in the bill their projects that were not recommended should now go to the Members whose projects were legitimate ones and humbly apologize.

AMENDING SECTION 161, REVISED STATUTES

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution (H. Res. 514) providing for the consideration of 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, 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. 2767) 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. 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 Government Operations, 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. BOLLING. Mr. Speaker, before commencing debate on the rule, I wish to make a unanimous consent request. After discussion with the managers of the bill, both on the majority and on the minority side, and the leadership on both sides, I ask unanimous consent that on page 1, line 9, after the words "not to exceed" the words "one hour" be stricken and the words "two hours" be inserted.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

Mr. BROWN of Ohio. Mr. Speaker, reserving the right to object, I would like to add that the minority agrees with that request and supports the request of the gentleman from Missouri.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The resolution was amended accordingly.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, House Resolution 514 makes in order the consideration of the bill H. R. 2767, 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.

Mr. Speaker, under the unanimous-consent agreement which has just been entered into, the rule, which is an open rule, provides for 2 hours of general debate.

The section which the bill proposes to amend is as follows:

The head of each department is authorized to prescribe regulations, not inconsistent with law, for the government of his department, the conduct of its officers and clerks, the distribution and performance of its business, and the custody, use, and preservation of the records, papers, and property appertaining to it.

The amendment provides that "This section does not authorize the withholding of information from the public or limiting the availability of records to the public."

Before the Rules Committee there was no controversy over the rule. With the change in time just agreed to, I gather there is no controversy about the adoption of the rule now, and I therefore reserve the balance of my time.

The SPEAKER pro tempore. The gentleman from Ohio [Mr. BROWN] is recognized.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such time as I may require.

As the gentleman from Missouri [Mr. BOLLING] has so ably stated, this resolution would make in order H. R. 2767, a bill to amend one of the oldest statutes on our Federal books. It is a bill in which the press of the Nation has been greatly interested for many years. The legislation has the support of such organizations as the national journalistic fraternity, Sigma Delta Chi, and practically every newspaper and magazine publisher and reporter in the United States. It is called the freedom-of-information bill, or amendment.

The bill was reported unanimously by the House Committee on Government Operations, although there were filed with the report by 2 individuals additional views; 1 by the gentleman from Michigan [Mr. HOFFMAN], who will speak on the bill, and the other by the gentleman from Michigan [Mr. MEADER], who will also speak on the measure.

What this bill does is to amend Revised Statute 161, which was adopted in the first session of the First Congress of the United States back in 1789 as a housekeeping provision. I want to read the original law:

> The head of each department is authorized to prescribe regulations, not inconsistent with law, for the government of his department, the conduct of its officers and clerks, the distribution and performance of its business, and the custody, use, and preservation of the records, papers, and property appertaining to it.

That is the original statute which has been on the books since the creation of this Government. It appears this section has been used too often by too many Government departments, agencies, and officials as an excuse for withholding information from the general public. So, an amendment to that section has been proposed. It is a very simple amendment, a 1-line amendment, which will add this 1 sentence:

> This section does not authorize the withholding of information from the public or limiting the availability of records to the public.

That simply means that the public and the press may have access to the ordinary records of the average department and agency of the Federal Government; the right to know, in other words, the right to learn what is going on. I must point out that this amendment does not in any way affect some 78 separate statutes, which do provide for the secrecy of many Government records, such as income tax returns, and other similar records.

I do not believe the amendment interferes in any way with the long-established custom which has lasted, for many many years, since Washington's time perhaps, whereby the President can, in the public interest, or as a matter of national security, refuse to divulge certain information, or to permit those in the executive branch of the Government to make available to the public information which in his judgment he believes would be detrimental to the welfare of this country.

Mr. HYDE. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield.

Mr. HYDE. In view of what the gentleman has just said with respect to the laws which it does not repeal, and I also gather from the reading of the report and the hearings that it is not the intention to reveal such things as income tax returns, FBI files, or things like that and other matters of security, would it not be better to spell that out by simply adding to what you have here in the amendment the language "where not inconsistent with law", so it cannot be used as an excuse by some officials for giving out information which they should not give out?

Mr. BROWN of Ohio. Let me continue and explain that, if I may, to the gentleman.

It is the opinion of our committee—certainly it is my opinion and my interpretation of this amendment, that it would still be a violation of law for any agency of Government or any Government official to make public any of the records for which secrecy is provided by any of some 78 separate statutes.

It would also, in my opinion, in no way affect the right of the President, which he at least exerts, and which the Attorney General claims he has, and over which there has been a great dispute with Congress at times, as to his right to withhold information from the public or from legislative bodies. It is my understanding the gentlemen from Michigan, both Mr. MEADER and Mr. HOFFMAN, will present amendments to clarify this amendment so as to make definite just exactly what the statute will do, as the gentleman from Maryland has suggested.

As far as I am concerned, and I think as far as the members of the committee are concerned, if any clarifying amendment can be prepared that will further protect the proper interests of the United States in security cases and other matters, where it is the desire of the Congress, or under the statutory laws that grant and permit secrecy, such amendments will be acceptable. I know that members of the press, representatives of the various press organizations of the country, have testified they in no way want to use this new amendment to the law to obtain any information that would in any way be injurious to the United States. So I say in respect to both these gentlemen, who have given great study to this problem, that I hope they will have amendments worthy of the consideration of this House. Does that answer the gentleman's question?

Mr. HYDE. I thank the gentleman. I gather from what the gentleman says there will be no objection to such an amendment clarifying the point I have made.

Mr. BROWN of Ohio. It wants to be a clarifying amendment. I would not support any amendment I thought would protect the continued practice which now exists of departments covering up and withholding information which might be critical of the department, but in no way injurious to the security of this country.

Mr. HYDE. I agree with the gentleman. I just wanted to make sure how the gentleman felt.

Mr. BROWN of Ohio. I believe, as a newspaper publisher, as well as a Member of Congress, that the people of the United States have the right to know; and as long as we have a freedom of the press provision in the Constitution, and if we are to continue to have a free press, we must guarantee to the press the right to obtain information on public matters. I point out again that there is nothing in this bill which would prove in any way injurious to, or that would endanger, the security of the country, or its best interests; and certainly, the press of the Nation does not ask such a privilege. The only thing the press wants is the right to know, and for the American people to know, what is going on in these departments and agencies, and to do away with some of these secrecy orders and regulations which have nothing to do with the national defense or national security.

I am sure attention will be given to any amendments which may be offered by the two gentlemen from Michigan, both of whom are distinguished members of the committee which considered this legislation, and who have spent a great deal of time and study on it.

Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. MEADER].

Mr. MEADER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter and also to revise and extend the remarks I will make in general debate on the bill H. R. 2767 and to include extraneous matter in those remarks.

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

There was no objection.

Mr. MEADER. Mr. Speaker, I believe the gentleman from Ohio has pretty well covered the attitude that the Government Operations Committee took with respect to this legislation. So far as I know there is no opposition to the general purpose of the legislation which is simply to take away from officials in the executive branch of the Government one of the crutches they have used in the past for denying information to the general public. The only debate that was had in committee and the only matter in controversy between myself and the sponsors of the measure is the question of the wording of the legislation.

As the gentleman from Ohio pointed out in his colloquy with the gentleman from Maryland, no one in our committee has any intention, so far as I am aware, of affecting the 78 statutes, or whatever the number may be, under which the departments and agencies in the executive branch of the Government are authorized to withhold information. The only objective of the Government Operations Committee and the sponsors of the bill, as has been explained in de-

bate, and as contained in the report of the committee, is to remove this particular authority that the officials have claimed gives them the right to withhold information from the public. In other words, H. R. 2767 is to be confined to section 161 of the revised statutes, and is not intended to affect any other law or any other right that may exist in the executive department with respect to secrecy or the withholding of information from the public. That was not clear until the matter was discussed in the committee.

I offered an amendment in committee which I thought would strengthen the bill by making the language clearer and would prevent any misinterpretation by a court if the matter gets into a litigated status subsequently. I do not particularly appreciate having people charge me with being opposed to the legislation when my objective is to perfect it. I think we have an obligation here as legislators to see that our language and the expression of our intent are just as clear in the statute as we can make it. I do not think there is any language that is sacred and beyond being touched. I do not care how widely the matter has been publicized throughout the country, we should make our intention as plain as we can. If there is ambiguity or if there is a possibility that a court may misconstrue what we state, it is our obligation as legislators to make that language as clear as we possibly can. That is my one and only purpose in offering the amendment.

Mr. Speaker, I doubt that I will have much support for my amendment, even though I think it is right, because, unfortunately, there has grown up a tendency when a bill is introduced to get public support behind it or the support of groups and to put pressure upon the Members of Congress to "pass this measure without amendment," not without crippling amendments but without even a perfecting amendment. I do not doubt that many Members of this House have received communications from their editors back home urging them to oppose any amendments. They will follow those instructions, undoubtedly, but I do think they ought to pay attention to the debate and do their job here, which is to make legislative intent as plain as we can.

Mr. Speaker, I do not intend to discuss the possible misinterpretation of this very simple one-sentence bill at this time, but I shall do so in general debate. I hope there will be enough Members on the floor so that we really can give some consideration to this measure and make this bill the best bill we can make it. I want to make clear again that I do not know of anyone on the committee who is opposed to the purpose of this legislation, and anyone who offers an amendment should not be tarred with some sinister purpose of defeating the measure.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

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

Mr. HOFFMAN. Did I understand the gentleman to say he did not know of anyone on the committee who was opposed to the purpose of the bill?

Mr. MEADER. That was my statement.

Maybe I am mistaken. Maybe the gentleman is opposed to it.

Mr. HOFFMAN. I am not opposed to the announced purpose, which is to end the abuse which has been customary in the departments, but I sure am opposed to the adoption of this type of legislation which would destroy the prerogative, the authority, granted to all of the executive departments by the Constitution itself.

Mr. MEADER. I did not mean to undertake to state the position of anyone else with respect to this bill. I know that the gentleman from Michigan [Mr. HOFFMAN] is capable of stating his own position. I may have misinterpreted what I understood to be his position in the committee, in support of the objective as I have described it, namely, to take away from the officials of the executive branch of the Government section 161 as a basis for withholding information. If the gentleman is opposed to that purpose, I did not understand it so in the committee, but I will let him make his own statement on that. So far as I know, no one else opposes the objective of the legislation.

Mr. HOFFMAN. If the objective is to cure an evil which now exists, I am with you, but if it is what I think it is, if the result is what I think it will be and as a political attack on the administration, I sure am against it. This bill is an attempt by the Congress to invade and take over a function, an activity, of the executive department.

Mr. BROWN of Ohio. Mr. Speaker, I have no further requests for time.

Mr. BOLLING. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

Mr. MOSS. 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. 2767) 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.

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. 2767, with Mr. NATCHER in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. MOSS. Mr. Chairman, I yield myself such time as I may require.

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

The CHAIRMAN. Evidently a quorum is not present. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 41]

Allen, Ill.	Blitch	Byrd
Auchincloss	Brown, Mo.	Celler
Barden	Buckley	Cretella
Barrett	Burdick	Dies
Diggs	Kean	Radwan
Eberharter	Kee	Riley
Engle	Keogh	Roberts
Gordon	Lafore	Scott, Pa.
Grant	LeCompte	Sheppard
Gray	Lennon	Shuford
Green, Oreg.	McMillan	Sieminski
Gubser	Macdonald	Utt
Gwinn	Madden	Widnall
Hays, Ark.	Montoya	Williams, N. Y.
Hays, Ohio	Mumma	Willis
Holifield	Norblad	Wilson, Calif.
Holt	Powell	Withrow
Jenkins	Rabaut	

Accordingly the Committee rose; and the Speaker pro tempore having resumed the chair, Mr. NATCHER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H. R. 2767, and finding itself without a quorum, he had directed the roll to be called, when 373 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. Moss].

Mr. MOSS. Mr. Chairman, I yield myself such time as I may need.

Mr. Chairman, this is really a very simple amendment to a very old statute. Section 161 of the Revised Statutes of the United States, title 5, United States Code, section 22, in the judgment of the committee, was a simple grant of housekeeping authority. I think it might be interesting to read the language:

> The head of each department is authorized to prescribe regulations, not inconsistent with law, for the government of his department, the conduct of its officers and clerks, the distribution and performance of its business, and the custody, use, and preservation of the records, papers, and property appertaining to it.

The bill before us proposes merely to add this language:

> This section does not authorize withholding information from the public or limiting the availability of records to the public.

The reason we are offering this amendment is that the special Government Information Subcommittee, after almost 3 years of study, had determined quite clearly on the record that numerous departments and agencies of the Government have tortured this language into a broad authority to withhold information from the public and even from the Congress itself. We did not lightly draft this language. While it appears very simple, much thought has gone into it. The language has been changed at least three times. It has been circulated to a very distinguished list of attorneys, educators, editors, and within the Government itself for comment.

I think it might be well here to first deal with the things that this legislation does not do.

It is confined to amending the language of this section. It does not go to any other statutory authority which confers upon the departments and agencies of Government the right to withhold information. It does not go to any Executive privilege, if such exists. As I understand it, the claim of privilege

is supposed to come from some undefined inherent power. If it exists, then it is not subject to modification by statute. It does not go to security-sensitive information. Whenever a withholding is made because the release of information might adversely affect the interests of the United States, the Departments of Government rely on a different authority. This amendment affects only nonsensitive nonsecurity information. Nor does it in any way modify the authority of the Government to direct withholding because the information would be injurious to the United States.

It does not affect the FBI files or the access to those files. Again there is very adequate statutory authority for the safeguarding of that type of information. It does not affect the confidential status of information given to the Government and carefully detailed in title 18, United States Code, section 1905, such as trade secrets, processes, operations, style of work, or apparatus or the identity of confidential statistical data, amount or source of income, profit, loss, or expenditures. It does not affect the confidential treatment of income-tax returns. It does not affect more than 75 additional specific statutory grants of authority for the control of information.

These laws range from national security to peanuts. They included:

National security and defense matters.

Diplomatic codes.

Inventions.

Atomic energy information.

Intelligence.

Cotton data.

Tobacco data.

Information concerning marketing agreements.

Peanut data.

Sugar data.

Alien registration records.

Census information.

Information accumulated by Federal Trade Commission.

Information obtained from accounts and records of natural gas companies.

Information obtained from accounts and records of persons regulated by Federal Power Commission, Federal Trade Commission, Federal Communications Commission, Interstate Commerce Commission.

Names of borrowers from banks.

Tax returns.

Narcotic tax returns.

Information obtained by Railroad Retirement Board.

Record of seamen's discharge books.

Contracts of motor and water carriers.

Information from the accounts of motor, water and air carriers.

Information obtained from manufacturers and distributors of explosives.

Selective service records.

Information obtained from audit of defense contracts.

Information obtained under the Housing and Rent Act, the Export Control Act, Defense Production Act, Civil Aeronautics Act.

Information concerning civil service examinations.

Crop reports.

Order and findings as to the removal of national bank directors.

Security Exchange investment advisers' investigations.

Foreign Service employees correspondence and records.

Private shipbuilders' experiment results.

Veterans' Bureau files.

Postal savings deposits.

Public Health Service records of narcotic patients.

It merely defines the intent of the Congress which, in 1789, first voted this housekeeping authority. This amendment restores its original intent. It says to the departments of Government "if you desire to withhold information from anyone, including the Congress, then seek specific authority."

It is a very timid first step in bringing order out of a most chaotic field. For too long a time, in my judgment, the Congress has been willing to permit the Executive to determine what people can know, and, in fact, what the Congress can or should know.

We hope, as a further work of the subcommittee, to deal with some of these specific statutory grants, to reevaluate them, to determine whether they are adequate or if there is a real need for them. I hope no one confuses this very mild approach with those other problems. I hope no one imagines that we are trying to open up military secrets, secrets of state, or to lay on the record all of the information which is acquired by the Government.

I want to emphasize again that that is not the intent; that cannot be the effect. This deals only with the authority granted in this section of the code. In my judgment and in the judgment of a great many others who have devoted careful study to this problem, this is the minimum expression which the Congress should make at this time. I believe the language to be clear. I have studied carefully the amendments proposed in committee. It is my judgment that they are not necessary or desirable, and I hope that the committee, when they are offered, will believe, as I do, that the language so carefully put together best expresses the intent and best meets the needs of the moment.

Mr. HOFFMAN. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, if this bill would accomplish what the gentleman from California [Mr. Moss], the chairman of the three-man subcommittee, says it will and nothing more, I would be enthusiastically supporting it. However, having had some experience with legislation and with statesmen—not politicians—I must take the bill as it is written, consider the sources from which it came.

This bill originated with the newspaper people, the people who have news to sell, the people who assume and to a very great degree do speak for the people, and no criticism should or could be made here of their activities. We all realize that much of the freedom of this country exists because we have had a free press. We all realize that without it and without an informed press, we could not make progress, nor could we be secure as a nation.

The stated purpose of the bill, it has been said, is to cure an abuse. But, how and where did the legislation originate? How have the hearings been carried on? In the first place, on the committee staff, we have three reporters; fine, able, aggressive gentlemen, no question about it. But they have directed the staff activities from the beginning down to today. That is their privilege. But, you should remember their background and what they want. They are first and last lobbyists for the press. They are young, ambitious reporters, with the fixed conviction that they know best how this Government should be operated. They propose to look at and into 78 other statutes and how they are administered. Then tell the Congress—after they have told the press—how the business of the departments should be conducted.

AVAILABILITY OF INFORMATION FROM FEDERAL DEPARTMENTS AND AGENCIES

June 9, 1955, WILLIAM L. DAWSON, chairman of the House Committee on Government Operations, wrote a letter to the Honorable JOHN E. MOSS, a member of that committee, which reads as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D. C., June 9, 1955.

Hon. JOHN E. MOSS,
House Office Building,
Washington, D. C.

DEAR COLLEAGUE: I am asking you to act as chairman of the Government Information Subcommittee of the House Government Operations Committee. Other members to serve on this special subcommittee are Congressman DANTE FASCELL and Congressman CLARE E. HOFFMAN.

Charges have been made that Government agencies have denied or withheld pertinent and timely information from those who are entitled to receive it. These charges include the denial of such information to the newspapers, to radio, and television broadcasters, magazines, and other communication mediums, to trained and qualified research experts and to the Congress.

In many cases there is no apparent excuse for agencies of the executive branch of Government either to withhold such information or to refuse to communicate it when requested.

It has also been charged that pressures of various sorts have been applied by Government officials to restrict the flow of information and the exchange of opinion outside the Government.

An informed public makes the difference between mob rule and democratic government. If the pertinent and necessary information on governmental activities is denied the public, the result is a weakening of the democratic process and the ultimate atrophy of our form of government.

Accordingly, I am asking your subcommittee to make such an investigation as will verify or refute these charges. In making such investigation you are requested to study the operation of the agencies and officials in the executive branch of the Government at all levels with a view to determining the efficiency and economy of such operation in the field of information both intragovernmental and extragovernmental With this guiding purpose your subcommittee will ascertain the trend in the availability of Government information and will scrutinize the information practices of executive agencies and officials in the light of their propriety, fitness, and legality.

I am sure that the report of your subcommittee will fully and frankly disclose any evidences of unjustifiable suppression of information or distortion or slanting of facts.

You will seek practicable solutions for such shortcomings, and remedies for such derelictions, as you may find and report your findings to the full committee with recommendations for action.

Sincerely yours,

WILLIAM L. DAWSON,
Chairman.

This was followed by a letter of June 13, 1955, which reads as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D. C., June 13, 1955.

Hon. JOHN E. MOSS,
Chairman, Special Subcommittee on Government Information, 414 House Office Building, Washington, D. C.

DEAR COLLEAGUE: It has been brought to my attention that my letter of June 9, 1955, authorizing and establishing your Subcommittee on Government Information, might be interpreted to confine your inquiries to agencies in the executive branch of the Government.

Such is not, and never has been, my intention. Your authorization is premised on the duty of the Committee on Government Operations to study "the operation of Government activities at all levels with a view to determining its efficiency and economy."

This duty to study "at all levels" obviously includes the so-called independent agencies. The mention in the letter of June 9 of "executive agencies" was intended to differentiate and exclude the Federal judiciary and the Congress from your study. It was never intended to exclude independent agencies from the scope of your inquiry. On the contrary, your scrutiny of the information practices of such agencies in the light of their propriety, fitness, and legality may well be one of the most valuable contributions of your subcommittee.

Sincerely yours,

WILLIAM L. DAWSON,
Chairman.

On November 7, 1955, the chairman of the special subcommittee called for an informal panel discussion which would give the subcommittee members and the public an opportunity to learn the views of the specialists in the field of information and particularly their views on the free flow of information from the Federal executive agencies.

Subsequently, hearings, which concluded in February 1958, were held.

Some 199 able, distinguished, expert witnesses were called. More than 3,564 pages of testimony and exhibits were printed.

Prior to the conclusion of the hearings and as the result of the panel discussion and the subsequent hearings, on January 14, 1957, Chairman Moss had introduced H. R. 2767 and that bill, having been referred to the Committee on Government Operations, was, by its chairman, referred to the special subcommittee of which Mr. Moss was chairman, and which held hearings on the bill.

The subcommittee reported the bill to the full committee which, in turn, submitted the bill to the House on the 6th day of March 1958—House Report No. 1461. My additional views, in a garbled form, due to errors in the Printing Office, were carried in that report on pages 14 to 33, inclusive.

H. R. 2767 is a proposed amendment to section 161 of the Revised Statutes of 1878 which reads as follows:

DEPARTMENTAL REGULATIONS

SEC. 161. The head of each department is authorized to prescribe regulations, not inconsistent with law, for the government of his department, the conduct of its officers and clerks, the distribution and performance of its business, and the custody, use, and preservation of the records, papers, and property appertaining to it.[1]

The amendment would add to the above quoted section the words:

This section does not authorize withholding information from the public or limiting the availability of records to the public.

The subcommittee and the full committee adopted the amendment and favorably reported out the bill.

In the subcommittee and the full committee, another amendment was offered by me, which would have added to the bill as reported out the words:

Nor shall this section be construed as requiring the giving of information or the making of records available.

This amendment was rejected.

Witnesses appearing before the subcommittee were, almost without exception, individuals distinguished as either publishers, editors, reporters, columnists, or lawyers.

So far as can be recalled, no one primarily interested as is the average individual appeared in behalf of the bill or contended that it is necessary or will advance the public's interest. Nor from the time of its introduction until the present has any individual other than those belonging to one or the other above named groups requested my support of the amendment.

Using a catchy slogan, "the people's right to know," the hearings became a remarkably effective outlet for publicity. The thought carried in the slogan is based upon the argument that, this being the people's Government, the people have the right to know what those who govern are not only saying and doing, but thinking. That, therefore, each of the 170 million plus individuals who are "the people" has the right to ask of, and have answered by, the executive departments any question concerning executive action in which he may have an interest or as to which he may be curious. From a practical standpoint, that suggestion is absurd.

Nor would enactment of this bill bring about its suggested purpose—which is to give life to the people's right to know—for the reason that heads of the departments, in the exercise of their discretion, will fall back upon constitutional provisions which give them authority. More of that hereafter.

[1] Derivation of sec. 161: July 27, 1789, c. 4, v. 1, p. 28; September 15, 1789, c. 14, v. 1, p. 68; August 7, 1849, c. 7, v. 1, p. 49; September 2, 1789, c. 12, v. 1, p. 65; June 8, 1872, c. 335, v. 17, p. 283; April 30, 1798, c. 35, v. 1, p. 553; June 22, 1870, c. 150, s. 8, v. 16, p. 163; March 3, 1849, c. 108, v. 9, p. 395; August 15, 1876, c. 287, s. 3, v. 18, p. 169.

WILL NOT END ABUSE—CREATE TROUBLE

The adoption of the amendment will tend to increase controversy between the departments and the staff of Congressional committees, Congressional committees, Members of Congress, publicists, reporters, and the idly curious, any of whom may, when requesting information which is denied by the departments, wave in the face of the reluctant official a copy of any act written in the words of H. R. 2767.

ABUSE OF SECTION 161

Beyond question, the departments have misused, and sometimes abused, the authority given under section 161 and by the Constitution. This they have done because too many individuals in the departments have been authorized to classify and to withhold records and information coming into their possession.

It is far easier for any subordinate executive official or employee to rubberstamp a record or a communication as "secret," "confidential," "restricted," or in some other manner than it is to make a laborious, firsthand examination to accurately ascertain the necessity or the desirability of so acting.

There is the further incentive to restrict rather than to liberalize an action by the knowledge that if a record or a communication is not stamped with some degree of restriction, later criticism may bring down the wrath of a department head upon the offending official or employee. In addition, there is the all too prevalent inclination of an official to cover up, to conceal any wrong action for which he or others in the department may have been responsible.

THE REMEDY

The remedy will not, for several reasons, be found in the enactment of this bill. Beyond question, the introduction of the bill, the hearings, and the publicity given them, have resulted in the making by department heads of sincere efforts to lessen the abuse of the authority which is theirs, a part of which it has been claimed exists because of section 161.

That section has been erroneously cited by several of the departments as their authority for withholding of information from the Congress, its committees and the public.

PURPOSE OF SECTION 2161

The departments' basic authority rests upon article II, section 1 of the Constitution. But section 161 was written as it was deliberately—to give the department heads authority to control the records and information entrusted to their care as is pointed out herein.

Now it is quite true that, this being the people's Government, the people have the right to know what the Government, as represented by the executive department, is doing.

But like many another right, for example, the right to a free press, the right to liberty, the right to own and enjoy property, the right to know is not an absolute right. It, like all other so-called rights, is circumscribed and limited by the rights of others and of the public as a whole.

THE PEOPLE SURRENDERED A PART OF THEIR RIGHT TO KNOW

Moreover, the people themselves, when determining our form of government, provided for three separate and distinct departments and in the Constitution granted to each certain, exclusive authority, surrendered to each department a part of the authority belonging to the people.

The legislative department—not the Supreme Court—was given the authority to write legislation.

The executive department was not given the authority to either write or interpret the law, but it was given the authority to execute the laws and, in certain cases, to use the Armed Forces of the United States and of the States to carry out its duties.

The judicial department was given the authority, not to write legislation, not to enforce legislation—except its own decrees through its own marshals—but the authority to determine whether legislation written by the Congress or the acts of the Executive in enforcing it was within the provisions of the Constitution.

True, the departments were created by the Congress under the legislative authority given it and it probably has authority to abolish an executive department and undoubtedly it may, as it has in 78 instances given the executive departments authority to disclose or to withhold information, provide regulations governing its activities.

But inasmuch as the authority given the executive departments is basically theirs by virtue of a constitutional provision, while exercising its constitutional prerogatives, the Executive and those acting for and in his place and stead, cannot be reached by the legislative branch.

While the above statements may seem to be contradictory, in reality there is no contradiction if fundamental principles are kept in mind.

When a department or agency is created by the legislative branch, the Congress may limit its authority, prescribe and delegate the making of the regulations which shall govern.

But where a department is created by the Constitution, authority expressly given it by the Constitution or authority inherent in the grant, the department's action cannot be controlled or regulated by the Congress. The people foreclosed their right acting through the Congress to limit the constitutional grant of power when they wrote into the Constitution itself section 1 of article II which established the executive branch of the Government.

This division of authority was recognized and ably argued by both the present Speaker and the present majority leader when a bill requiring the departments to furnish certain relevant information was before the Congress on May 12 and 13 of 1948.

Those arguments are set forth not only in the CONGRESSONAL RECORD but in the additional views filed with the report on this bill, on pages 19 to 22, inclusive, and in appendix A, pages 33 to 57, inclusive, of the additional views, which are an extension of the argument made by the present majority leader against the bill then pending and which was on the 13th day of May adopted by the House. It died in the Senate.

The bill then pending was a bill which called upon the executive departments to recognize the right of the Congress to relevant information in the possession of the executive departments which would enable the Congress to write legislation—and an entirely different right than the right of the individual sought in H. R. 2767 to any and all information in the possession of the executive departments.

The right of the Congress to information necessary to adequately legislate is carried in article 1, section 1, which is a grant of legislative power.

The right of the Congress to relevant information in the possession of the executive departments which will enable it—the Congress—to effectively legislate has been long and firmly established.

The United States Supreme Court in the case of *McGrain* v. *Daugherty* (273 U. S. 135, decided in 1927), among other things, said:

> We are of opinion that the power of inquiry—with process to enforce it—is an essential and appropriate auxiliary to the legislative function. It was so regarded and employed in American legislatures before the Constitution was framed and ratified. Both Houses of Congress took this view of it early in their history—the House of Representatives with the approving votes of Mr. Madison and other members whose service in the Convention which framed the Constitution gives special significance to their action—and both Houses have employed the power accordingly up to the present time. The acts of 1798 and 1857, judged by the comprehensive terms, were intended to recognize the existence of this power in both Houses and to enable them to employ it "more effectually" than before. So, when their practice in the matter is appraised according to the circumstances in which it was begun and to those in which it has been continued, it falls nothing short of a practical construction, long continued, of the constitutional provisions respecting their powers and, therefore, should be taken as fixing the meaning of those provisions, if otherwise doubtful.
>
> We are further of opinion that the provisions are not of doubtful meaning, but, as was held by this Court in the cases we have reviewed, are intended to be effectively exercised and, therefore, to carry with them such auxiliary powers as are necessary and appropriate to that end. While the power to exact information in aid of the legislative function was not involved in those cases, the rule of interpretation applied there is applicable here. A legislative body cannot legislate wisely or effectively in the absence of information respecting the conditions which the legislation is intended to affect or change; and where the legislative body does not itself possess the requisite information—which not infrequently is true—recourse must be had to others who do possess it. Experience has taught that mere requests for such information often are unavailing, and also that information which is volunteered is not always accurate or complete; so some means of compulsion are essential to obtain what is needed. All this was true before and when the Constitution was framed and adopted. In that period the power of inquiry—with enforcing process—was regarded and employed as a necessary and appropriate attribute of the power to legislate—indeed, was treated as inhering in it. Thus there is ample warrant for thinking, as we do, that the constitutional provisions which commit the legislative function to the two Houses are intended to include this attribute, to the end that the function may be effectively exercised.

With regard to the Senate resolution involved, the Court further said:

> It is quite true that the resolution directing the investigation does not in terms avow that it is intended to be in aid of legislation; but it does show that the subject to be investigated was the administration of the Department of Justice—whether its functions were being properly discharged or were being neglected or misdirected, and particularly whether the Attorney General and his assistants were performing or neglecting their duties in respect of the institution and prosecution of proceedings to punish crimes and enforce appropriate remedies against the wrongdoers—specific instances of alleged neglect being recited. Plainly the subject was one on which legislation could be had and would be materially aided by the information which the investigation was calculated to elicit. This becomes manifest when it is reflected that the functions of the Department of Justice, the powers and duties of the Attorney General, and the duties of his assistants are all subject to regulation by Congressional legislation and that the Department is maintained and its activities are carried on under such appropriations as in the judgment of Congress are needed from year to year.
>
> The only legitimate object the Senate could have in ordering the investigation was to aid it in legislating; and we think the subject matter was such that the presumption should be indulged that this was the real object. An express avowal of the object would have been better but in view of the particular subject matter was not indispensable.

Since the decision in McGrain against Daugherty, the authority of Congressional committees to obtain information from the executive departments has been consistently upheld.

In *Townsend* v. *U. S.* (App. D. C. 1938; 95 F. (2d) 352, February 7, 1938, certiorari denied (1938) 303 U. S. 664), the court pointed out that in light of McGrain against Daugherty, supra, a legislative purpose would be presumed, and that "power to conduct a hearing for legislative purposes is not to be measured by recommendations for legislation or their absence."

In *U. S.* v. *Bryan* (72 Fed. Supp. 58 (May 21, 1947), p. 61), the court said:

> Manifestly, the sole purpose for which the Congress may carry on investigations and secure information is in connection with the exercise of its legislative function and with the appropriation of moneys.

THE RIGHT OF THE INTERESTED INDIVIDUAL

The right of the individual who has a special interest in the records or information in the possession of the executive department has been conclusively established.

The right of the individual to know where his own interests are involved and can be served without injury to the public has been upheld by the United States Supreme Court, where the true rule seems to be expressly stated. Where one who had a cause of action against the United States Government which grew out of an airplane accident sought information from an executive department, Chief Justice Vinson stated the case clearly

and, in the opinion of many, correctly. Among other things, he wrote:

Judicial control over the evidence in a case cannot be abdicated to the caprice of executive officers. Yet we will not go so far as to say that the Court may automatically require a complete disclosure to the judge before the claim of privilege will be accepted in any case. It may be possible to satisfy the Court, from all the circumstances of the case, that there is a reasonable danger that compulsion of the evidence will expose military matters which, in the interest of national security, should not be divulged. When this is the case, the occasion for the privilege is appropriate, and the Court should not jeopardize the security which the privilege is meant to protect by insisting upon an examination of the evidence * * *.

* * * * *

On the record before the trial court it appeared that this accident occurred to a military plane which had gone aloft to test secret electronic equipment. Certainly there was a reasonable danger that the accident investigation report would contain references to the secret electronic equipment which was the primary concern of the mission (*United States* v. *Reynolds* (345 U. S. 1)).

When the right of the Congress to information was being considered, the present Speaker of the House, then minority leader, said:

Mr. RAYBURN. Mr. Chairman, I have sat here all day and I have listened to a very interesting debate. The more debate I have listened to the more things come to my mind, as just expressed by the very able young gentleman from Missouri [Mr. BAKEWELL]. I have heard gentlemen express themselves on this floor today upon so many fundamental questions that I have agreed with in the years gone by. When I saw my old and very dear friend and my able friend, the gentleman from New York [Mr. WADSWORTH], take the floor today, I felt certain he was going to resist the enactment of legislation of this kind and character.

I do not know what you gentlemen 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. He is quoted by all of us. Especially was he quoted by the Federalists in the early days of this Republic. In 1803 he gave forth this language in a very familiar case, which we lawyers all have heard something about. Sometimes when discussions like these come up I get just a little sorry that I ever studied law, because I would not have been so bothered about my vote on some of the issues raised. But Mr. Justice John Marshall used this language a long time ago:

"By the Constitution of the United States the President is invested with certain important political powers, in the exercise of which he is to use his own discretion, and is accountable only to the country in his political character,and to his own conscience. To aid him in the performance of these duties, he is authorized to appoint certain officers, who act by his authority, and in conformity with his orders. In such cases, their acts are his acts; and whatever opinion may be entertained of the manner in which Executive discretion may be used, still there exists, and can exist, no power to control that discretion. The subjects are political: They respect the Nation, not individual rights, and being entrusted to the Executive, the decision of the Executive is conclusive."

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 qualified in matters of national defense—lay aside the State Department that the gentleman from New York says is not covered at all in this legislation—who is better qualified in matters of national defense and the safety of the country?

* * * * *

Who is better prepared? Who knows more about our foreign affairs? He knows better than any other man in 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.

My friend from New York said that for nearly 30 years he had been around here. I happen to have been around here 35 years, and I have said from this high place many times that the House of Representatives, next to family and friends, is my life and it is my love; and I do and I shall deeply regret seeing the House of Representatives embark upon a sea as uncertain and in my opinion as dangerous as this one.

The present majority leader of the House, the gentleman from Massachusetts [Mr. MCCORMACK], said:

The majority and minority reports of the committee met the basic issue head on. I think the gentleman from Michigan [Mr. HOFFMAN] will admit that, because at the outset of the minority report I stated:

"Aside from the serious constitutional objections to the resolution, it proceeds on a highly questionable assumption that the majority of any Congressional committee," and so forth. I also said:

"The resolution and the majority report squarely raise, as the majority report recognizes, an issue as to whether one branch of our tripartite Government, the legislative, may obtain confidential papers from another branch, the executive, in fields in which that other branch has exclusive jurisdiction."

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.

We could not administer the executive branches of Government, because under the Constitution we cannot. Never mind the practical difficulties, we simply cannot. So that 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.

* * * * *

But, again, what I am trying to convey is this: We are debating one of the most important questions that has ever faced the Congress. This is a constitutional question of the deepest importance. That is all I can say.

Discussing the then pending resolution, the gentleman from Louisiana [Mr. BOGGS] said:

It seems to me that this is one of the most flagrant invasions of the authority of the executive by the legislative that has come before the Congress since I have been here. Has the gentleman discussed the constitutional implications of this legislation?

In making answer, the gentleman from Massachusetts [Mr. MCCORMACK] said:

This is the first time in the constitutional history of our country that this matter has been presented to the Congress in the form of a resolution. It raises this very deep fundamental question that goes to the very roots of our Government in its organizational setup and in its operational operation, and to the very roots of the integrity of the three cordinate branches of Government. These things unfortunately arise every now and then, but to try and meet it by a head-on invasion of other branches necessary to its existence is not the approach. It should be by individual cases. As a matter of fact, if this Congress wanted to approach it and have it acted upon speedily, the way to do it would be to summon the one who refused to testify on the ground that the papers were confidential or that the President had ordered him not to do so—a friendly proceeding could be made of it—and when he was brought before the bar of the House he could then exercise his legal right, and I assume it would be in the nature of a writ of habeas corpus and this whole grave question decided in an orderly way by the courts of the country.

I hope that my friends without regard to party, recognizing the solemnity of their oath on this great constitutional question, will pass upon it in accordance with the views they entertain in their conscience, not on the basis of policy, but treat it as a question of the gravest constitutional nature.

Mr. Chairman, under permission granted to revise and extend, I include the following in my remarks.

The revised and extended remarks apper as appendix A to my additional views on House Report No. 1461 on H. R. 2767.

When the House was about to consider the bill above referred to by the Speaker, Mr. RAYBURN, and the present majority leader, Mr. MCCORMACK, the St. Louis Post-Dispatch made, on May 10, 1948, the following observation:

Even without the penalties for disclosure, Congress should not assert absolute rights to full access to records needed for forming policy, but the executive branch also possesses administrative records in which Congress has no valid interest. The Presidency is an equal branch of Government, with constitutional rights and mandates separate from those of Congress. Its right to withhold certain kinds of information from Congress, and the public interest in having such information withheld, has been successfully defended since the time of President Jefferson.

No Congressman would think of demanding conference transcripts, personnel records, or any other private papers from the Supreme Court, the third equal branch of Government. The President cannot demand the records of private Congressional committee sessions. The Supreme Court makes no such demand on either Congress or the President. No more should Congress try to destroy the President's right to a reasonable and necessary privacy in his department.

The Founding Fathers expected Congress and Presidents to minimize their rivalries by the exercise of reasonable confidence and give-and-take. It needs that spirit to make the American system of government succeed.

That editorial was followed on May 16 by another, which read:

Congress is entitled to any record it needs to formulate public policy. Other records,

however, such as personnel files, are the property of the executive branch. To reveal them to Congress might seriously endanger governmental administration.

For example, sound executive decisions are usually reached through an exchange of views among various officials. Naturally, these views differ, and some of them are rejected before the official decision. But the * * * bill would empower Congress to drag out and harp on the rejections. With such a threat over their heads, officials would fear to commit their views to writing; and the quality of decisions would suffer accordingly.

Even the most ardent proponents of this legislation admit, as did practically every witness appearing before the subcommittee, that there was certain information in the possession of the departments which neither the individual, the publisher's representative, nor the Congress itself was entitled to have made available.

That was information the disclosure of which would endanger the national security, be contrary to public policy, or adversely affect the national welfare.

Yet the proponents of this bill would not, and apparently the committee will not now, accept an amendment excluding the making available of that type of record or information.

Even the subcommittee's expert witness, Mr. Cross, showed some of the exceptions to the right to know when, on page 218 of The People's Right To Know, he wrote:

The right of inspection is not claimed in behalf of public and press in respect of records pertaining to state secrets, diplomatic communications, confidential military matters the disclosure of which might give aid to actual or potential enemies, or of such other records as may be determined by due process of law to be of such nature that inspection thereof would be contrary to the public interest.

Nor do the more fervent, vigorous, and persistent advocates of the public's right to know contend that the department should be required to disclose information or records affecting the military or diplomatic fields or the manifold aspects of atomic energy secrecy. Nevertheless, the bill ignores all exceptions.

CONGRESSIONAL RIGHT TO INFORMATION—INTERESTED INDIVIDUAL'S RIGHT TO KNOW

The right of Congress and its committees to information has been firmly established by the United States Supreme Court in the case of *McGrain* v. *Daugherty*, and other judicial decisions and by practice.

The right of the individual who is especially interested in similar information was likewise established by the Supreme Court in *United States* v. *Reynolds*.

Who, then, is especially interested in the enactment of the present bill? Only those interested in publicizing something which it may be thought is salable or the casual, curious "man on the street" who apparently has excess leisure time—nothing to do other than to inquire as to a matter in which he has no real interest. The man who has no Senator, no Congressman, to whom he may write, from him the complaint has long been that the Government was piling on him unneeded, unwanted, useless information, wasting his money propagandizing its own activities—deluging him with trash mail.

If that right is to be protected, is to be made available, the proper procedure would be the adoption by the department or the enactment of legislation by the Congress of regulations which would call for a limitation of the authority to classify as secret, or otherwise, records and information in the possession of the department. That could be done either by assigning the duty to a few top individuals or by the creation of an appeal board which could pass upon the question of whether a record or information should be classified as secret or with some degree of secrecy, whether it should be freely given out or some limitation placed upon its availability. Such an amendment was carried in the bill H. R. 2810, which was introduced by me. It will be offered under the 5 minute rule; if rejected, other amendments will be offered as well as a motion to recommit with instructions.

THE PURPOSE AND INTENT OF THE CONGRESS IN ADOPTING SECTION 161

It is not a little surprising that the distinguished experts, publishers, editors, and lawyers should assume, as they apparently do, that the Congress, in adopting section 161, had no particular purpose in mind—that it was merely a housekeeping directive; that there is no previous legislation which would indicate its purpose or the reason for its enactment.

In truth and in fact, the legislative history should indicate to even the casual reader that Congress had a definite purpose, and that that was to vest in the heads of the departments authority to determine what should and should not be disclosed, not only to the Members of Congress, but to the public.

To see that this is true, one need but refer to the action of the Continental Congress on February 22, 1782, when it passed a resolution creating a Department of Foreign Affairs under the direction of a Secretary to the United States of America for the Department of Foreign Affairs—and, in that resolution, provided:

That the books, records, and other papers of the United States, that relate to this Department; be committed to his custody, to which and all other papers of his office, any Member of Congress shall have access; provided that: no copy shall be taken of matters of a secret nature without the special leave of Congress.

Moreover, the same resolution also provided—

That letters [of the Secretary] to the ministers of the United States, or ministers of foreign powers which have a direct reference to treaties or conventions proposed to be entered into, or instructions relative thereto, or other great national subjects, shall be submitted to the inspection and receive the approbation of Congress before they shall be transmitted.

Note that it was also expressly provided by this section that to all papers in his office "any Member of Congress shall have access"—limited that broad provision only by the added proviso that "no copy shall be taken of matters of a secret nature without the special leave of Congress."

Note further the provision in the same resolution which also provided that—

Letters [of the Secretary] to the ministers of the United States, or ministers of foreign powers which have a direct reference to treaties or conventions proposed to be entered into, or instructions relative thereto, or other great national subjects shall be submitted to the inspection and receive the approbation of Congress before they shall be transmitted.

With the knowledge of the legislation passed by the Continental Congress, especially making records of the office of the department head available to the Congress—with only a few exceptions—the Congress, acting under the Constitution when it adopted section 161, deliberately left out any proviso giving Members of Congress, or anyone else, access to the records of information which it is now proposed be thrown wide open to the public.

The previous legislation by the Continental Congress and the experiences under it were undoubtedly the reasons why section 161 made no exception to the authority given the head of the department to prescribe the regulations, not inconsistent with law, for the conduct of its officers and clerks, the distribution and performance of its business, and the custody, use, and preservation of the records, papers, and property appertaining to it.

The practicability, the wisdom of giving to the head of the department the custody and the manner in which the books, records, and papers committed to his care should be preserved and used had been demonstrated by previous legislation and experiences under legislation of the Continental Congress.

The legislation was deliberately enacted and for the specific purpose of vesting in department heads discretion as to the use of records and information entrusted to their care.

The proposed bill is futile. If passed by the House and Senate, not vetoed—and to not do so will be a repudiation of Executive authority utilized by every President from and including Washington and Eisenhower—will ultimately, if used to force department heads to tell all, be declared unconstitutional.

The present situation discloses the almost absolute power of the press, which, from the beginning, has lobbied for the passage of this bill, unamended.

It is doubtful if many Members of the House have not had from newspapers in their district telegrams based upon a false assumption of what the purpose of the bill is or does, demanding that they support H. R. 2767.

Alert and astute as they are, sometimes it happens that those who furnish us news cannot see a political purpose in a bill, which from a casual examination, they think threatens the right to a free press, but which, in truth and in fact, is nothing more than political propaganda to influence voters at a coming election.

In reality, the proposed legislation involves the basic, fundamental division and separation of authority, which has been the real reason for the success of our constitutional form of government—a separation of power which, it is al-

leged, is frequently ignored in recent years as the Supreme Court took upon itself the duty of determining what the Congress should have said, instead of recognizing the constitutional authority granted to the Congress to legislate.

The public and the press has apparently been sold a bill of goods.

Even though the proponents of the bill do not contend that it will end the unnecessary secrecy now prevalent, it has apparently been sold to the press on that basis and is being sold to the public on that basis. Those who vote for this legislation may have to explain its ineffectiveness to some disappointed reporter or constituent who has gone down to an agency in the vain expectation of having the files opened as a result of this bill.

The bill is repeatedly headlined by the press as an anti-secrecy bill. For example:

The Washington Post on February 18, 1958, called it a "bill for news freedom"—exhibit 1.

The Washington Post on February 20, 1958, called it a "secrecy curb" in a headline to an Associated Press dispatch—exhibit 2.

The Washington Post on February 20, 1958, called it a "bill to cut United States secrecy" in a headline to an Associated Press dispatch—exhibit 3.

The Evening Star on March 18, 1958, called it a "bill on secrecy" in a headline to an Associated Press dispatch—exhibit 4.

The Washington Post on March 27, 1958, called it a "bill to curb Government secrecy"—exhibit 5.

The Washington Post in an Associated Press story last Monday—April 14—called it a "freedom-of-information bill"—exhibit 6.

EXHIBIT 1

[From the Washington Post and Times Herald of February 18, 1958]

BILL FOR NEWS FREEDOM IS ADVANCED IN HOUSE

(By Richard L. Lyons)

The House Government Information Subcommittee yesterday unanimously approved a one-sentence bill to prevent use of a 1789 housekeeping statute as authority for Government secrecy.

The bill is scheduled to go before the parent Government Operations Committee at its Wednesday meeting. It was offered as a modest first step to crack secrecy in the 10 Federal executive departments.

The measure states that the old law empowering department heads to make regulations for the custody, use, and preservation of their records does not authorize withholding them from the public.

Executive departments repeatedly have relied on the statute as authorizing them to withhold information. The subcommittee, newsmen, and others contended it was not so intended. They said it was a routine measure of the First Congress simply authorizing the new Government to keep a filing system.

Representative CLARE E. HOFFMAN, Republican, of Michigan, joined with Chairman JOHN E. MOSS, Democrat, of California, and Representative DANTE B. FASCELL, Democrat, of Florida, in sending the bill to the full committee, but reserved rights to file additional views of his own in the report on the bill.

HOFFMAN expressed himself at hearings in favor of action to pry information out of the executive branch. But he feared that the Moss bill was a make-it-public directive that might go too far. He filed a separate bill permitting department heads to keep information secret for several reasons, including their finding that disclosure would impair efficiency of government.

Moss said his bill would not force disclosure of anything. It would, he said, simply remove one law that the executive branch has cited to justify secrecy. It has been estimated that 80 other laws permit secrecy in various specific areas, though none give such blanket authority as has been read into the 1789 act.

EXHIBIT 2

[From the Washington Post and Times Herald of February 20, 1958]

ROW FLARES OPENLY OVER SECRECY CURB

A backstage row broke into the open yesterday over legislation designed to curb secrecy in Government.

Representative GEORGE MEADER, Republican, of Michigan, said he will attempt to change the bill at a closed meeting of the House Government Operations Committee, tentatively scheduled for Thursday. He said his wording would make the measure's meaning clearer.

Representative JOHN E. MOSS, Democrat, of California, author of the bill, shot back that MEADER's two-word amendment would "completely destroy" the aim of the bill.

The Moss measure would amend a 169-year-old law giving Federal department heads authority to make regulations for custody, use, and preservation of records to say it "does not authorize withholding information from the public."

MEADER said he wants to amend that to say withholding information is neither authorized nor prohibited.

The Moss bill, opposed by all 10 Federal departments, was unanimously cleared by the three-man Government Information Subcommittee headed by Moss. It appeared set for clear sailing when the parent Operations Committee met in secret session last week.

However, MEADER said committee action was postponed for a week when a question was raised whether the bill actually might be interpreted as requiring the departments to open up the files.

Since then, MEADER said, misinformation has been circulated that all four committee members from Michigan—Representatives CLARE E. HOFFMAN, Republican, VICTOR A. KNOX, Republican, MARTHA W. GRIFFITHS, Democrat, and MEADER—are against the bill.

MEADER said the truth is that he is very much in favor of the objective of the bill and has heard no opposition to its purpose.

He said he believes no committee member wants to lay bare secrets like missile blueprints at Huntsville, Ala., while all wish to prevent the 1789 law from wrongful use as a secrecy shield.

EXHIBIT 3

VOTE DELAYED ON BILL TO CUT UNITED STATES SECRECY

[From the Washington Post of February 20, 1958]

The House Government Operations Committee put off action temporarily yesterday on a bill aimed at cutting down on excessive Federal secrecy.

The measure had been approved by a Subcommittee on Government Information. But at a closed session of the parent Operations Committee called by Chairman William L. Dawson (Democrat, Illinois), a vote was delayed until at least next week.

One of those who attended said Representative CLARE E. HOFFMAN, of Michigan, the senior committee Republican, asked more time to prepare an amendment. HOFFMAN has been pushing for a rival measure.

The bill by Representative JOHN E. MOSS (Democrat, California), would state that executive department heads cannot draw on an old law as authority for withholding information from the public. The 1789 statute authorized department heads to make regulations for the custody, use, and preservation of records.

Moss and newspaper industry spokesmen say Federal officials have exercised authority for secrecy not intended by the law's framers. All 10 Federal departments oppose the bill.

EXHIBIT 4

[From the Washington Evening Star of March 18, 1958]

BILL ON SECRECY GETS BACKING

A bill aimed at knocking out one of the legal props under Federal secrecy has been approved unanimously by a House Subcommittee on Information.

Chairman Moss, Democrat of California, said the three-man group agreed at an impromptu meeting yesterday to send the bill to the parent Government Operations Committee for a vote expected tomorrow.

Representative HOFFMAN, of Michigan, the lone subcommittee Republican, said the measure was "much ado about nothing." He said he will file additional views to the official subcommittee report accompanying the bill.

The bill, sponsored by Mr. Moss and others, and backed by the newspaper industry, says that an old Federal housekeeping statute does not authorize withholding information from the public. The old law, enacted in 1789, authorizes department heads to make regulations for the custody, use, and preservation of records.

Mr. Moss and newspaper spokesmen say the old statute has been twisted by Federal officials over the years into asserted authority to keep documents secret when that was not the original intent. All 10 Federal departments opposed Mr. Moss' bill amending the law.

Yesterday's legislation was the first to emerge from the subcommittee since it was created in mid-1955.

EXHIBIT 5

[From the Washington Post and Times Herald of March 27, 1958]

HOUSE GETS BILL TO CURB GOVERNMENT SECRECY

The House Rules Committee yesterday sent to the floor for action, probably next week, a bill stating that a 1789 Government housekeeping statute shall not be used as authority for Government secrecy.

The bill is described by backers as a small first attempt to crack a heavy curtain of Government secrecy. It was proposed by the House Government Information Subcommittee headed by Representative JOHN E. MOSS (Democrat, California) after a 2-year study.

Moss found that executive departments have relied heavily on the old statute in withholding information from the public. The law authorizing department heads to regulate the keeping of their records. Moss contended, and his one-sentence bill so states, that this was intended to authorize the keeping of files, not secrets.

During the Rules Committee hearing, Representative CLARENCE J. BROWN (Republican, Ohio) recalled that the Hoover Commission once was denied access to some of its own reports because they had been stamped secret by the State Department.

BROWN, a member of the Commission, said the ban was lifted only after he protested to the then Attorney General, Herbert Brownell, Jr., who was also a Commission member. The Hoover reports had criticized waste and inefficiency in the foreign aid program, BROWN said.

Attorney General William P. Rogers agreed in Senate testimony 2 weeks ago that the 1789 act did not authorize department heads to withhold information. He added, however, that the President has inherent power to withhold information as the public interest requires.

Rogers called the Moss bill "meaningless," but stated that he would not oppose it if Congress stated it did not intend to impair the "executive privilege" claimed by Rogers for the President.

Later, Rogers flatly opposed any change in the old statute. He said the 1789 act was a "legislative recognition" of executive privilege. The Senate Constitutional Rights Subcommittee said it was "baffled" by his two statements and has asked him back to testify again.

EXHIBIT 6

[From the Washington Post of April 14, 1958]

IMMIGRATION SERVICE REMOVES SECRECY BAR

House investigators reported yesterday that the Immigration Service has removed a secrecy bar on information about the employment of Japanese farm laborers in this country.

This word came from the Government Information Subcommittee whose chairman, Representative JOHN E. MOSS, Democrat of California, is pushing for House passage of a freedom-of-information bill this week.

Here is what happened, according to a subcommittee staff finding:

Ernesto Garlaza, an official of the National Agricultural Workers Union, asked the Immigration Service's San Francisco office last July for the names of employers authorized to hire imported Japanese farm workers to how many were employed by each.

A United States-Japanese treaty provides for bringing Japanese agricultural workers to this country for up to 3 years at a time. Most of them are brought to California.

Assistant Immigration Commissioner L. W. Williams wrote to Garlaza: "The information sought by you cannot be furnished in view of the fact that the internal records of this service may not be made available to the general public.

Moss asked Commissioner Joseph M. Swing last month for an explanation. Swing said "there is no regulatory or statutory bar" against giving out such information.

Swing said his service does not have the data sought by Garlaza on an up-to-date basis. He said the Japanese workers are frequently transferred. The Immigration Service has no objection to giving Garlaza the information he seeks, Swing said.

The Japanese labor situation would not be directly affected by Moss' antisecrecy bill, although it was regarded as part of the Congressman's drive against what he calls a climate of excessive secrecy in Washington.

INCONSISTENT POSITIONS

The inconsistency of some of the proponents of this legislation would be amusing, if not so absurd.

Some proponents seem to say, "Do as I say, not as I do."

Insisting that the executive departments maintain an open door, and this for the good of the public, they slam shut with a bang in the face of the inquiring public—for whom their hearts bleed so copiously—the Congressional door, behind which is hidden their activities and expenditures, even as the citizen approaches the sacred portal.

If the principle of the public's right to know is what concerns the Congress, how about setting an example as well as pronouncing precepts.

Congressional committees meet in executive—secret—sessions and, strangely enough, this bill—H. R. 2767—was voted out of a closed-door meeting.

According to an Associated Press story in the Washington Evening Star, Chairman DAWSON said "secret sessions allow Congressmen to consider matters without pressure that he said would be aimed at them in an open meeting and without a public-session temptation to play to the grandstand."

[From the Washington Evening Star of March 19, 1958]

ANTISECRECY BILL DEBATED

The House Government Operations Committee considers today a bill aimed at cutting down on Government secrecy.

Chairman WILLIAM L. DAWSON, Democrat of Illinois, ordered a closed-door meeting to consider that and other matters.

The one-sentence bill by Representative Moss, Democrat of California, would state that executive department heads cannot draw on a 169-year-old law as authority for withholding information from the public.

The 1789 statute authorized department heads to make regulations for the "custody, use and preservation" of records.

Mr. Moss and newspaper industry spokesmen say Federal officials have twisted the law from a simple housekeeping statute and claimed it as authority for secrecy not intended by the law's framers. All 10 Federal departments oppose the bill.

The subcommittee also has heard news industry testimony that Congress holds too many secret committee meetings.

Mr. DAWSON told a newsman he is convening his committee behind closed doors today because that is the normal procedure when it comes to voting on bills and approving reports.

He said secret sessions allow Congressmen to consider matters without pressure that he said would be aimed at them in an open meeting and without a public session temptation to play to the grandstand.

RAYBURN RULING RE CHUDOFF FILES

Subsection 25 (c) of rule XI of the House, provided—

All committee hearings, records, data, charts, and files shall be kept separate and distinct from the Congressional office records of the Member serving as chairman of the committee; and such records shall be the property of the House and all Members of the House shall have access to such records. Each committee is authorized to have printed and bound testimony and other data presented at hearings held by the committee (p. 599, subsec. 25 (c)).

As a Member of the House, as a member of the Committee on Government Operations, as the ranking member of the minority of that committee, I sought on August 6, 1957, through the use of a Thermo-Fax machine, to make copies of certain records on file and in the possession of the Chudoff subcommittee of the Committee on Government Operations, on which I was also the ranking member. I was permitted to look at the records but, by the ruling of the chairman of that subcommittee, I was denied the right to make copies thereof.

On August 14, 1957, CONGRESSIONAL RECORD, volume 103, part 11, pages 14737–14739, I brought the issue before the House on a question of personal privilege. Among other things, the following occurred—CONGRESSIONAL RECORD, volume 103, part 11, page 14739:

The SPEAKER. Has the gentleman ever been denied access to these papers and files?

Mr. HOFFMAN. Yes.

The SPEAKER. When?

Mr. HOFFMAN. The date was August 6, 1957. We were denied time and again our unquestioned right to information. We have been refused access to the records when we were there, and refused our right to know what was going on, what the committee was investigating—the purpose of a hearing until the committee was called to order for a hearing. That is just one part. We have 9 subcommittees, and only 1 chairman has denied us that right. I say it is an outrage.

The SPEAKER. Perhaps it is. The matter the gentleman read from states that all committee hearings, records, data, charts, and files shall be kept separate and distinct from the Congressional office records of the Member serving as chairman of the committee; and such records shall be the property of the House and all Members of the House shall have access to such records.

I think that is what the gentleman was talking about.

Mr. HOFFMAN. That is just what I was talking about, and I want access. When access is given, with it goes the power to use it to not only look but make notes, take copies, understand what is at hand, what is to be determined. No one can remember accurately all that is in some of these charges without study.

The SPEAKER. The question of copying and the question of photostating is another matter. That is not provided in this section of the rule.

Mr. HOFFMAN. So "access" means I can go and take a look but I cannot use modern means of copying. How do you like that? How do you like that? Is that orderly, fair procedure?

The SPEAKER. If a question like that came up in the House the Chair would certainly rule that the gentleman could not bring a machine in here and copy things around the desk.

The Chair does not believe the gentleman has stated a question that violates the rules of the House.

Mr. HOFFMAN. No one is asking to take photographs, bring a machine into the House, though we do have a loudspeaker on the Speaker's desk and in the well of the House. That is an up-to-date, practical, and necessary device, so is the Thermo-Fax which many Members use in their offices for exact, quick copies. Well, that is the ruling I expected.

A committee of the House, the Committee on Government Operations, is now asking approval of a bill which would deny to the executive departments the right to withhold from any individual any record or information in its possession, no matter what the necessity for secrecy, no matter how dangerous to the national welfare disclosure to the public might be. Yet, a Congressional committee and a Congress would deny to its own Members, where access to records is granted, the right to make copies.

The distinguished Harold L. Cross, author of the People's Right to Know, would agree that "access to" includes the right to copy, to make photographs of, for, on page 34, he writes:

4. Right to copy, etc.: The right to inspect public records, in the absence of statutes to the contrary, which now are rare, carries with it the right to make copies and to take extracts or memoranda. This is the

case at common law, in some States at least, and is commonly, though not always, granted in express terms by statutes. "'Inspection,'" said a New York Court, "means more than perusal. It means: 'Critical examination; close or careful survey.' Century Dictionary. 'A strict or prying examination; close or careful scrutiny; investigation.' Webster's Dictionary." These rights, however, cannot be exercised so as to harass the officer having custody or to interfere with public business.

5. Right to photograph, etc. This right has not been tested often. Louisiana grants it constitutionally in the case of parish poll books, etc., and by statute to public records. Florida grants it by statute in cases where any person has a right to inspect, copy, or extract any public records. It seems likely that the right to photograph will be allowed where the right to inspect exists, if precautions are taken to prevent interference with the operations of the record office and to prevent expense or danger to the records not involved in ordinary inspection and copying.

No one will contend that the use of the Thermo-Fax, a comparatively small piece of equipment, readily portable, instantaneously making copies without noise or inconvenience to others, should be denied to one who is permitted access to information, which causes no inconvenience to anyone.

HERE IS ANOTHER DENIAL OF THE PUBLIC'S RIGHT TO KNOW

Plans for extending the Capitol's east front "are not for publication" and "do not belong to the public."

[From the Washington Post of February 20, 1958]

EAST FRONT DIMOUT

J. George Stewart, Architect of the Capitol, painted himself into a corner by saying on Monday that plans for extending the Capitol's east front are not for publication and do not belong to the public. Surely Mr. Stewart does not mean that the public must wait until contractors have finished the job before being permitted to judge whether a landmark has been vandalized. Yet, unless the plans are released, things may come to just that. The 32-foot extension was voted in 1955, and plans are understood to be in the final stage; the Senate hearing before which Mr. Stewart testified was billed as a "half-past the eleventh hour" affair by its chairman, Senator PAT MCNAMARA.

In arguing that no question of secrecy was involved, Mr. Stewart was perhaps more candid than he knew. "It is the way things are done on the Hill," he explained simply. That is a painful truth. The plans are now before the Commission for the extension of the Capitol, which is run pretty much as a one-man show by Speaker SAM RAYBURN. Nominally, other members include Vice President NIXON, House Minority Leader MARTIN, Senate Minority Leader KNOWLAND, and the Architect of the Capitol. Mr. Stewart asserts that the Commission has not yet authorized release of the plans. Well, why not? The Commission clearly must have known that many reputable architects have challenged the proposal, and that a hearing was scheduled on Monday. Doesn't the public have a right to know how $10.1 million in tax money may be spent on changing the Capitol of the United States—a building which, we had been told, belonged to the American people?

The Washington Post and Times Herald of April 8, 1958, said:

The Kilday subcommittee of the House Armed Services Committee, to which the President's defense reorganization plan has been referred, has been meeting in secret. * * *

In a Government in which two-thirds of the money and two-thirds of Government personnel are in the Defense Establishment, however, secrecy cannot be thrown over the whole enterprise without imperiling the democratic process. * * *

The people need to know the thinking of their representatives upon these grave problems.

[From the Washington Post of April 8, 1958]

DEFENSE IN THE OPEN

The Kilday subcommittee of the House Armed Services Committee, to which the President's defense reorganization plan has been referred, has been meeting in secret. There is no justification for applying to hearings on the reorganization plan a procedure adopted for the specific task of missile reappraisal at the start of this session.

Prior to the missile hearings, the House Armed Services Committee, under Chairman CARL VINSON, had been one of the most openly conducted committees of the House. Perhaps there was an occasion for some departure from open meetings during the missile probe. But surely any such consideration does not apply to the broad questions of structure which the subcommittee now is to examine.

In the contemplation of military policy there may be areas where secrecy is essential. In a Government in which two-thirds of the money and two-thirds of Government personnel are in the Defense Establishment, however, secrecy cannot be thrown over the whole enterprise without imperiling the democratic process. The forthcoming reexamination of the structure of the Defense Department is one in which American citizens have the most vital concern. They need to be privy to this debate as it proceeds, if public opinion is to have a normal and an appropriate influence upon policies that may determine the very survival of the country.

The people need to know the thinking of their representatives upon these grave problems; and the representatives need to know the thinking of the people. We hope that Chairman VINSON and his committee will see to it that these deliberations are conducted in the open.

Last Monday, April 14, the Washington Post, commenting editorially on executive sessions of the Senate Foreign Relations Committee, said:

This substitution of closed-door questioning for a public hearing is growing lamentably more frequent.

[From the Washington Post of April 14, 1958]

HOLLOW HEARING

It is becoming a distressingly familiar phenomenon for committees of Congress to regard public hearings as an empty ritual, signifying nothing. A case in point has been the desultory manner in which the Senate Foreign Relations Committee has handled its public hearings on the $3.9 billion mutual assistance program. Recently Gen. Lauris Norstad, NATO's Supreme Commander in Europe, found his words echoing in an almost empty chamber. Only two Senators were present during most of General Norstad's testimony; both asked a few perfunctory questions and called it a day. The committee, of course, did subsequently question General Norstad in great detail—but in executive session. This substitution of closed-door questioning for a public hearing is growing lamentably more frequent. The result is to make public hearing a lifeless tableau in which mimeographed statements are mechanically intoned, stifling any sense of debate or inquiry.

A few days ago, the committee showed an equally bland indifference to its obligation to provide a forum for the meaningful expression of opinion. On the one day set aside for public witnesses, 35 persons were whisked by; each had 10 minutes of time. Hardly a scattering of questions came from the handful of Senators who troubled to put in an appearance. Yet 28 of the witnesses represented substantial organizations, including the United States Chamber of Commerce, AFL–CIO, General Federation of Women's Clubs, National Council of Churches, League of Women Voters, National Farmers Union, and American Farm Bureau Federation.

Doubtless some of the testimony was a pro forma expression of long-known views. But several witnesses made suggestions which deserve at least the polite attention of the committee and its 90-year-old chairman, Senator GREEN. Wallace Campbell, representing the Cooperative League of America, proposed an international electrification plan using some of the tested techniques of the REA. Victor Reuther, speaking for the United Auto Workers, suggested training a corps of American youth to provide skilled help for underdeveloped countries. How do Senators expect the public to be alert to world affairs when an exalted Senate committee itself shows such a dozing indifference?

[From the Washington Evening Star of September 12, 1956]

CONGRESS BARRED PUBLIC FROM THIRD OF MEETINGS

Congress barred the public from 1,131 of its 3,121 committee meetings in 1956, or more than one-third of them.

And in many cases, committee chairmen did not follow the custom of reporting closed meetings after they had been held.

Congressional Quarterly kept day-to-day records of committee meetings and found that 36 percent of them were closed in 1956. This compares with 36 percent in 1955, 41 percent in 1954, and 35 percent in 1953.

No major committee—one meeting 10 or more times—opened all its meetings to the public. Eleven committees met at least half the time behind closed doors. The 11 and their percentages of closed meetings:

Senate Rules and Administration, 100 percent; House Administration, 70 percent; Joint Atomic Energy, 64 percent; House Ways and Means, 63 percent; Senate Foreign Relations, 63 percent; House Public Works, 57 percent; House Foreign Affairs, 56 percent; Senate Special Committee To Investigate Political Activities, 55 percent; Senate Armed Services, 54 percent; Senate Finance, 52 percent; House Education and Labor, 50 percent.

Spokesmen for several of those committees listed such things as national security, Government efficiency, and preserving the private rights of witnesses as reasons for closing meetings.

Many of the meetings closed to the public in 1956 were on seemingly noncontroversial matters. For example, the House Education and Labor Committee went behind closed doors at times to discuss legislation to establish an arts committee and to authorize a medal for distinguished civilian achievement.

Several committees held 25 percent or less of their meetings in executive session. Those committees and percentages:

Senate Small Business, 5 percent; House Interior, 6 percent; Senate Interstate and Foreign Commerce, 11 percent; House Small Business, 14 percent.

Certainly, the individual who pays the taxes, this being the people's Government, should have a right to know how the taxpayer's money is spent—but, apparently through the directions of Congressional leaders, not only the taxpayers but inquiring Members of Congress, cannot even get a peek into the room where

counterpart funds are doled out—a look at how much, and for what. Those tax dollars are actually spent by Congressmen themselves, or their employees.

So far as can be seen, the disclosure of any or all of the above information would not have endangered either the public welfare, the security of the Nation, or injured anyone.

[From the Washington Daily News of July 31, 1956]

RANK IGNORED—NOBODY'LL TELL CLARE ABOUT HILL JUNKETS

Representative CLARE E. HOFFMAN, Republican of Michigan, charged today that both the Pentagon and Congress are trying to keep secret the extent of Congressional overseas junkets made at taxpayer expense.

Mr. HOFFMAN said the Defense Department has failed to make good on its promise of 9 months ago to give him a complete record of which Congressmen and Senators and their wives made trips during 1955, which was a record globetrotting season.

And now, Mr. HOFFMAN said, even Congressional sources won't give him the information.

"Congress itself is refusing information to one of its members," he said.

The Defense Department has given a report to Chairman OMAR BURLESON, Democrat of Texas, of the House Administration Committee, which is supposed to keep tabs on Congressional spending.

Mr. BURLESON refused a request for the report several weeks ago on the grounds that it would present an "unfair" picture of Congressional travel.

Records on what Congressional junkets cost have long been withheld from reporters.

Mr. HOFFMAN said today that he wrote BURLESON on July 11 and again on July 19 for a copy of the report. In each case, he said, Mr. BURLESON's committee staff replied the request would be called to Mr. BURLESON's attention when he returns from Texas.

Mr. HOFFMAN said that as ranking Republican member of the House Government Operations Committee he is entitled to the information.

"We should have economy in the legislative as well as the executive branch," he said.

[From the Washington Post and Times Herald of August 1, 1956]

HOFFMAN SAYS JUNKET DATA HIDDEN

Representative CLARE E. HOFFMAN, Republican of Michigan, accused the Defense Department and Congress yesterday of trying to keep secret the extent of overseas trips made by Members of Congress at taxpayers' expense. HOFFMAN said the Defense Department failed to make good on its promise of 9 months ago to give him a record of the Congressmen and Senators who made trips during 1955. Last year was a record globetrotting season.

Now, HOFFMAN told a reporter, even Congressional sources won't give him the information.

The Defense Department has submitted a report to Chairman OMAR BURLESON (Democrat, of Texas) of the House Administration Committee, which is supposed to keep tabs on Congressional spending. BURLESON refused a United Press request for the report several weeks ago on the grounds it would present an "unfair" picture of Congressional travel.

Records on what Congressional junkets cost have long been withheld from newsmen.

HOFFMAN said that as ranking Republican member of the House Government Operations Committee he is entitled to the information.

HOFFMAN, a longtime economy advocate, said "we should have economy in the legislative as well as the executive branch."

HOFFMAN would become chairman of the investigating committee if the Republicans win control of the House next year. In that event, he said he would see to it that Congress puts "its own house in order."

As was said in opening, the adoption of H. R. 2767 will not prevent the abuse which it is designed to reach.

It will merely supply ammunition to a reporter, or a curious individual, with which to annoy department officials or employees of the departments—which will then fall back upon the authority granted by the Constitution and refuse to make available records or information which, in the opinion of the department head, acting upon the advice of the Attorney General and at the suggestion of the President, determine it is but contrary to public policy or injurious to the public welfare or our national security.

The bill is a political attack upon the administration and questions the judgment and patriotism of future Presidents.

The only then available remedy, as was suggested by the present Speaker of the House when debating a similar issue on May 13, 1948, would be the impeachment of the President—a futile gesture.

ONCE AGAIN

The effect of the adoption of H. R. 2767 is to create discord between the executive departments and the Congress and Members thereof.

It is an effort to strike down the statutory and constitutional authority of the departments to efficiently perform their duties.

As has been pointed out, that purpose was denied by the chairman of the subcommittee, the gentleman from Florida [Mr. FASCELL] and by Mr. Cross.

But if that is not the purpose, why add on to section 161, which authorizes the head of each department to prescribe regulations not inconsistent with law for the government of his department, the conduct of its officers and clerks, the distribution and performance of his business, and the custody, use, and preservation of the papers and property pertaining to it, the statement that the authority there granted does not authorize the withholding of information from the public or the limiting of the availability of records to the public?

Throughout the hearings, no testimony was given as to the meaning of the word, "use," carried in this section.

If the head of the department is told, as he is by this amendment, that he cannot use the section to authorize the withholding of information, does it not logically follow that the information must be given out on demand?

If one is told that he cannot close the door to his office, does it not follow that whoever will may enter?

If the section has been a bar to all those who sought to travel the road to public records, does it not follow that saying it shall not be so used, means that the road is wide open?

If the purpose of the amendment is not to open the door, what objection then can there be to the further amendment that the section shall not be construed as requiring the giving of information or the making of records available?

Those familiar with the facts of life can readily visualize the seeker after information, the would-be viewer of records, presenting his request or demand with a copy of section 161 as amended, as his ticket of admission.

Unacceptable as it may be to some under our form of government, even though it be the people's government, there is no unrestricted right in anyone to know all.

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

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. Moss].

Mr. MOSS. Mr. Chairman, I yield 20 minutes to the gentleman from Florida [Mr. FASCELL].

Mr. FASCELL. Mr. Chairman, I believe I shall be able in the time allotted to me to clear up several apparent misconceptions. I think it would be important to start out first in understanding how information of the United States Government is today presently classified and withheld from the public.

First, no one denies the right of Congress to pass a law stating specifically that particular information should be withheld or classified in a particular respect.

This subcommittee which has studied this problem of Government information, has compiled in a committee print issued March 1958 this session, a compilation of statutes authorizing the withholding, restricting, or limiting the availability of Government information and records. In this committee print you will find that Congress has acted on many statutes involving the classification or the withholding of information. For example, disclosure of information affecting national security. Under that you have:

Information detrimental to national security may be omitted from the annual report of the Secretary of Defense (U. S. Code 10, section 5182).

Atomic energy information is controlled; United States Code, title 42, with respective sections thereunder; and there is a list of the Congressional acts controlling or prohibiting the disclosure of information, disclosure of confidential information acquired by private persons under compulsion of law; and you will find therein trade secrets or names of customers obtained under the Commodity Exchange Act; United States Code, title 7, section 12, cotton data furnished the Secretary of Agriculture; tobacco data; peanut data.

Then under United States Code, title 50, information obtained under Defense Production Act of 1950, premature disclosure of which would give an unfair advantage to recipients; United States Code, title 18, crop reports; miscellaneous provisions imposing restrictions on release of information, and many others.

Congress has acted where it was felt necessary in those categories where it was essential to withhold information from the public for security reasons. In

addition we find today that information is classified and withheld in another manner by the Executive of the United States. You will find that Executive Order 10501, which was issued as of November 5, 1953, carries as its title "Safeguarding Official Information in the Interest of the Defense of the United States," setting up in classification categories as top secret classified, certain methods and procedures whereby material may be within the purview of the executive regulations set forth in executive orders classified properly to safe guard the national defense interests of the United States.

In addition to this the Executive from time to time has claimed the prerogative of withholding information from the Congress and the public without issuing an Executive order merely by stating or just by saying that he will not do so; and he can express himself verbally or by letter, or by any method he sees fit to employ.

These are the methods by which information is presently withheld and controlled by the Congress of the United States and by the President of the United States. By no means do we get into the age-old discussion as to the prerogative of the President to withhold from the Congress. This is another matter, another fight at another time; and I might add, parenthetically, one well worth while studying, and I think it is a matter that has lain dormant far too long. I would wish, frankly, that the legislation which is before us today would get into this problem and do something realistic about it now, but I must confess that this legislation is a long way from doing that.

Just where is this statute we are talking about today? United States Code, title 5, chapter 1.

What is title 5 of the United States Code? The title is "Executive Departments and Government Officers and Employees."

What is chapter 1 under that title? Chapter 1 contains provisions applicable to departments and officers generally. I think that is quite clear as to what the chapter means.

Let us look at the sections within that chapter. I will not read all of them but just to give you an understanding of what this chapter deals with I would like to read the titles of some of the sections.

The application of the provisions of this chapter—

And this one I must read—

shall apply to the following executive departments.

And it lists the Department of State, the Department of Defense, the Treasury Department, and the executive departments of Government. It does not say "and," "if," or "but" or anything else.

The provisions of this chapter are specifically applicable to the Executive Departments of Government and nothing else by the very terms of the statute.

Mr. MEADER. Mr. Chairman, will the gentleman yield? I would like to clarify that point.

Mr. FASCELL. Let me finish my statement and then we will clarify it.

Mr. HOFFMAN. I will yield the gentleman another 2 minutes if he wants to yield to the gentleman.

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

Mr. MEADER. I wanted to make clear the gentleman's interpretation of the statute he is referring to means it would not apply to independent agencies, such as the Federal Communications Commission, the Civil Aeronautics Board, the Atomic Energy Commission, but only to the statutory departments that are represented in the President's Cabinet.

Mr. FASCELL. The gentleman is correct and I thank him for his clarifying question.

That is absolutely the intent of the statute limiting its application to the executive departments listed in the law itself.

Let us go on to some of the other titles in chapter 1 of title 5 of the United States Code. It deals with the salaries of the heads of departments, it deals with vacancies, it deals with temporary appointments, it deals with commissions, it deals with removal for disability, the oath of office, the administration of the oath, the departmental regulations, suspension of civilian officers, the delegation of power and authority, the supervision of clerks, the definition of duties, the duty of a chief upon receipt of a report, Saturday half holidays. It goes on and on, detailing what? Detailing provisions applicable to officers and departments generally of the executive departments named in the statute.

Now, as we go through the titles of this statute we come to section 22. Let us read section 22. The title is "Departmental Regulations."

The head of each department—

Each of the executive departments of Government—

is authorized to prescribe regulations—

A customary provision of law—

not inconsistent with law, for the government of his department, the conduct of its officers and clerks, the distribution and performance of its business, and the custody, use and preservation of the records, papers, and property appertaining to it—

Meaning all departments.

That is section 22 which is the subject matter of amendment by the pending legislation dealing with the conduct of the operation of the officers and employees of the departments, the heads of the executive branch of Government, and giving them the right to prescribe regulations to do these things.

Now, why do we seek to amend this particular section of the law? Why is it necessary to come before this body and seek an amendment as proposed by the pending legislation? The answer is very simple. The Special Public Information Subcommittee of the House Committee on Government Operations in conducting a study on the whole problem of Government information today submitted a questionnaire to all agencies of the Government, not only the executive agency departments listed in this title but to all other agencies, including the so-called independent agencies, the regulatory agencies and other agencies of Government.

One of the questions in this detailed questionnaire—by the way, it is a committee print of this subcommittee in which all of the questions are listed in detail and all of the responses are listed in detail—was "By what authority do you claim or do you exercise the right to withhold information?" I paraphrase the question, but generally that was it. And, we find section 22—title 5, United States Code, section 22—was cited as legal authority by the Department of Agriculture, the Department of Commerce, the Department of Defense, the Department of the Interior, Justice, Labor, Post Office, State, Civil Service Commission, Housing, and Home Finance Agency, Interstate Commerce Commission, Smithsonian Institution, and others.

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

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

Mr. MEADER. I notice the gentleman has read in the list several commissions or agencies which are not departments, and yet he has made the point that title 5, United States Code, section 22 applies only to departments. By what right does the Civil Service Commission claim it has the authority to issue regulations under title 5, United States Code, section 22 if it was not even covered by that law?

Mr. FASCELL. The gentleman is absolutely correct in his question, and the answer is that they do not have any right. They are not even encompassed in the statute which I just read to you.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. Do I understand that the Civil Service Commission asserts its right under the present statute to refuse to give any information?

Mr. FASCELL. This statute, title 5, United States Code, section 22, is one of the legal authorities cited by the Civil Service Commission for its right to withhold information.

Mr. ROGERS of Colorado. Then, if we adopt this legislation, H. R. 2767, would the Civil Service Commission then be authorized to release information that its investigators may collect as it relates to a prospective employee of the Federal Government?

Mr. FASCELL. The answer to that is that the Civil Service Commission nor any other agency would be required to release any information where proper authority exists to withhold that information. The only thing that they cannot do would be to rely on title 5, United States Code, section 22 as authority to withhold it If they have the right under Executive privilege, if it is granted to them, or under a Congressional act to withhold information, then they may properly do so, according to their point of view, but under this statute as amended by the proposed legislation they cannot properly or legally be able to

cite title 5, United States Code, section 22, as authority to withhold.

Mr. ROGERS of Colorado. If the Civil Service Commission cannot cite this section and the amendments proposed to it and the confidential agent of the Civil Service Commission would come to me and ask me what I know about an individual and I honestly told him and he made a report to the Civil Service Commission, would the Civil Service Commission then, upon demand by anybody who wanted to learn about that record, be required to deliver the record of what I told the Civil Service Commission agent?

Mr. FASCELL. Not by virtue of this statute, no, sir.

Mr. ROGERS of Colorado. Well, is there any protection under the statute that they would be compelled to withhold it?

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

Mr. MOSS. Mr. Chairman, I ask unanimous consent that the gentleman from Florida [Mr. FASCELL] may proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FASCELL. Let me proceed with my testimony, because the basic answer to the gentleman's question is this: That if the Civil Service Commission by statute or by Executive privilege has the right to withhold information, this statute does not change that position in any respect. All it prohibits is the use of this statute to draft a regulation which would prohibit the release of that information.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield further?

Mr. FASCELL. I yield further.

Mr. ROGERS of Colorado. I heard some reference made to—what was it—78 statutes which authorize the withholding of information; is that correct?

Mr. FASCELL. I believe it is 70-some; I am not sure.

Mr. ROGERS of Colorado. Is the gentleman in a position to tell the Committee whether or not any of the agencies whose duty it is to investigate an individual before he is employed and tells the person being interviewed that it is confidential, that they just want a report on it—is there anything to keep that secret as the agent represents to the person he is interviewing?

Mr. FASCELL. Yes. All the Department has got to do is to say that it refuses to release the information.

Mr. ROGERS of Colorado. If that is true, what is the necessity of this proposed legislation?

Mr. FASCELL. Because under the present system they are citing this statute as legal authority for that, and in our opinion this statute is not legal authority to do that. If they want to claim a privilege, let them claim it, either under the Executive privilege or under the specific statute of Congress, but let us not permit them to use a statute which does not have this intent and never had that intent. That is the reason.

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

Mr. FASCELL. I yield.

Mr. VORYS. I want to ask about the last phrase of the proposed amendment which says:

> This section does not authorize limiting the availability of records to the public.

Mr. FASCELL. That is right.

Mr. VORYS. This is supposed to be a housekeeping statute?

Mr. FASCELL. That is correct.

Mr. VORYS. Suppose a tourist goes up to one of these buildings and he says, "I want to see a letter that Joe Doakes wrote to the Secretary." And they say, "Why, it is closing time." "Well, who told you to close now?" "Why, the head of the department." "All right, I want in. You have no authority to keep me from getting in." And the fellow gets in. They say to him, "That is back in the files."

Mr. FASCELL. The gentleman is not correct, because the very purpose of the statute is to give the department head the authority to regulate the conduct of the operation of his department. It has nothing to do with, it is separate and apart completely from the question of whether or not information is or is not to be made available to a particular individual. If he wants to close down at five o'clock, he has the authority.

Mr. VORYS. But custody and use of papers and records involves denying availability of records to the public just as a matter of convenience. I am not talking about withholding information.

Mr. FASCELL. I understand the gentleman, and he is correct. This is the intent of the statute. The intent of the statute is to empower—that is the reason Congress passed it—to empower a department head to prescribe, subject only to the rule of reasonableness, those regulations for the conduct of his office, for the operation of his department and the conduct of his employees and the custody, use and preservation of his records.

Mr. VORYS. But once this amendment is adopted he may no longer limit the availability of records to the public.

Mr. FASCELL. The gentleman is absolutely incorrect; I beg to differ with him.

Mr. VORYS. That is what the amendment says.

Mr. FASCELL. No, sir; the gentleman is absolutely incorrect; not inconsistent with law and regulations. In other words, if it is available under other law, or if it is withheld under other law, that is the criterion. It is not that he shall have the power under this law to deny access to information or the records, nor is the criterion under this law that he shall have the right to make it available.

Mr. VORYS. Under this law, then, he could not limit the availability of records, which means he could not say that the public may not go to those files because they have got to be available.

Mr. FASCELL. If the information under other law is normally public information the department head under this statute shall have the right to prescribe reasonable regulations before that information shall be accessible to the public.

Mr. Chairman, let me continue. So we see how the problem came about. We have a specific statute, limited in its scope to the executive departments themselves, but claimed as legal authority by other departments and agencies which are not even included in the statute.

That is point No. 1.

Second, we find that it was being used as a direct means of the department head's refusing to permit information to be made available. It is one thing to regulate the manner in which information shall be made accessible and available. It is another thing to see the door closed. You cannot get it under the authority of this statute.

Let us see what other people have had to say about this, first of all the very able general counsel of one of our executive departments, Mr. A. McGregor Goff, of the Post Office Department, who said in his testimony, appearing in part 11, page 2548, third and fourth paragraphs:

> Now, it is my position, it has been my position from the time I first appeared before this committee on the subject for which it was appointed, that title 5, United States Code, section 22 applies only to subordinates. It doesn't have anything to do with the basic right or lack of right to withhold information. It doesn't apply to the head of the department at all.

That is, it does not apply to the head of the department in affecting his right to determine whether or not information shall or shall not be made available, but it does give him the authority of Congress to prescribe regulations for the operation of his department and for the custody and use and preservation of his records.

The Attorney General of the United States in testifying before a committee of the other body had this to say:

> So long as this amendment does not impair executive privilege, "All it would do is prevent people from citing the statute incorrectly." The refusal to provide information should not be based on this statute.

He has stated absolutely, as clearly and concisely as you can possibly state it, what the case is with respect to this legislation. It is just that simple. The department head shall have the right to prescribe whatever reasonable regulations he may deem necessary. Congress gave him that right. But this statute shall not be used as authority to say, "You shall not have the information." If he wants to take that right upon himself as part of the executive branch he may do so. This is another question to be decided at another time. If Congress limits the accessibility of information by statute, that is a separate and independent question. So all we are doing is setting the record straight by this legislation, by saying that this particular section shall not be used as authority to deny or limit information. This bill would solve that problem very simply.

It will be some time yet before we get into the major problem of the availability of information to the Congress, the denial of that information by the executive branch of the Government, by

getting into the question of the prerogatives of the executive branch under claimed constitutional powers to withhold per se whatever information the Executive thinks might be necessary. Those are entirely separate questions. This legislation is limited in its scope. It sets the record straight with respect to one particular section of the statute, clearly identifiable, and should not in any way be confused. No amendments are necessary to correct present legislation because by its passage it will clarify the present situation.

Mr. HOFFMAN. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, I am not a lawyer and I have no intention of attempting to discuss the legal aspects of this proposed bill. I am, I hope, a common, garden-variety Member of Congress, and as such I am completely fed up with the withholding of information from Members of Congress and others.

I want to approach this right to know proposal from that standpoint, and perhaps I can point up what I have to say by reading a letter which appears in the hearings on this bill. It is listed as exhibit 5:

The White House today made public the following letter from the President to the Honorable Eric A. Johnston:

THE WHITE HOUSE,
January 11, 1958.

Hon. ERIC A. JOHNSTON,
1600 I Street NW.,
Washington, D. C.

DEAR ERIC: In recent weeks there have come to the White House many inquiries with respect to the foreign aspects of our national security. They indicate a natural and keen desire to receive fuller information in these particular fields.

Now, listen to this:

In our free society the Government has a duty to keep the people informed on what it proposes to do and why. Without full public awareness it is difficult for the Nation to put forward maximum effort and obtain maximum results. During your service with the Government as Chairman of the International Development Advisory Board and through your travels abroad you have gained firsthand knowledge of our economic development and security problems.

In the light of the numerous requests that I have received, it would be highly gratifying to me and a great service to the Nation if you would be willing to call in Washington a conference of business and organization leaders, bipartisan in character, to explore means of conveying to our citizens a fuller flow of information on the foreign aspects of our national security.

I do hope that you will feel that you can give the time to do this.

Sincerely,

DWIGHT D. EISENHOWER.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield for a question?

Mr. GROSS. I yield.

Mr. HOFFMAN. Are you speaking on this bill?

Mr. GROSS. Yes. I read this letter because it is to be found in the hearings before your committee listed as exhibit No. 5 pointing out, I assume, the willingness of the White House to provide full information to the public. That is what the letter says. Now then, and in the first place, the public heard only one side of the foreign-aid issue at the meeting Eric Johnston promoted in Washington last February. The public heard nothing about the boondoggles that have occurred under the foreign-aid program. But, more to the point—I have been trying to find out who financed this foreign-aid show—this propaganda extravaganza—what funds were used to put the show on the road? I assume with a letter of this kind to be found in the record in connection with this right-to-know bill that an ordinary Member of Congress could contact Eric Johnston or someone in his setup and find out without the slightest trouble, where the funds came from that were necessary to start the foreign-aid propaganda outfit.

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

Mr. GROSS. I yield.

Mr. HOFFMAN. Am I correct in assuming then that what you are telling us is that the executive department in this case gave us altogether too much information and used public funds to do it?

Mr. GROSS. They gave too much information on one side of the picture and withheld all of it on the other. The Congress appropriates the money that is expended by the White House and, I believe, the gentleman will agree that a Member of Congress—even a common garden variety Member of Congress—ought to be able to call up and ascertain what funds were used to promote an enterprise of this kind.

Mr. HOFFMAN. Just as a Member of the Congress ought to be permitted to learn how counterpart funds are used.

Mr. GROSS. That is right, and I challenge any Member here on the floor of the House today to tell me where the funds came from that set the stage for this propaganda meeting, including a luncheon and dinner that was held in Washington in February.

If any Member knows, will he please rise and tell me because I have been trying to obtain the information.

Because the International Development Advisory Board was mentioned in the President's letter, together with the part that Eric Johnston played in that setup, which is supported by tax money, I wrote to Mr. James Smith, Director of the International Cooperation Administration, on February 28 and asked him among other things to please provide me with a report covering each meeting of the Board. On March 20, nearly a month later, a Mr. Guilford Jameson, Deputy Director for Congressional Relations, replied. I will quote only briefly from his letter to me. He said:

The International Advisory Board was established in September 1950.

Then, he says this:

As for the number of meetings which have been held by the Board since its inception, I regret that our files are not complete prior to 1953.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GROSS. Mr. Chairman, will the gentleman from Michigan yield me additional time?

Mr. HOFFMAN. Mr. Chairman, how much time will the gentleman from Iowa want?

Mr. GROSS. Five minutes, if possible.

Mr. HOFFMAN. I cannot deny the additional time to the gentleman.

Mr. GROSS. I thank the gentleman.

As to the number of meetings which have been held by the Board since its inception, I regret that our files are not complete prior to 1953.

Twenty-four meetings have been held since September 1953 on the following dates: September 28, 1953; November 30, 1953; January 25, 1954; March 22, 1954; July 19, 1954; September 20, 1954; January 12, 1955; April 18, 1955; June 27, 1955; November 29, 1955; January 30, 1956; April 13, 1956; June 7, 1956; August 6, 1956; September 11, 1956; October 29 and 30, 1956; November 30, 1956; December 13, 1956; January 24, 1957; February 10, 1957; April 2, 1957; May 27, 1957; July 26, 1957; and September 16, 1957.

And believe it or not, they either could not or would not provide me with a report covering a single one of those Board meetings.

I support this bill. I do not believe it goes far enough, but I support it in the hope that it will do something to stop the process of wearing out Members of Congress and others who are attempting to obtain information to which they are entitled. What can be classified about what went on in a board meeting of the International Development Advisory Board? If some part is classified why do they not provide the report and state that which is classified?

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

Mr. GROSS. I will be glad to yield to the distinguished gentleman.

Mr. HOFFMAN. You are talking about information sought from the President.

Mr. GROSS. I am talking about information I sought from the International Cooperation Administration or one of its various appendages.

Mr. HOFFMAN. Do you not realize that this legislation does not have a thing to do with that at all?

Mr. GROSS. No; I do not so understand.

Mr. HOFFMAN. This applies only to the heads of departments.

Mr. GROSS. All right. I have written to the head of the International Cooperation Administration.

Mr. HOFFMAN. But that is not an executive department.

Mr. GROSS. Then let us take the State Department. I have been trying to find out how a flying fortress, loaded with arms, which was compelled to land in Algeria because of engine trouble a few weeks ago—how it was that this 4-engine bomber came into the hands of the Government of Israel, and was allegedly flying from Tel Aviv to Venezuela, piloted by 2 Americans. The response I got from the State Department is, "We do not know." The response I got from the Defense Department is in effect, "We do not know."

Mr. HOFFMAN. Will the gentleman yield further?

Mr. GROSS. I yield.

Mr HOFFMAN.. All you have to do is to take advantage of the rules of the House and put in a privileged resolution and within 7 days they have to give it to you.

Mr. GROSS. Thank you. That is another part of the wearing out process that I do not like. With all the millions that are being spent on the Central Intelligence Agency, the intelligence units in the Defense Department and the State Department and various other agencies, there should be no trouble whatever in ascertaining how the Government of Israel came into possession of this bomber; where the cargo of arms came from, and who issued the passports and under what conditions to the American pilot and copilot.

Mr. HOFFMAN. Will the gentleman yield again?

Mr. GROSS. I yield.

Mr. HOFFMAN. This bill will not help you on that. If we adopt H. R. 2767 it would not have anything to do with it, because what you are talking about is information that comes to the Executive and his department. The only way you can get it is through an amendment to the Constitution.

The Speaker of the House asks: Are you going to impeach the President? That is your remedy.

Mr. GROSS. I am going to vote for this bill in the hope that it will do some good. I will vote for anything that bears any similarity to it. In other words, I want to serve notice on the various agencies of the Government that no longer are Members of Congress, the press, and the public to be ignored when information is sought from the various agencies of the Government—information to which all the people of this country are entitled and which will in no sense endanger our security.

Mr. HOFFMAN. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. MEADER].

Mr. MEADER. Mr. Chairman, I should like the attention of the gentleman from California [Mr. Moss], the sponsor of the measure. I would like to read three paragraphs from the additional views I submitted to the report which appear upon page 62 of the report. I said:

> I believe there is unanimous sentiment in the Government Operations Committee on the following points:
>
> 1. That departments and agencies of the Government have construed section 161 of the Revised Statutes to authorize them to withhold information from the public and to limit the availability of records to the public.
>
> 2. That this interpretation is a strained and erroneous interpretation of the intent of Congress in section 161 of the Revised Statutes which merely authorized department heads to make regulations governing day-to-day operation of the department—a so-called housekeeping function; and that section 161 of the Revised Statutes was not intended to deal with the authority to release or withhold information or records.
>
> 3. That departments henceforth should be prevented from relying upon section 161 of the Revised Statutes as authority for denying access to records or information, but that authority derived from any other sources, such as the Constitution, statutes, or Executive orders, to withhold information or limit the availability of records would not in any way be affected by the language of H. R. 2767.

I now yield to the gentleman from California to state whether or not those three points as I have set them forth in my additional views in the report on this measure accurately state what he understands to be the consensus of the judgment of the members of the Government Operations Committee in reporting out this legislation?

Mr. MOSS. That is correct as I interpret it.

Mr. MEADER. Very well. Then, it seems to me the question that is before the House and the committee at this time is, what language shall we use to carry out those purposes? The gentleman from Michigan [Mr. HOFFMAN], in the discussion of the matter in the committee, raised questions about the interpretation of the language of H. R. 2767. It is a simple little statement; it does not take very long to read it; it is just one sentence:

> This section does not authorize withholding information from the public or limiting the availability of records to the public.

It seems quite simple on its face and that it would carry out the purposes which I have just enumerated and which the sponsor on record has said correctly, as he understands it, reflect the judgment of the Government Operations Committee. But look at the language a little more carefully and you see a lot of things in there that do not appear at first glance.

"This section does not authorize withholding information." Just what does that mean? That is written in the basic law of the land; it is written into what the gentleman from Florida has very eloquently and accurately described as a general statute applicable to all departments of the Government, not independent agencies but the regular established departments; and what does it state? It states:

> This section does not authorize withholding information.

I say it is perfectly conceivable that a court might interpret that language to state: "The withholding of information is not authorized. The withholding of information is forbidden; the withholding of information is prohibited."

That language being in a general statute applicable to all departments will take precedence over any other statutes that are in existence at the time. Being the most recent pronouncement of the Congress, the court could say that the Congress has now spoken and has repealed or amended the other statutes that might be applicable to the subject and, therefore, the 78 statutes that have been referred to will be affected by this language. I do not want to see that interpretation made by a court. If I were a court I would not so interpret it, but being familiar with some court decisions recently that contain certain interpretations I never would have given, I am not here to say that a court could not misinterpret this language in the fashion I have just described.

If our purpose is clear and if it is agreed upon, why do we not say so in the statute? Opponents of my amendment say, "well, look in the report." The committee did add, you will notice at the bottom of the majority report on page 12, this sentence, and I will say this is an achievement, if nothing more, of those who sought to improve the language. The full Government Operations Committee added in committee, after the amendment which I propose to offer here later had been defeated, the following:

> The application of this amendment is limited to Revised Statutes 161 (5 U. S. C. 22) and should not be construed as repealing or amending any other statute which may authorize the withholding, restricting, or limiting the availability of information or records to the public.

That is an improvement. But why do we have to resort to a committee report or debates on the floor or possibly even to debates in the executive sessions of the committee to find out what Congress had in mind? Why not say so plainly in the language that we write here? That is all my amendment proposes.

I want to point out that this statute, as the gentleman from Florida so ably described, is a statute of general application to the departments. What does it deal with? It deals with the making of regulations. Section 161 has to do with authorizing department heads to make regulations, and that is all it has to do with. It does not have to do with security, the release or publication of information or anything else. It has to do with prescribing regulations. Congress made a general delegation of authority to every department head to make regulations. To do what? Four things. To govern his department, for the conduct of its officers and clerks, the distribution and performance of its business and for the custody, use, and preservation of records, papers, and property appertaining to it.

Now, having made this delegation of authority to make regulations, if you want to limit it in some way how do you do it? You put on a proviso which limits the general grant of authority that you have already made. That is what my amendment proposes to do. It replaces the language contained in the bill H. R. 2767 with the following language which appears on the last page of the report as part of my additional views, page 63:

> *Provided*, That no regulation shall be prescribed under this section authorizing or directing the withholding of information from the public or limiting the availability of records to the public.

That is clearly a limitation upon section 161 and not anything else. It could not possibly be construed as affecting any of the other 78 statutes, because it is confined specifically to the power to issue regulations granted in section 161 and could not limit anything else except that particular section.

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

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

Mr. FASCELL. Will the gentleman admit that the present section of the law

which we seek to amend by this legislation now states specifically that the head of the department shall have the right to prescribe regulations which are not inconsistent with law?

Mr. MEADER. Well, the gentleman is just reading the language.

Mr. FASCELL. The statute does say that. Now, what is the gentleman's interpretation of the proviso now in the statute which says that the regulations of the department head shall not be inconsistent with existing law?

Mr. MEADER. If the gentleman will read again the language of the Moss bill, he will see that that one sentence has not anything to do with and does not refer in any sense to the authority to issue regulations. It says "This section does not authorize withholding information."

Mr. FASCELL. Exactly.

Mr. MEADER. It does not purport to be limited to the power granted in the previous sentence of that law. It is general language applicable generally to departments. I think it is ambiguous, I think it is defective, and I think we are under an obligation as legislators to clean this language up and make it mean what we want it to mean and not pass a bill containing unskillful language the meaning and effects of which are not clear.

Mr. MOSS. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. BROOKS].

Mr. BROOKS. Mr. Chairman, I believe every Member of this House and the people we represent owe a great debt to the distinguished and hardworking Member from California [Mr. Moss].

As chairman of the Government Operations Subcommittee on Information, he has helped lead the way toward finding a practical and workable way to express the right of Americans to know what is going on in their Federal Government.

If information about our Government is kept from the people and their own representatives in Congress and in the press, the very lifeblood of our democracy is stopped. It is the people's right to know and make decisions that make a democracy. Without this right, free from unreasonable restraints, we have in effect star chambers and dictatorships rather than democracy.

Democracy cannot operate in dark corners and in secrecy. And our Nation cannot lead the free world with one arm tied behind its back—tied by the fear of some that the people of this Nation are not wise enough or responsible enough to know the facts about our Government.

Democracy has taken its place in history as the finest form of government man has been able to devise, because it jealously protects the rights of individual persons. The withholding of information from our people, from Congress, and from the press is a negation of those rights. The right to know is fundamental to every fiber of our democraitc freedom.

Many of us here in the House at this moment have had discouraging and frustrating experiences with the executive agencies of the Federal Government regarding the withholding of information. My own personal experience includes failure to receive even an acknowledgement to my official, written inquiries made to a Cabinet officer of this administration. I feel sure that the list we could form today would be a long one if we had the time to put all our experiences together.

We all know that the old and wornout cry that all this information is essential to the protection of our country does not jibe with the actual truth. The majority of information requested by Members of Congress—and withheld—does not vitally concern the well being of our Defense Establishment. I would submit for the consideration of the House that the withholding of this information may well be to protect someone—but not the people of these United States.

Mr. HOFFMAN. Mr. Chairman, I yield such time as she may desire to the gentlewoman from New Jersey [Mrs. DWYER].

Mrs. DWYER. Mr. Chairman, I rise to express my strong support of the pending legislation and to associate myself with the views of others who support it.

Without repeating in detail the many arguments being advanced on behalf of this legislation, I believe there are certain aspects of it which should be emphasized.

First, this is emphatically not partisan legislation. The unreasonable withholding of information is a temptation that Government officials in every recent administration have succumbed to.

Second, the chief value involved in this legislation is one of principle. No one will seriously claim that this bill will once and for all solve the problem of the proper limits to the public's right to know. But it is an important—because it is a first—step in the right direction. By it, the Congress will have indicated its support of the principle that the people in a democracy, if they are to use their power wisely, must have access to complete and accurate information about the public's business.

Third, this legislation will, in effect, remove the temptation for Government officials to rely for their authority in this field upon a statute never intended to be so used. And it will require them in turn to rely on authority—which is certainly adequate to the purpose—which is more directly and specifically appropriate.

There are occasions when certain information, in the public interest, must be withheld and retained in varying degrees of secrecy. No responsible person will deny this. But it is important, in a Government of law, that the authority to so withhold information be clearly and specifically stated and that legal loopholes not be utilized to cover such an immensely broad and important area of our public life.

It seems to me, Mr. Chairman, that if any benefit of doubt is to be accorded here today it should be given to the people and to their press. On the great occasions of our national patriotic holidays, we are often fond of declaiming about the health and maturity of our form of government. We are presented, in this bill, with an opportunity to act on these convictions.

The people are not perfect, nor is the public press all-wise. Neither, however, is this or any other Government of sufficient wisdom and integrity to be granted unlimited power over what our people shall know about their own business.

This is moderate, responsible and necessary legislation, Mr. Chairman. I am happy to support it, as I did earlier in the Committee on Government Operations.

Mr. HOFFMAN. Mr. Chairman, I yield 2 minutes to the gentleman from Missouri [Mr. CURTIS].

Mr. CURTIS of Missouri. Mr. Chairman, I have asked for this time in order to ask a question of the chairman of the committee or whomever on the committee might answer. I cannot understand what the last clause in this bill does that is not contained in the forepart of the sentence. In other words, it says "or limiting the availability of records to the public." Now, what does that do that the first part does not do? The first part says "This section does not authorize withholding information from the public." Now, is that not comprehensive? What do you gain by adding this latter clause?

Mr. FASCELL. I agree with the gentleman. He is reading the so-called Meader amendment, and I do not think it adds anything, because it is unnecessary.

Mr. CURTIS of Missouri. I am not talking about the Meader amendment. I am talking about the bill itself. The forepart of the sentence reads, "This section does not authorize withholding information from the public." My question is, If you happened to put a period there, do you not accomplish everything that you want to? Adding "or limiting the availability of records to the public"—what does that add that is not included in the forepart?

Mr. FASCELL. Only for the purpose of clarification to determine the distinction between information and records as such.

Mr. CURTIS of Missouri. Would not "information" broadly interpreted include records?

Mr. FASCELL. That is debatable, and in order to clarify the point you would have to amend the present statute by a definition of what is "information."

Mr. CURTIS of Missouri. Then why not say "withholding information and records?" The reason I suggest that is this. I have been impressed by the statements made on using the word "availability" for this reason. Granting the availability is housekeeping in itself; when you limit the availability, you limit the housekeeping and I am afraid you get into trouble there. If what you want to do is to get the records, why not say that this section does not authorize withholding information and records from the public? I am just asking for information.

Mr. FASCELL. The point is, on the question of definition of "information" and since the present statute uses the words "records," that is the reason for including both of them. It does not impinge upon the right of the department

head to regulate reasonably the availability of records as long as it is not construed as a definite withholding permanently.

Mr. CURTIS of Missouri. I would like to suggest that the committee consider my suggestion because I am afraid the word "availability" even though the committee did not intend it, might actually be limiting the housekeeping that is necessary. I think you would accomplish what you want to accomplish—in fact it would really strengthen the purpose—if you said: "This section does not authorize withholding information and records from the public." Then you have it and anybody who tries to withhold information under whatever guise would come under this ban.

Mr. FASCELL. I would not be ready to pass judgment upon the amendment the gentleman suggests because of the fact that it might impinge upon the rights of the department head to prescribe reasonable regulations, which right he should have.

Mr. CURTIS of Missouri. That is what I am trying to provide, that he could do that. And I am afraid the language that the committee has used could mean that he would run into trouble. In any event, I have my question answered. I wanted to bring it out because it had disturbed me.

Mr. MOSS. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. WRIGHT].

Mr. WRIGHT. Mr. Chairman, I rise in support of this bill. Its purpose is to protect the public's right to information by penetrating the fog of secrecy which today enshrouds many Government activities.

After lengthy hearings by the special House subcommittee in which testimony was taken from hundreds of witnesses, the gentleman from California [Mr. MOSS] and his colleagues have drafted this specific legislative proposal for lifting the curtain which has descended between the public and its Government. I should like to congratulate the committee on a job well done. This bill, the first tangible result of the committee's work, would destroy the most commonly used pretext for denying the public access to public files and records.

At the outset of the hearings, I am told that members of the special subcommittee had believed it would be necessary to develop an entire new Federal public records law to curb a growing list of abuses by administrative agencies. It soon was discovered, however, that the tortured misconstruction of an ancient statute was the real fountainhead of creeping Federal secretiveness.

The housekeeping statute, first adopted in 1789 to get General Washington's administration under way, grants to department heads the power to prescribe regulations for "the custody, use, and preservation of records, papers, and property."

In instance after instance, the subcommittee found, agency heads now are claiming that this benign provision gives them authority to keep their records hidden from public view. The proposed remedy would blast away this roadblock by adding one single sentence:

This section does not authorize withholding information from the public or limiting the availability of records to the public.

This proposal would not affect military information or other details withheld to protect national security. There are numerous laws on the books to preserve the inviolability of such things as military secrets, income-tax returns, inventions, trade secrets, and the like. Yet the housekeeping statute has become a convenient blanket to cover many things which the Congress in its wisdom has never seen any reason to include in the secrecy laws.

In June of 1956, the General Counsel of the Agriculture Department even claimed that this gave him the authority to withhold information from the Congress. Through the increasing tendency to take vague refuge in this broad provision, a forest of secrecy has grown up to obscure many Government functions from the public view.

Among the more bizarre examples of what has happened are some pure slapstick comedy illustrations of confused secrecy. One example was an Air Force telephone recording which gave weather forecasts to anyone dialing a publicly listed telephone number. The recording closed with a warning that the information was classified.

Recently the subcommittee discovered that some work which an amateur archer had done on bows and arrows was classified as confidential. The Pentagon, in another case, had refused to permit publication of a book on military tactics of the Revolutionary War.

Undoubtedly more serious are rulings which prohibit scientists working in one military service, though they have top secret clearance, from knowing what is being done in the same field in another service. This has been costly in time and money, as it has resulted in expensive and time-consuming duplication in research.

Nor is the military by any means the only offender. The investigations of the subcommittee disclose an atmosphere of secrecy pervading almost every agency of the Government. Newsmen in particular have been critical of the increased difficulties they encounter in gaining access to public records. The freedom of the press is involved, a principle dating back to the trial of Editor John Peter Zenger in 1735.

The people of the United States are entitled to know what goes on in their Government. They pay for it. It belongs to them. I hope this bill will pass and that it will open the way for other reforms designed to keep the Government closer to the people.

Mr. MOSS. Mr. Chairman, I have no further requests for time.

Mr. HOFFMAN. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. HENDERSON].

Mr. HENDERSON. Mr. Chairman, the discussion that has been had on the bill thus far raises a question with me whether or not we are just arguing in an academic vacuum, because the point has been made more than once that actually what we are doing by this proposed legislation is not prohibiting the departments of government from withholding information, but saying that they shall not use section 161 as the crutch upon which to lean to withhold that information.

I should like to ask someone of the committee or the subcommittee to give one specific instance in which this proposed legislation could be used by a person desiring information to obtain that information.

Mr. MOSS. Mr. Chairman, I do not think I could give a specific instance where this could be used to force the production of information. I think that might very well be a question that the courts would have to decide. But I can assure the gentleman that the intent here is that it not be cited as the authority for the withholding of information, as is done far too frequently.

Mr. HENDERSON. Actually, then, the legislation we are acting upon will not provide any more freedom of information than the public now possesses?

Mr. MOSS. I said at the beginning of the debate that this was a very timid step, a bare minimum which the Congress should undertake to express its views. I have not contended that this would open up broad areas of information. I hope that it will require the departments of Government merely to cite appropriate legal authority for the withholdings.

Mr. HENDERSON. I thank the gentleman for his explanation. I believe this is a field in which we should move carefully. It is my hope that as we discuss and pass upon this legislation we also be very careful that, as the gentleman from Ohio [Mr. VORYS] has said, we not do something that might enlarge, beyond the concept that we have in mind, the time and circumstances for making information available.

Certainly the departments of Government must retain the right to say at what hour and under what circumstances information shall be made available. I am terribly fearful that with the language here it might be construed as suggesting that a department must open up its place of business at midnight because I might want to see a letter from someone.

Mr. HOFFMAN. Mr. Chairman, I yield myself one minute to answer that question.

What his amendment does is to say to the executive department, "Open up the door." When we have a quorum call, the doors are locked. That means that no one gets in or out. When the Speaker orders them opened, what happens? Everybody goes through, in and out. When you take from the departments the authority to deny any information of any kind, with no exception, you throw their records wide open. I go down there and I take a copy of this act, if it becomes an act. I demand a record or paper. The gentleman from New York—who is in the department we will assume—says, "You can't see it." I say, "You see this? A copy of H. R.

2767. Congress passed that. Let me in. Give me what I want."

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

Mr. HOFFMAN. I yield to the gentleman from New York.

Mr. REED. I have been a little worried about this bill. There are a great many people in the country who might call upon their congressmen to get information. You will have a lot of cranks asking for information. I have not had much trouble in 40 years in getting information from the departments.

Mr. HOFFMAN. I thank the gentleman.

Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. ALGER].

Mr. ALGER. Mr. Chairman, I take this time to direct a question to the committee. I see on page 63 of the report, and I am now looking at it, the Meader amendment. I am rather impressed with the arguments that are made for it. I have listened to all of this debate. I am wondering, is the committee opposed to this amendment? Does this not accomplish also the objective of the amendment the gentleman has in the current bill before us?

Mr. MOSS. I would say to the gentleman that the committee rejected this overwhelmingly in the full committee. I am opposed to it because in my judgment it would create confusion rather than resolve any doubts. I think it would raise more questions than it would settle. Specifically, it would raise a serious question as to the authority for the head of the department to prescribe necessary regulations for the custody, use, and preservation if in the course of prescribing those regulations there might be a tendency to limit information which under other authority could be withheld. I think it would, as I say, create confusion rather than resolve the doubts which I know are held in good faith by the gentleman from Michigan [Mr. MEADER].

Mr. ALGER. I certainly respect the gentleman's viewpoint, but I do not grasp the gentleman's disagreement with the Meader amendment.

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

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

Mr. FASCELL. If the gentleman will read the Meader amendment, it says, "Provided, that no regulation."

Thus, the key difference between the Meader amendment and the proposed legislation is that the amendment refers to the regulation whereas the proposed legislation makes an affirmative statement that this section which is amended shall not be used. Does the gentleman see the difference?

Mr. ALGER. I believe we are splitting hairs. I am really lost at this point because I have tried to grasp the significance of both and their difference.

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

Mr. ALGER. I yield.

Mr. MEADER. The statement just made by the gentleman from Florida interested me because the section which is amended, that is section 161, deals with nothing but the authority to issue regulations, and if my amendment would be limited to the right to make regulations, but the Moss bill goes beyond that, then I am concerned that it intends to reach something beyond section 161.

Mr. ALGER. I thank the gentleman.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HOFFMAN. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland [Mr. HYDE].

Mr. HYDE. Mr. Chairman, I am in sympathy with the purposes of this legislation, but I have the same fear about it as expressed by the gentleman from Missouri [Mr. CURTIS] and by some others on the floor. I fear that the last phrase of the bill, that is, the words "limiting the availability of records to the public" is in conflict with the first part of the section and any regulation that a public official would attempt to promulgate would be or could be construed as limiting the availability of records to the public. Moreover, I am also afraid of the effect of this legislation on other laws that are on the books limiting information under special circumstances.

So, Mr. Chairman, at the proper time I would like to offer an amendment which I think will not change the effect of the bill at all, but will do what you say you want to do. That amendment would be this. It would insert after the word "information" the words "and records" and then strike out after the word "public" and all the rest of the sentence and insert in lieu thereof "in a manner not inconsistent with law." So that the bill would then read:

This section does not authorize withholding information and records from the public in a manner not inconsistent with law.

I think that would clarify exactly what you intend to do and would not leave up in the air this question that has been debated so strongly on the floor this afternoon as to just what effect this has on existing laws and just what liberties it may or may not give to the public official with respect to these records and who could or who could not get at certain records which we would not want to be made available. In other words, I want us to express exactly what we mean and not leave it to the courts or to the public officials or the public involved with it to place upon it their own intent.

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

Mr. HYDE. I yield.

Mr. FASCELL. Will the gentleman admit that the proposed legislation starts out by saying that section 161 of the Revised Statutes is amended and nothing else?

Mr. HYDE. I understand that.

Mr. FASCELL. Will the gentleman further admit that the present section of law which is sought to be amended now says that no regulation may be promulgated which is inconsistent with law?

Mr. HYDE. Yes, and after that sentence in the present law, you put a period and then by this bill you say that all that has been said before does not authorize the withholding of any information or the limiting of the availability of records. The period is important there.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HOFFMAN. Mr. Chairman, I yield such time as he may desire to the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, I rise in support in principal of H. R. 2767, having introduced H. R. 11344 myself which is identical with the bill before us. Although I have no pride in authorship necessarily I do believe that Congress should take some action in this field and introduced my bill to indicate clearly my strong belief on the matter.

It must first be admitted that there are many instances when executive discretion must be exercised to deny access to certain Government information for the security and welfare of the Nation. This discretion is, of course, inherent in the executive branch and I doubt if Congress could constitutionally pass binding legislation to curtail the exercise of that discretion assuming that it was exercised in good faith and within the limited authority derived from the national security and welfare purposes.

It is my understanding of the pending bill that it is not the intention of the Committee reporting it to infringe upon that separate Executive power, but only to remove one of the weak and improper crutches upon which denial of information has ben resting within many of the departments. Many departments have been citing the section sought to be amended by this bill, title 5, United States Code, section 22, as justification for withholding information. It is doubtful in my mind that this was intended by the First Congress that enacted this section in 1789.

It is interesting as a sidelight that this is one of the few instances in the history of Congress that legislative action of the First Congress has been amended or sought to be amended.

The bill offered does not change the wording of the existing section 22 but clarifies its intent and eliminates its useage in the future as a shield of secrecy when it was never so intended, by adding the wording:

This section does not authorize withholding information from the public or limiting the availability of records to the public.

This clarifying language should make it clear that Congress does not intend that this section shall be used to deprive the public of proper information.

Of course, it is to be noted that there are in existence in excess of 75 statutes relating to subject matter that can be withheld because of the national security and public welfare which are in no way affected by this bill. There is further the inherent executive authority to withhold when in its discretion this serves the general public welfare and safety, which is a power inherent in the Executive and inviolate from legislative curtailment by the Separation of Powers doctrine under our Constitution. Thus,

this bill is not intended to permit indiscriminate rummaging through of Government information contrary to the public interest where Congress had declared it in the public interest to withhold this information. I do not interpret it, either, as an open invitation or legislative authority for demanding any and all information by anyone desiring it, because the bill merely states the intention of Congress that departments in the future shall not use this specific section as justification for denying information.

I further do not interpret it, as has been confirmed today on the floor, as an open invitation for demanding people to require that the agencies make available records at any hour under any circumstances just to accomplish whatever might be the objective of the inquisitor. This bill writes no new rule for the Government agencies as to making available information which does not now exist, but it does clarify the section and puts it in its proper perspective as having no relationship to withholding information.

Under these circumstances, I believe that Congress in favorably considering this bill is acting within its constitutional power, that it is acting in the best interests of the people who have a right to know what is going on in their Government within certain reasonable and well-established limitations, and, that it is not affirmatively infringing upon the Executive prerogatives or legislative sanctions in this field. For these reasons I support this legislation—under the assumption that it is being offered in good faith and not with any intention of criticism of this or any previous Executive administration—for the right of the people to know is above partisan politics and affects all people—of all parties—in all walks of life.

Mr. HOFFMAN. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan [Mr. McINTOSH].

Mr. McINTOSH. Mr. Chairman, I take this time to direct a question to the chairman of the committee following the question with regard to civil-service personnel and security records. We have, over the years, in almost every Government department tremendous amounts of information relating to personnel and private affairs of American citizens. I would like to know whether the chairman can assure us that we are not inadvertently withdrawing protection for personal, private records of individuals now in the hands of Government agencies which are not covered by some of these other 72 laws. In other words, has the staff and the committee satisfied themselves that by withdrawing this, which I think the House feels is being relied upon—by withdrawing this are we leaving any personal or private records open to not being protected under the provisions of some other statute?

Mr. MOSS. First, if you will read page 4 of the report, you will find that the Commission by letter acknowledged their error in claiming authority under this section. So it would obviously have no effect in any way upon the Civil Service Commission. The committee is satisfied that there is an abundance of statutory authority, in some cases excessive authority, for the withholding of highly personal items of information. There is adequate authority under the Administrative Procedures Act. All we are trying to do here is just that you do not use those. We are not going to be crippling any agency by taking that action.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HOFFMAN. Mr. Chairman, I yield myself the remainder of the time.

Mr. HOFFMAN. Mr. Chairman, the subcommittee and the Committee on Government Operations seem to be greatly concerned about the withholding of information by the departments.

As has been stated several times, the departments have abused the authority given them. There is no question about that. Amendments will be offered asking that the bill be amended so as to require the departments to come up with some reasonable, workable, basic regulation so that the public can get the information to which it is entitled and that without difficulty.

It just happens that the House itself takes a different view about the people's right to know than that now expressed by the committee. How inconsistent can we get? Have we fallen back upon the old statement, "Do as I say and not as I do"? I see smiles on the face of the gentleman from Florida [Mr. FASCELL], and our distinguished and able counsel, Mr. Mitchell. It is a wonder we do not do a little housecleaning on our own before we start wandering so far afield.

Here is what the Star stated:

> The Congress barred the public from 1,131 of its 3,121 hearings.

We shut the door on our own activities and spending. We slammed it shut on those poor people whose Government this is, whose dollars we are using, who the committee says "have a right to know." Why did this committee do it? Why do we, the Congress, claim a privilege which we deny to a department downtown?

The hearings will show this committee wants to know not only what conclusions they reached down there but what they talked about and what they were thinking about, what minutes were taken when the Department held conferences. Where would we get?

Do the people in my district who elected me have a right to know what I tell the office force to inquire about when seeking information? Do the people whose Government this is have a right to ask a judge, a court, what went on in chambers over in the Supreme Court Building, when a decision was being reached? I guess not. Why not? Because it is a separate department of Government. It is one of the "Big Three."

Does a judge presiding over a trial have a right to ask a jury, "How did you fellows arrive at that verdict?" I guess not. They are a part of the judicial department of this Government.

And so it goes on down the list.

The taxpayers' money. Does the Congress ever tell the taxpayers how their money is spent?

The people's right to know. We have a statute which expressly states that the records of our committees belong to the people, they are public records. The statute states that every Member of the House has the right of access—get that word—"access"—to those records, but when I went to the chairman of a subcommittee of the Committee on Government Operations and under my arm I have my little Thermo-Fax or whatever this picture-taking thing about that size is, and I say, "Let me make a copy of that paper," the chairman says, "No; you cannot use it." But the decisions are to the effect that the right to see, to access, includes the right to copy.

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

Mr. HOFFMAN. I yield.

Mr. MOSS. The gentleman was not referring to the chairman of the Special Subcommittee on Government Information.

Mr. HOFFMAN. No, no, no; oh, no; I love the gentlemen on that subcommittee and I admire them, as much as there can be admiration, of the way you have handled this matter. If any man ever got more political mileage out of an issue than has the gentleman from California [Mr. Moss] has out of this one, I do not know who he is. For almost three years he has been on the front page every day. More power to you. I only wish I had it. That is not using public funds for political purposes. Do not misunderstand me. That is just trying to get the people the things they desire.

Oh, yes; what happened when they would not let me make a copy of a record which the law said I was entitled to have access to? The Speaker sitting in the Speaker's chair—presiding—sustained the ruling of the chairman of the subcommittee—but read the ruling as given in my earlier remarks. That was funny, was it not? It would be, if it were not so absurd.

The east front door dim-out over here. Remember how it was all secret? Our minority leader wanted to let the people in on it, but he was overruled and the door was slammed.

The President's reorganization plan was referred to a committee. That meeting was secret.

Mr. Chairman, how much more time have I?

The CHAIRMAN. The gentleman's time has expired.

Mr. MOSS. Mr. Chairman, I yield such time as he may desire to the gentleman from Florida [Mr. HALEY].

Mr. HALEY. Mr. Chairman, apparently we are all in accord that this legislation is needed and is long overdue. I say that it does not go far enough probably, but it is certainly a step in the right direction.

For too long, I think, the various agencies of this Government have denied information not to all Members of Congress, but to some Members, and I think it is high time that the Congress of the United States took such action as it thinks is necessary to inform the people or allow the news media of this country

to inform the people of what goes on here in Washington.

Many times these agencies—and the gentleman from Michigan just said he did not know just what this legislation was for except to get more information for the papers, that it would not do anything to assist Members of Congress and the public in obtaining information; I have been denied, as I am sure many Members of Congress have, information not of a highly secret nature, but I think perhaps to cover up some of the faults of the agencies involved, and I think it is about time that the people of this country and the Congress took such measures as are necessary to allow the news media and the Members of Congress to inform the people of what is going on here in Washington in some of these agencies.

Mr. MOSS. Mr. Chairman, I yield such time as he may desire to the gentleman from Connecticut [Mr. MAY].

Mr. MAY. Mr. Chairman, as a member of the Government Operations Committee, I wish to signify at this time my support of the intent of this legislation. We in Connecticut have recognized the right to know by enacting State statute supporting a similar intent. My Government Operations Committee is taking a similar step in urging Congress to adopt this legislation. I believe it is important that the public be allowed to more easily obtain information that they are truly eligible to receive. Secret, security-type information and other information realistically classified for the protection of the public and their Government is, of course, still protected by 78 other statutes.

However, I feel we should pass this legislation. The true intent must be understood. If so, we will have cleared the air on a subject that is vital to our freedom as expressed in the Constitution.

Mr. MOSS. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I think it well to have the record made completely straight on some of the debate that has gone on here this afternoon. It has been interesting in many cases and enlightening but hardly germane to the issue before the Committee at this moment.

First, let me assure you this has been carefully studied. The drafts were first prepared almost 2 years ago. They have been more broadly submitted for comment than almost any legislation with which I have ever personally dealt. We realized that this was a difficult area, that we should move with extreme care. That is what we have done. In the judgment of the committee this is a proper approach. It is one which clarifies but does not cripple, it opens no doors that should not be opened; it merely requires that the agencies in asserting a right to withhold information seek proper authority.

This was never intended as a withholding statute. It has been twisted, and, as the Attorney General himself stated, "incorrectly cited."

We merely want to clarify the record. We are not going to upset any secrets, we are not going to cripple this Government. I repeat it is an important, but nonetheless timid, first step.

The committee has sought broadly the advice of attorneys within and without the Government. I might add that the representatives of the press who appeared before the committee are certainly in the minority of witnesses. We have had broad hearings with representatives of science, from industry, from Government and educational institutions. We have overlooked no opportunity to get advice and comment. We have not tried to sell any special cause or any one interest. We have merely tried to define the law as it is to determine whether or not it was being abused, and the evidence of abuse is abundant. I do not think the legislation requires amendment, and I think it will be to the credit of this House to pass it today.

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

Mr. MOSS. Mr. Chairman, I yield such time as he may desire to the gentleman from Ohio [Mr. ASHLEY].

Mr. ASHLEY. Mr. Chairman, I rise in support of H. R. 2767. The urgent necessity for enacting this legislation has become increasingly clear in recent years and for compelling reasons.

The strength of any democratic nation can be measured by the extent to which a self-governing public is accurately informed. The democratic process is essentially an educational process in which enlightened people grow through participation in our Nation's decisions. But people cannot participate in decisions—at least not intelligently—unless they know the facts.

The first condition then, of a successful democracy is an informed people and it is an indispensable and irrefutable part of the Presidential responsibility to make sure the people have the facts no matter how grim and sobering these facts may be.

Despite this indisputable premise, we have witnessed in recent years a deliberate erosion of the basic right of the American people to know—the right of the American people to free access and distribution of factual information.

It is ironic indeed that the very persons whose election to public office reflects an expression of the public's confidence and trust, have seen fit to betray that trust by suppressing and withholding vital information from the very people who elected them to office.

Nothing, in my opinion, has injured us more or struck so deep at the heart of our democracy as this abuse of the people's right to know. The recent record of systematic misrepresentation, concealment, and half-truths has no precedent in American history. It has channeled American thinking into false complacency; it has encouraged illusions of military and technological supremacy and misrepresented diplomatic setbacks and defeats as triumphs of statesmanship.

To be sure, the Chief Executive possesses—and he should—inherent power to withhold certain information when disclosure is deemed to be contrary to the Nation's interest or security. But even this power must be properly exercised, with full recognition of the countervailing powers of the legislative and sensitive awareness of the right of the public to know about its Government.

It is, however, the over-assertion of the executive department and agency heads of their statutory power to withhold information not only from the people but from the Congress as well that is most disturbing—the implication being that neither the elected representatives of the people nor the people who elected them are to be trusted.

I submit that the people of America cannot be either responsibly self-governing or responsively secure if they are progressively separated from the information that guides their national leaders.

I prevail upon my colleagues to put an end to this abrogation of the people's right to know by approving H. R. 2767, thereby forestalling any future false construction upon the ancient statute referred to throughout this debate, in order to lend sanction to this high-handed and unwarranted secrecy, and assuring an immediate return to candor, honesty and confidence in the American people, so vital to our continued strength as a democracy.

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 161 of the Revised Statutes of the United States (5 U. S. C. 22) is amended by adding at the end thereof the following new sentence: "This section does not authorize withholding information from the public or limiting the availability of records to the public."

Mr. HOFFMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN of Michigan: On page 1, line 7, strike out the period after the world "public", insert a comma, and add the words "nor shall this section be construed as requiring the giving of information or the making of records available."

Mr. HOFFMAN. Mr. Chairman, the gentleman from California [Mr. Moss] in closing general debate stated that section 161 was never intended as anything but a housekeeping statute. Let us see about that. That situation was called to the attention of the Committee earlier in the discussion.

One need but again refer to the action of the Continental Congress on February 22, 1782, when it passed a resolution creating a Department of Foreign Affairs under the direction of a Secretary to the United States of America for the Department of Foreign Affairs—and, in that resolution, provided—

That the books, records, and other papers of the United States that relate to this Department be committed to his custody, to which, and all other papers of his office, any Member of Congress shall have access, provided that no copy shall be taken of matters of a secret nature without the special leave of Congress.

Moreover, the same resolution also provided—

That letters of the Secretary to the ministers of the United States, or ministers of foreign powers which have a direct reference

to treaties or conventions proposed to be entered into, or instructions relative thereto, or other great national subjects, shall be submitted to the inspection and receive the approbation of Congress before they shall be transmitted.

Note that it was also expressly provided by this section that to all papers in his office "any Member of Congress shall have access"—limited that broad provision only by the added proviso that "no copy shall be taken of matters of a secret nature without the special leave of Congress."

With the knowledge of the legislation passed by the Continental Congress, especially making records of the office of the department head available to the Congress—with only a few exceptions—the Congress, acting under the Constitution when it adopted section 161, deliberately left out any proviso giving Members of Congress, or anyone else, access to the records or information which it is now proposed be thrown wide open to the public.

Discretion was given to the head of each department to determine how records should be classified, what information should be given to the public.

Inasmuch as that duty and responsibility must be exercised by someone, there would appear to be no reason why, for the judgment of the head of a department, the opinion of a Congressional committee should be substituted.

For 176 years every President from Washington on down to the present occupant of the White House has gone along—and the departments as they were added—until there are now 10—with this statute on the books, and they have ever since exercised the discretion which was granted them when section 161 was written. They have also abused it. Altogether too many rubber stamps have been in use. They should have better regulations in the departments.

But fundamentally the authority rests with the department heads. Now we propose to take it away from them. When based upon the Constitution that we cannot do.

The bill, H. R. 2767, proposes to amend the present section 161 by adding:

This section does not authorize withholding information from the public or limiting the availability of records to the public.

The amendment now proposed reads:

Nor shall this section be construed as requiring the giving of information or the making of records available.

That is to say, the purpose of this amendment is to permit section 161 as proposed to be amended, being used as the opening wedge in the door, an opening which would require the departments to give to anyone and to everyone any and all information he may desire, a procedure which is not practicable. Suppose every Member—unlikely but possible—on this side went down the same day and we all asked certain questions. The department answering could not attend to its own duties while giving each of us that information. Someone, somewhere, must have authority to determine what is to be given out and what is not—who better able than department heads.

Moreover, the bill as written does not exclude any type of information, and the subcommittee's witnesses, all of them, conceded that there is certain information relating to treaties, certain information relating to matters of national defense, and several others, to which no one is entitled.

The committee admits that, but yet it proposes legislation which would throw wide open the door through which anyone and everyone might enter.

The legislation as drafted, while the stated purpose is admirable, the remedy here proposed is totally wrong. It attempts to do something which cannot be done in this way or manner. It attempts to override the constitutional provisions which created the executive department as a separate and, you might say, independent department, the judge of its own activities.

The Speaker of the House and the majority leader described, in May of 1948, and as today quoted, the existence of authority, for the misuse of which there was no remedy except impeachment of the President, which, the Speaker stated, was a futile action.

Why, after 167 years, after the exercise of that authority by every President, through the heads of the departments, should we write in a troublemaking provision which would be embarrassing to the administration and is so intended? There are all kinds of political hay, but H. R. 2767 is of the most dusty and poor quality.

Mr. MOSS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, again it is important to examine exactly what we are dealing with. Now, we cannot do, as the gentleman suggests—upset any of the inherent powers or the privileges of the Executive, if any. We are only amending here a statutory grant of authority. And, in what manner are we amending it? Merely to clarify the use of it. We say it may not be used as authority for the withholding. We mean, in the making of rules and regulations, that the ultimate effect for those rules and regulations must not be to withhold under this authority.

The gentleman proposes to add language which, in my judgment, cancels it out completely; we might as well not act, because he goes on and says, "nor shall this section be construed as requiring the giving of information or the making of records available."

So, on the one hand, we say that it should not be used for withholding, and on the other hand we would be saying, "But, of course, you may." I think we should say one thing or the other very, very clearly and very definitely. It is my judgment that what we need to say is exactly what is said in the bill now before us.

I urge the defeat of the amendment.

Mr. VORYS. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I believe that the Hoffman amendment is the way to carry out what the gentleman from California [Mr. Moss] says this bill intends. If it is intended not to grant or withhold any new authority by this housekeeping statute, then the Hoffman amendment so provides.

As to the right of the people and the Congress to know, we often have instances before the Committee on Foreign Affairs where some member of the committee or the committee itself may feel that there is overclassification, too much secrecy on information that we seek. I have been exasperated and baffled as often as any Member in this twilight zone where security is claimed to be involved.

But it is claimed by the proponents of this bill that it does not purport or pretend to solve such real problems, which I believe can be solved only by negotiation or by impeachment, and negotiation, with constant pressure, is the proper way.

This bill, as written, either is nuisance legislation or it does not mean what it says.

For instance, the gentleman from California [Mr. Moss], says that "We merely want to provide that this section 161 cannot be used to withhold information." He did not say a word about the following words in the bill—"limiting the availability of records to the public." So that if you are only going to put in what he says, you are going to prohibit the withholding of information, but you are not going to prohibit any limitation on the availability of public records. But that is not the way the bill reads. By enacting this bill as proposed, you pose such questions as these, in providing unlimited public access to records. What about office files? What about desk drawers? What about going in day and night? What about going in during the noon hour? Can the head of a department make any regulations limiting public availability in any way or at any time if this bill passes in its present form?

In the original part of section 161 there is provided authority to make regulations for custody, use and preservation of records, papers and property. If that cannot be used to limit the availability of records to the public at any time, and regardless of circumstances, then the public would have the right to those files and desks any old time, day or night. How could you run an office under such conditions? And if you say that is not what the bill provides, you are merely saying that this bill does not mean what it says. The Hoffman amendment provides that this bill will then mean just what its proponents say it means; that is, take out the possibility that it will be used one way or another in this longstanding debate about how the public can best maintain the right to know about the public business.

I support the Hoffman amendment.

Mr. MEADER. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, this is an alternate method of trying to get at the same thing that my amendment proposes but doing it in a somewhat different way.

During the debate in committee, suggestions were made by several of the members of the committee. Unfortunately the gentleman from California, the author of the bill, was not present,

and we could not arrive at any agreement. I, at that time, suggested arriving at the same result by saying that this section does not authorize or prohibit withholding information, and I was roundly condemned in the press for trying to scuttle the bill.

As a matter of fact, I was not trying to scuttle the bill, I was trying to do exactly what the author of the bill said it was supposed to do, which was to eliminate section 161 as a basis for refusing information to the public. It was not intended or at least the bill was not presented to the committee as giving any rights to the public. All the bill was supposed to do was to take away from public officials a crutch they had been using up to this time wrongfully, in the opinion of the committee. That is exactly what the Hoffman amendment would do and that is exactly what my amendment would do, that is, say that section 161 just has nothing to do with secrecy or withholding information from the public one way or the other. It would not vitiate the purpose of the bill as it has been presented to the committee and been presented to the House this afternoon, namely, that we just wanted to prevent a practice which has grown up of misusing and misinterpreting section 161 of the Revised Statutes.

I think the amendment ought to be adopted and we ought not to rely on debate, particularly when in the debate the author of the bill says this would prevent the accomplishment of the purpose of the bill. Then it must be that the purpose of the bill is to give the public the right to get information, notwithstanding other statutes that may be on the books.

I think there has been too much confusion here. We ought to write into the bill clear language. I think my language is a little bit better, but I am going to support the amendment offered by the gentleman from Michigan [Mr. HOFFMAN].

Mr. FASCELL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, if any confusion has been brought about it has been brought about by the attempt to put amendments on this bill. The very language of the amendment now before the Committee in itself raises a great many questions dealing with the power and the prerogatives of the head of the department, which is the very thing the proponents of the amendment say they do not wish to affect in any way, because the amendment raises a presupposition by virtue of the language that the head of the department shall not have the right to issue information.

The only correct interpretation of the existing law is that the head of the department, by Congress, has been given the right to prescribe rules and regulations dealing with the custody, use, and preservation of the records. Then to combat the evidence that that statute has been used as authority to withhold the information you state by this bill that this section amended hereby shall not be used as authority to withhold information. But if you adopt the proviso in the amendments which are suggested, you raise the contrary presumption, that he shall not have the right to make the information and records available. This is why the amendment should be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. HOFFMAN].

The amendment was rejected.

Mr. MEADER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MEADER: Strike out "by" in line 4 and all that follows down through the end of line 7 and insert in lieu thereof the following: "by striking out the period at the end of the section and inserting in lieu thereof a colon and the following: '*Provided*, That no regulation shall be prescribed under this section authorizing or directing the withholding of information from the public or limiting the availability of records to the public.'"

Mr. MEADER. Mr. Chairman, I have discussed this amendment at some length in general debate and I do not propose again to go into detail on the advantages of using this language to accomplish the objective of the Moss bill.

I do, however, want to suggest one additional reason, if any should be necessary, why we should use the clearest language we can find. I think we should use clear language on its own merits. But, if this language could be interpreted the way I have suggested as affecting more than section 161, there would be an additional reason for a veto of this legislation.

I might say that the impression has been given here by reference to testimony of the Attorney General before the other body that the Attorney General is not opposed to this legislation. I might say for the information of the membership that the Attorney General has blown both hot and cold on this issue. It appeared that apparently he had not done his homework very well the first time he appeared before the Senate committee, and he got the proposed legislation mixed up with executive privilege, which he thinks is a great thing, and which I do not think exists. He said he did not care whether we passed this law or the companion Senate measure so long as it was made clear that it did not interfere with executive privilege.

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

Mr. MEADER. I yield.

Mr. HOFFMAN. Was he not also counsel for the Truman Committee where I understand there was a little difference of opinion—but, did he not also give you to understand that the Departments were standing on the constitutional rights given to the executive department and did he not the other day when they called him back before the Hennings committee just tell them that he was not coming and that he had already been there?

Mr. MEADER. Yes. And, after he got back to the department, some of the boys must have jogged him up a little bit, because then he sent a letter to the committee and the first sentence in the second paragraph is significant. He said "section 161 is a legislative expression and recognition of the executive privilege." Well, there really is a strained interpretation, if I ever heard of one.

Mr. HOFFMAN. Mr. Chairman, I make the point of order that the Committee is not in order.

The CHAIRMAN. The Committee will be in order.

Mr. HOFFMAN. Mr. Chairman, a parliamentary inquiry, if I may.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. HOFFMAN. Mr. Chairman, in the opinion of the Chair, could we get through more quickly if we had order?

The CHAIRMAN. The Chair agrees with the gentleman. The Committee will be in order.

Mr. MEADER. Mr. Chairman, the Attorney General went on then in his letter to quote the authorities that my friend, the gentleman from Michigan [Mr. HOFFMAN], has quoted freely in the debate, namely, the Speaker and the majority leader of the House, but he winds up his letter and says: "For the reasons stated, I am opposed to the enactment of S. 921 and H. R. 2148."

The administration, therefore, is on record as opposing this legislation, if the Attorney General speaks for the administration in this field. I have no other information on what may befall this legislation if it gets through both the House and the Senate, but I say let us not run the risk of having it vetoed by having fuzzy language in the bill and passing a bill that could be vetoed on that ground alone. Let us make our language as sharp and skillful as we can. Therefore, Mr. Chairman, I urge the adoption of my amendment.

The CHAIRMAN. For what purpose does the gentleman from California [Mr. Moss] rise?

Mr. MOSS. Mr. Chairman, I wonder if we might arrive at some agreement limiting debate on the pending amendment.

Mr. HOFFMAN. Mr. Chairman, I want 5 minutes or a part of 5 minutes anyway.

Mr. MOSS. How about dividing that time between the two of us?

Mr. HOFFMAN. Providing you use 1 minute; yes.

Mr. MOSS. If the gentleman will agree to an equal division of time, I think we can adequately cover the points that need to be covered.

Mr. HOFFMAN. Mr. Chairman, I have been holding the short end for 3 years now. Would the gentleman give me 4 minutes?

Mr. MOSS. Can we make it 8 minutes then?

Mr. HOFFMAN. Yes, all right.

Mr. MOSS. Mr. Chairman, I ask unanimous consent that debate on this amendment and all amendments thereto be limited to 8 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

Mr. HOFFMAN. Mr. Chairman, a parliamentary inquiry. That does not preclude motions to strike the enacting clause; does it?

The CHAIRMAN. The gentleman's request pertains only to limiting debate on the pending amendment and all amendments thereto.

Mr. GROSS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. GROSS. Mr. Chairman, does that mean the time will be divided between the two gentlemen equally?

The CHAIRMAN. The Chair will divide the time.

Is there objection to the request of the gentleman from California?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan for 4 minutes.

Mr. HOFFMAN. Mr. Chairman, I assumed that the opposition to the amendment would speak after the amendment was offered.

Mr. MOSS. Mr. Chairman, I am in agreement with the gentleman that the opposition to the bill would speak at this point.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Chairman, one reason why I wanted to expedite the hearings is so that the chairman of the Armed Services Committee, Mr. VINSON, who is waiting to speak and who is in a hurry might today give us the benefit of his wisdom and experience. But you have just seen the way the subcommittee handles things. It has been that way for almost 3 years on this committee. There are three members of the subcommittee and I am the only Republican. So I take what they give me.

The only purpose now is to support the amendment offered by the gentleman from Michigan [Mr. MEADER], which is similar to the one offered by me and rejected. It is quite true that in the committee hearings the gentleman from Florida [Mr. FASCELL] and the gentleman from California [Mr. Moss] both expressly stated with reference to those amendments that the purpose of H. R. 2767 was not to make available all information, or as their expert witness, Dr. Cross, is quoted on page 12 of the committee report:

It—

The bill—

does not require the giving out of all information.

Now, if that be true, if the bill they brought in, H. R. 2767, does not require the giving out of information as the three have expressly stated during the committee hearings, then why not write the provision into the bill, as the gentleman from Michigan [Mr. MEADER] proposes to do? Any reason at all? I cannot see any. If they meant what they said, as the gentleman from Michigan [Mr. MEADER] said, why compel those who are interested to go back to the debates? Why not put it "black on white" in the law, as the farmer used to say?

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

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. Moss].

Mr. MOSS. Mr. Chairman, most of the previous comments apply here. I realize the gentleman from Michigan [Mr. MEADER] is seriously concerned. He has made many contributions to the work of this subcommittee. This is an instance where we are in disagreement. In his judgment his language is desirable to clarify. It is my conviction that it would only confuse, because it would go directly to the authority to issue regulations, regardless of the other legal authority upon which the regulation might rely. I do not think it would in any way contribute to clarification. But in recognition of the very sincere feeling, the committee on page 12 of the report put in language which, in my judgment, was not necessary, but it was put in out of an abundance of caution to overcome the problem of the gentleman from Michigan [Mr. MEADER]:

The application of this amendment is limited to Revised Statutes 161 (5 U. S. C. 22) and should not be construed as repealing or amending any other statute which may authorize the withholding, restricting, or limiting the availability of information or records to the public.

I believe that is abundantly clear, and that the language contained in the bill as it is before us is sufficiently clear, without this amendment. I repeat, in my judgment it would confuse rather than clarify.

I ask for a vote on the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. MEADER].

The amendment was rejected.

Mr. HYDE. Mr. Chairman, I offer an amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. HYDE of Maryland: On page 1, line 6, after the word "information" insert the words "and records"; and after the word "public" strike out the rest of line 6 and all of line 7 and insert in lieu thereof the words "in a manner not inconsistent with law."

The CHAIRMAN. The gentleman from Maryland [Mr. HYDE] is recognized.

Mr. HYDE. Mr. Chairman, my amendment would make the present bill read this way, starting with the new language on line 5:

This section does not authorize withholding information and records from the public in a manner not inconsistent with law.

The purpose of the amendment is twofold: first, to clear up what many of us see as an ambiguity in the present language; and, second, as to the purpose to be accomplished by this bill, to express the intent of the committee exactly as the committee has expressed it.

The ambiguity is this: In the present language the last phrase reads, "or limiting the availability of records to the public."

Many of us fear that if the head of a department under the present language of the law attempts to adopt regulations that he will still be permitted to do, and those regulations in any way limit the availability of the records, then his regulations would be declared invalid.

The committee says that is not what it intends to do. The committee says it does not intend in any way to change the present law; it simply wants to make clear that records and information shall be available.

So instead of saying "limiting the availability of records," I suggest that we say "This section does not authorize the withholding of information and records."

That is the way I propose to clear up what many of us see as an ambiguity. Then to express the intent: the committee says this, namely, not to affect any other law on the books with respect to information which is restricted, add, after the word "public" the words "in a manner not inconsistent with law."

The committee says that is what it wants to do, but I have some fear in view of many court decisions, of leaving the question up in the air as to what Congress intends to do. We will pass a piece of legislation and say there is not going to be any question about this, this is exactly what we intend to do, and then we find that the courts do not agree with our understanding of intent. I am not questioning the right of the courts to their own interpretation, but if we intend not to do anything that will affect the present law with respect to security, with respect to FBI files, with respect to income tax records, and all those things, if we intend not to disturb those laws, let us say so and not leave it up to interpretation by the courts; because we have found, no matter how much we express our intent in committee, in reports, or on the floor of the House, or even where it is expressed in the law itself, that the court may or may not follow the report and the CONGRESSIONAL RECORD; so I submit, Mr. Chairman, that all my amendment does—and I want to reemphasize the fact that I am in complete sympathy with what the committee is attempting to do here—all my amendment does is to clear up an ambiguity and to express in unmistakable language the intent which the gentleman from California and the gentleman from Florida have said repeatedly on the floor this afternoon that they have, to put it in language which cannot be mistaken.

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

Mr. HYDE. I yield.

Mr. MEADER. It may be very clear to the gentleman, but he has so many double negatives in his amendment that I think he could cut out a couple and come up with the same result.

Mr. HYDE. I will read it again to the gentleman and I am sure when the gentleman hears it, it will be clear to him:

This section does not authorize withholding of information and records in a manner not inconsistent with law.

That seems to be simple language and also repeats some of the same language that is already in the section. The first sentence of the section authorizes the head of the department to prescribe regulations not inconsistent with law. My amendment simply says that it does not authorize him to withhold information and it also says that is not to be inconsistent with law.

Mr. MEADER. Would it not be the same if the gentleman took out the word "not," and "in-" in the phrase "not inconsistent" and say "in a manner consistent with law"?

Mr. HYDE. If the gentleman is trying to confuse my amendment he is doing a good job, at least with himself, it is obvious.

Mr. MOSS. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment and all amendments thereto close in 6 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

Mr. CURTIS of Missouri. Mr. Chairman, I object.

Mr. MOSS. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

Mr. JOHANSEN. Mr. Chairman, I object.

Mr. MOSS. Mr. Chairman, I move that all debate on the pending amendment and all amendments thereto close in 10 minutes.

The question was taken; and on a division (demanded by Mr. JOHANSEN) there were—ayes 57, noes 32.

Mr. JOHANSEN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. Moss and Mr. HOFFMAN.

The committee again divided and the tellers reported that there were—ayes 64, noes 48.

So the motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Missouri [Mr. CURTIS].

Mr. CURTIS of Missouri. Mr. Chairman, I regret that the debate was cut off on this amendment giving all those wishing to speak 10 minutes' time. It regrettably shows illiberality on the part of the people who are trying to run this piece of legislation through. Incidentally, I happen to be in favor of the purpose of this bill. But I was very much interested in the fact that when I took the time to ask questions about it, in spite of the fact that the chairman of the committee, the gentleman from California [Mr. Moss] said that this thing had been carefully considered, when I asked the simple question what the added feature was of limiting the availability of records and whether that would not be covered by the language "withholding information," there was no answer from the side other than that they were afraid the word "information" would not include "records." And, that was the extent of it. If it was considered as carefully as the gentleman from California said it was, then obviously there is an ulterior motive or hidden motive in using the language "limiting the availability of records," because that is going to limit the housekeeping ability of the department in making available, I may say, the information that might be in the hands of the executive department. I think the amendment offered by the gentleman from Maryland is a good, constructive amendment and will help this legislation and accomplish the very purpose which the members of the committee say they are trying to accomplish. I hope the Members will vote for it.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. FASCELL].

Mr. FASCELL. Mr. Chairman, the proposed amendment by the gentleman from Maryland [Mr. HYDE] would make the bill read "this section does not authorize withholding of records." Now, if that does not impinge upon the very authority of the head of the department, who is given the authority under this act, I have not read the English language correctly with respect to that section. The amendment itself then does exactly what the proponent of the amendment is seeking to avoid, to impinge upon the right of the head of the department to pass or promulgate a reasonable regulation. The other portion of the proposed amendment says "in a manner not inconsistent with law." If you put that into the bill, it will be the second time in the same section that you say that this section shall not give a department head the right to promulgate regulations not inconsistent with law. How many times do you want to say it before you believe it? A dozen?

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. JOHANSEN].

Mr. JOHANSEN. Mr. Chairman, it seems to me we have here a very striking illustration of the need to assert and claim the right to know. I am speaking only for myself, but there is a great deal that I feel that I have a right and a duty to know with respect to this proposed legislation, and the successful effort of the proponents of this bill to cut off debate and the right to inquire and the right to know certainly raises a question as to just how broad and extensive the concern is over the right even of the Members of the Congress to know.

There are a number of things I would like to know which I have not been able to get clear in my own mind. I would like to know precisely what is changed by the bill itself; what would be different as a result of its enactment?

In the second place, I would like to know whether this bill, if enacted, would compel the disclosure of information which now may be withheld and which the head of a department is now not compelled to disclose?

If the answer to that question is that there is nothing additional that would be compelled to be disclosed, then I would like to know precisely what is the purpose, what is the import and what is the effect of the enactment of this bill?

I would like to know, also, if this bill is enacted whether it does compel the disclosure of information not now required, and if so, within what limit that compulsion extends? And I would like to know in whom would be vested the authority and under what limitations that authority could be exercised to set the limits on what must be disclosed.

These, it seems to me, are pertinent questions and at an appropriate time in this debate, in spite of the efforts to limit the right of Members of Congress to know about this bill itself, I intend to ask those questions under circumstances that will give the sponsors of this bill an opportunity to answer them.

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

The Chair recognizes the gentleman from Texas [Mr. ALGER].

Mr. ALGER. Mr. Chairman, I take this time again to ask further questions. I realize how complicated this subject is. Members of the committee have had an opportunity to study it and may have answers to questions that puzzle other Members. It seems odd, indeed, that our time is cut off, I might say to the gentleman from California, the chairman of the subcommittee, on a bill that has to do with secrecy, when we are trying to get information.

I have two questions. First, inasmuch as the gentleman pointed out to us the language at the bottom of page 12, the language of the final paragraph, there seems to be a conflict as to its meaning. How we are going to limit this bill to apply only to section 161. That is my first question.

My second question is, could it be that we are giving Communists an opportunity to get into our committees, people who are dedicated to getting information that they should not get?

Mr. MOSS. In the first place, if it is something that is of interest to the Communists, and that information is classified, there is an abundance of law protecting that and the language of the bill does not affect that. The reason we know that we are dealing with this section is because the language of the amendment which relates to section 161 of the Revised Statutes says that this section does not authorize withholding. And to make that abundantly clear, in the report we say that the application of this amendment is limited to Revised Statutes 161, section 5, U. S. C. 22 and should not be construed as repealing or amending any other statute which may authorize the withholding, restricting, or limiting of the availability of information or records to the public. We know it because it is very precisely and very carefully spelled out both in the language of the amendment and the language of the report.

Mr. ALGER. I simply must say to the gentleman that the forcefulness of the language in the report is not so clearly stated in the bill.

The CHAIRMAN. The time of the gentleman from Texas [Mr. ALGER] has expired. The Chair recognizes the gentleman from California [Mr. Moss] to close the debate.

Mr. MOSS. Mr. Chairman, I want to assure the members of the committee that there is no ulterior motive on my part in moving to close the debate. I rarely have been accused of that.

As to the matter of shutting off the debate, it was agreed by the majority and minority that we would seek a one-hour rule. When it was indicated by the ranking member of the subcommittee that he would desire an additional hour, I was perfectly willing to go along with

him and get him the extra hour. I wanted this debate.

The bill has been debated at considerable length. I was prepared to respond to questions. I yielded back time during general debate that was not required for the debate. I think that the attempt to arrive at an agreement on time is neither unusual nor out of place.

I think that this amendment, again, would confuse rather than clarify.

I do not think it would do what its author intends it to do. The language of the bill, in my judgment, is still clear, is still adequate to do the job. I repeat, there are no ulterior motives. This record is very clear. We have laid out in detail the intent. It is only to prevent the misuse of this section for purposes of witholding information.

Mr. Chairman, I ask for a "no" vote on the amendment.

Mr. JOHANSEN. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. JOHANSEN moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken.

Mr. JOHANSEN. Mr. Chairman. I take this time in order to pursue the questions which I raised in the 2 minutes which I had. There is no intention of attributing any ulterior motives. I came back from my District this morning in order to be present for the debate because of my serious uncertainty as to the merits, the pros and cons, of this issue. I should like to repeat to the gentleman from California in all good faith and sincerity the questions which I raised. I should like to know precisely what is changed. In other words, in particular, what restrictions are placed upon the power of the department heads to issue regulations governing either the giving or the withholding of information? I am completely at a loss to know what is restrained and what is permitted under this bill.

Mr. MOSS. The amendment proposed by the committee restores the intent of the Congress that this be the statute upon which the head of a department shall rely for the formulation of rules and regulations governing the custody, use, and preservation of the records of the department. The reason the language is added that it is not authority for withholding is that in 3 years of careful study we have found far too many instances where executive departments have relied upon this statute as a clear authority to refuse information to the public or to the Congress itself.

Mr. JOHANSEN. May I interrupt the gentleman at this point, because I think in my own mind I now have the nub of the issue. If this bill were adopted, what discretionary authority does the department head have to withhold information where it is not specifically provided by law that he must withhold information? Is there surviving with the adoption of this bill a discretionary authority in the department head to withhold information?

Mr. MOSS. I want to be very careful on this language because the gentleman is asking me if there is an inherent authority, as has been claimed by every Executive from Washington to Eisenhower. I would say that if there is such authority, if there is that inherent power, it is not affected by this change in this statute. But I will not concede that the broad and naked purpose claimed does exist in that. I want that very clear in my response. If it exists, it is not affected.

Mr. JOHANSEN. But the gentleman does not concede that it exists?

Mr. MOSS. I would never concede that it does exist as broadly as is claimed.

Mr. JOHANSEN. Then let me phrase the question in this way: What protection does the department head have with respect to his sense of responsibility to his office when in his honest judgment it is imperative that information be withheld, and yet when there is no bestowal of the authority by specific statute so to withhold information?

Mr. MOSS. There are 78 other statutory grants of authority to withhold. There are provisions of the administrative procedures code which permit withholding for good cause found to be in the public interest and for a variety of reasons. We just do not want this statute to be cited. It is cited too often and it does not give the authority. It was not intended to give authority in this respect. They have abundant authority otherwise.

Mr. JOHANSEN. Of course, I will say to the gentleman the question whether this was intended to give that authority may be a subject of honest dispute and it may be a point at issue. But, my concern is why, if there have been specific abuses of this statute, we cannot in proper legislation address ourselves to those specific abuses or categories of abuses rather than seeming by this section to blanket out totally any authority under the statute.

Mr. MOSS. One of the main reasons for taking this as a first step is to get them back to relating their claims of authority to the appropriate statutes and not to use this as a catchall for any claims that they may want to assert.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HENDERSON. Mr. Chairman, I rise in opposition to the motion.

Mr. Chairman, I take this time to address one question and possibly to amplify that question with another. The amendment that is proposed by this bill says this section does not authorize limiting the availability of records to the public. I would like to ask if there is any other section of law or any other statute which does authorize limiting the availability of records to the public so that if we pass this bill, the departments of Government may close their doors at their usual time. May I say that I ask this in all sincerity.

Mr. MOSS. I am not questioning the gentleman's sincerity, and I am confident that he is sincere, and I will try to respond in the same way. The answer to his question is—yes, there are many statutes which clearly restrict the availability of records. I might point out that we are dealing here with the authority to issue regulations. If the only purpose of the regulation is to deny access, then it would be inconsistent. But there is the authority for the department head to make reasonable rules and regulations for the proper management, maintenance, and preservation of his records. We are only trying to see that this is not the crutch they grab to withhold information. But there are many, many statutory grants of authority, and I will get permission to include them in the RECORD when we are in the House. These many statutory grants of authority specifically confer the authority to withhold records. I know of no improper kind or type of information; I know of no information which could be damaging or prejudicial to any proper interest which would be made available by this.

Mr. HENDERSON. I thank the gentleman. I just want to raise this question because we are dealing here with the section of law which gives the heads of departments authority to prescribe regulations not inconsistent with law for the government of that department, and it would seem to me that the access of the records and the time in which they may be examined is a part, and a very proper part, of that regulation. In amending that very section by saying that this section does not authorize limiting the availability of records to the public, I want to be very, very sure that we are not doing something that we did not have in mind to do.

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

Mr. HENDERSON. I yield.

Mr. CURTIS of Missouri. I think the gentleman is hitting the right point, and the gentleman from California, I believe, misunderstood what the question was. It was not a question whether or not there are statutes that limit access to records like the Bureau of Internal Revenue, but where the records are supposed to be available whether there is anything in this proposed bill that would forbid a department to say, "You cannot come in after 5 o'clock." Or, set up regular housekeeping rules in regard to the inspection of these records. I submit the way you have worded it "limiting the availability" would actually interfere and tamper with the orderly housekeeping procedures of the departments. Am I not right? Is not that the point the gentleman makes?

Mr. HENDERSON. That is correct.

Mr. MOSS. This does not deny the right for the formulation of appropriate rules and regulations for the orderly use and access to records. Regulation for the purpose of withholding is not permitted under the language.

Mr. HENDERSON. I thank the gentleman.

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

Mr. HENDERSON. I yield.

Mr. JOHANSEN. During my colloquy with the gentleman I understood him to say this would be the first step toward the elimination of abuses of security and so on. I am curious to know the import of that first step. What is the second or third step? What is implied?

Mr. MOSS. If the gentleman wishes me to respond I would be happy to do so. For one thing, there is an abundance

of evidence in many hearings that the privilege to classify is being widely abused; is being used as a means of covering up information which has absolutely no bearing on the security of this Nation. We are going to go into that further, and perhaps try to overcome some of the problems inherent there. There are many specific statutes which we wish to examine, and at the proper time we will report to the House and suggest legislation.

The CHAIRMAN. The time of the gentleman has expired.

The question is on the preferential motion offered by the gentleman from Michigan [Mr. JOHANSEN].

The motion was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Maryland [Mr. HYDE].

The question was taken; and on a division (demanded by Mr. HYDE) there were—ayes 47, noes 79.

So the amendment was rejected.

Mr. GRIFFIN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GRIFFIN: On page 1, line 7, strike out the period at the end of line 7 and insert a semicolon and add:

"Provided, That this section shall not be construed as repealing or amending any other statute which may authorize the withholding, restricting, or limiting the availability of information or records to the public."

Mr. GRIFFIN. Mr. Chairman, the Members recognize the substance of this amendment as the language read several times by the gentleman from California [Mr. Moss] which appears on page 12 of the report. This is the language which he said expresses the clear intent of the committee that this section shall not repeal or amend any other statutes which may authorize the limiting or restricting of information.

Ordinarily I would not offer such an amendment because I would not think such an amendment would be necessary, but in view of the fact that the amendment offered by the gentleman from Michigan [Mr. MEADER] was voted down and because of remarks of Members like the gentleman from Texas [Mr. ALGER] I believe it is now highly desirable that we write into the statute itself, and make it clear so no court can misunderstand, that we do not intend to repeal, amend, or in any way affect any other statute.

The only argument which the proponents of this bill could possibly offer in opposition would be that this amendment is unnecessary. Whether or not such an amendment is necessary is now a matter of debate; at any rate, it would do no harm, and it does not in any way change the intent or purpose of the statute that is before the committee.

I favor H. R. 2767 and intend to vote for it. However, I believe my clarifying amendment should be adopted.

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

Mr. GRIFFIN. I yield.

Mr. JOHANSEN. The gentleman is certainly correct that apparently the committee in adopting the majority report felt it was necessary to give this assurance.

Mr. GRIFFIN. That is right. Ordinarily I would think, that since the language is in the committee report, that should be sufficient; but in view of all the discussion and controversy I now believe it would be well to erase all doubt and write the language into the statute.

Mr. JOHANSEN. Inasmuch as it was felt necessary to offer this assurance in the committee report, does the gentleman see any plausible reason for opposing the spelling out of the assurance in an amendment?

Mr. GRIFFIN. I cannot imagine what it would be.

Mr. FASCELL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I do not know how many times you would wish to ascertain for yourself the effect of legislation by language in the legislation itself. If we are talking about draftsmanship, then let us look at the draftsmanship with respect to the act.

How cautious do you want to get? How many times do you want to repeat in the law that the language amending this particular section does not affect any other general statute?

Mr. Chairman, the section now reads:

That the rules and regulations which may be promulgated by a department head shall not be inconsistent with law.

How in the world can you say it in any other way? Why add another proviso which says the same thing? I have enough pride as an attorney, and I think other Members who are attorneys have, too, not to do that.

If we want to be supercautious about the matter for no other reason than to satisfy a request, the language in the report on page 12 is intended to show the intent. I daresay there is not a lawyer here who can produce a case in which the amendment to a section of law which specifically provides that nothing can be done under that section inconsistent with law, which holds that such an amendment amends other general law. It just is not the law, and it is not good legislative procedure to keep adding provisos which have the same intent as the basic legislation. That is why the amendment should be defeated.

The record is abundantly clear; the language of the statute speaks for itself; the report speaks for itself; the debate on this issue is abundantly clear that we do not modify any other existing general statute, and there is absolutely no necessity for this House to write another proviso saying the same thing in the bill.

Mr. JOHANSEN. Mr. Chairman, I rise in support of the amendment simply to point out that the provision referred to by the gentleman from Florida in section 161 relates to the actions or promulgations of the head of a department; and if I understand the amendment offered by the gentleman from Michigan, it relates to the legislative act, to the act of Congress. I am not a lawyer, but in my best judgment those are two entirely different things; and as I understand the question as to how cautious we want to be, when it comes to safeguarding the secrets of the Nation that involve the security of this Nation, I know there is no Member of this House who wants to be other than completely certain even if it involves being repetitious.

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

Mr. JOHANSEN. I yield.

Mr. GRIFFIN. I want to underscore what the gentleman from Michigan [Mr. JOHANSEN] said, that when the gentleman from Florida [Mr. FASCELL] referred to the phrase "not inconsistent with law," I say we are interested in what this statute is going to mean.

Mr. JOHANSEN. And without it there might be misunderstanding.

Mr. GRIFFIN. That is right; it does not necessarily cover the other point at all.

Mr. MOSS. Mr. Chairman, I merely want to ask that the amendment be defeated. I think it is completely unnecessary.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. GRIFFIN].

The question was taken; and on a division (demanded by Mr. GRIFFIN) there were ayes 63, noes 87.

So the amendment was rejected.

Mr. HOFFMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN: On page 1, line 7, after the word "public" strike out the period, insert a comma, and add "nor does it limit any constitutional privilege."

Mr. HOFFMAN. Mr. Chairman, this amendment came up from the Department of Justice. Perhaps it would not have been offered, no matter the source from which it came, had it not been for the statement of the gentleman from California [Mr. Moss] when he expressed the opinion, if my understanding is correct, just a few moments ago that he had some doubt about the constitutional authority of the executive departments to control their own records. Sure we cannot limit the authority given other departments by the Constitution, but we act and talk on the thought we could.

Mr. MOSS. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Michigan [Mr. HOFFMAN].

Mr. Chairman, I do not think the amendment is at all germane. There is no use going into a lot of discussion. We have had this question adequately debated. It would be, in my judgment, unnecessary because we have no right here to modify constitutional authority.

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

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

Mr. MEADER. May I say I do not believe we could amend the Constitution no matter what we do here, but beyond that I am afraid that this language might be interpreted to recognize what the Attorney General has asserted on the executive privilege of the executive branch of the Government to withhold information from the Congress. I would hate to see that imaginary executive privilege being recognized in any

way by any enactment by the Congress, because I do not think there is any such authority.

Mr. MOSS. The gentleman has stated my convictions exactly.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. HOFFMAN].

The amendment was rejected.

Mr. HOFFMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN: On page 1, line 5, after the colon, following the word "sentence," strike out all subsequent thereto and in lieu thereof insert the following: "This section does not authorize withholding information from the public or limiting the availability of records to the public, nor shall this section be construed as requiring the giving of information or the making of records available where such action would endanger the national security, or unreasonably impair the efficiency of Government operations, or result in unfair advantage to any person, or disclose the source of information given an agency or official of the United States in confidence."

Mr. HOFFMAN. Mr. Chairman, the previous amendment which was just voted down with such an overwhelming majority would not have been offered, perhaps, had it not been for the prior action of the committee from which it seems that the committee thought it did have authority to amend or repeal portions of the Constitution.

This amendment is a sincere, studied effort to give the people and the Congress the legislation which they should have. It merely requires the departments to come up with a set of rules that would be reasonable and just.

The amendment was presented to the committee but was given no consideration whatsoever, I may say presumably, because it did not meet with the approval of the press or of the reporters on the staff who run the committee. So, I will not argue further about it.

I just ask you if you are interested in this broad subject of the people's right to know and what the Congress can do about it, that you go back to May 12 and 13, 1948, and read what your Speaker and the then minority leader said about the power of Congress. Now, if you have time during the rest of the week, just look that over, or read the additional views as printed in the report. It would be helpful.

Mr. MOSS. Mr. Chairman, I rise in opposition to the amendment. In substance it is the same as an amendment which was defeated earlier, but it just goes a little further in setting down additional categories of information. But the import is the same. I think the Committee has heard enough. I urge that the amendment be defeated.

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

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

Mr. McCORMACK. In view of the reference to the majority leader by the gentleman from Michigan, I certainly want to make the brief but simple and truthful observation that the bill today is not the bill that was debated back 3 or so years ago; 2 entirely different bills.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. HOFFMAN].

The amendment was rejected.

Mr. DAWSON of Utah. Mr. Chairman, while I am not convinced that this legislation will in any great sense do away with the opaque screen of secrecy with which Government officials surround their mistakes, it is a step in the right direction. I am astounded by the fact that executive agencies have been using this ancient and inoffensive housekeeping act upon which to rest their authority for withholding information from the public. Certainly that was not the original intent of Congress, and by overwhelmingly approving this legislation we can serve notice on the bureaus and agencies downtown and scattered throughout the Nation and world that it must not be so used.

I want to commend the Government Information Subcommittee and the Members of the House who have spoken today against the attempts by the executive branches to keep from the public knowledge, the public's business. They are dead right and I want to associate myself with their comments.

There is one fault with this bill. It is not inclusive enough. It leaves Congress out. We should be consistent particularly in a matter as fundamental as the people's right to know. We are not. Early in this Congress I introduced a bill to require Congressional committees to budget and account for their expenditures of counterpart funds. The number of my bill is H. R. 4764. I invite other members to sponsor similar legislation and I hope that every Member who has spoken so forcefully for the legislation before us today will give my bill or its counterpart the same enthusiastic support.

We today are criticizing executive agencies for withholding information about their operations from the public. Yet we condone a situation in Congress that not only prevents the people from knowing how a portion of their money is being spent but as a matter of fact keeps these expenditures from the eyes of Congress itself.

Mr. Chairman, this is a deplorable situation and is bringing disrepute on this body. I hope we can correct this defect in our zeal to see that the public obtains the information it needs to promote and perpetuate our type of government.

Mr. RAY. Mr. Chairman, H. R. 2767 strikes me as bad legislation. It would amend an old statute which entrusted departmental files to the heads of those departments subject to regulations prescribed by those officials. H. R. 2767 would add one sentence: "This section does not authorize withholding information from the public or limiting the availability of records to the public."

That language requires that someone decide the question of fact as to whether or not there has been a withholding of information or action limiting the availability of records to the public. Who is to decide that question?

Clearly that decision cannot be entrusted to individuals who want information. If the decision is to rest with the head of the department, the proposed amendment neither adds to nor changes existing practices. The head of the department now makes those decisions.

In my judgment we should not attempt to change and limit existing departmental authority unless we can prescribe definitely what Congress intends. The proposed amendment does not do that and, therefore, I must vote against H. R. 2767 if it comes to a vote in its present form.

I think the bill should be referred back to the committee for further study.

Mr. REUSS. Mr. Chairman, in passing H. R. 2767 today the House of Representatives can strike an important blow for freedom of information in the United States Government.

Some persons in the executive branch have converted an ancient and simple recordkeeping statute into a general permission for themselves to withhold information from the press and the public simply for the sake of withholding information.

This bill eliminates one refuge of the secrecy-minded bureaucrat, and is therefore a major step in the right direction. The wonder is that this matter was not cleared up by the Congress long ago.

Enactment of H. R. 2767 into law will not end secrecy in Government. Persons in some departments and agencies will continue to withhold information without justification from the public, the press and even Members of Congress. But we will keep after them, too, and eventually stop them.

The argument that a lessening of secrecy is an invitation to the press to go hog wild rummaging through Government papers is silly. The American press is a responsible press. I should like to quote one paragraph from a letter I recently received from William Huffman, Jr., publisher of the Wisconsin Rapids Daily Tribune in my State, which concisely sets forth the attitude of the press:

Please bear in mind that we are not talking about the freedom of the press to capriciously print or say anything in an attempt to obtain readers or listeners. Rather, we regard this matter of reporting news of governmental operations, at all levels, as an important function in the people's right to know.

I want to compliment the Government Information Subcommittee and especially the chairman, the gentleman from California [Mr. Moss], for fighting vigorously and constantly to expand and strengthen freedom of information. This fight I know will be continued, and will have my full support.

I include in the RECORD a deserved tribute to JOHN Moss and his subcommittee in the form of an editorial appearing in the Wisconsin Rapids (Wis.) Daily Tribune on March 3, 1958:

MOSS GROUP WORKS TO LET US KNOW WHAT'S GOING ON

Good friends of the American people are Representative JOHN MOSS, Democrat, of California, and his House Government Information Subcommittee.

Moss, chairman of the subcommittee, has been outstanding in his service to the entire

Nation by his hard fight to provide our citizens with information on the Federal Government—information they need and have every right to.

Moss and his subcommittee know United States citizens must receive a free flow of information. This is a must if people are to express their views on how their Government is to operate.

But there are hordes of governmental servants in Washington, D. C., who don't see it this way. They hide information or otherwise refuse to reveal it, even when military secrecy is not involved.

Slapping secret labels right and left on information, knowledge of which does not harm national defense, is bad enough. But what is particularly devilish is the way that civilian agencies sit on information that is not even stamped secret.

Post Office Department, Treasury Department, Agriculture Department, Civil Service Commission, General Services Administration, Veterans' Administration, as well as Army, Navy and Air Force have all taken advantage of the public's trust in them.

Moss and his subcommittee are not talking through their hats; nor are we. We can give you a list of examples as long as your arm. And the list isn't secret.

To straighten out at least the coverup of nonsecret information, Moss and his House group approved bill H. R. 2767. The bill is now before the full House Government Operations Committee, of which Representative HENRY REUSS, Democrat, of Wisconsin, is a member.

The corrective action the bill would take is so simple it's startling. The background on it is short and interesting:

A Federal housekeeping law was enacted way back in 1789 in the administration of President Washington. This statute authorized department heads of the new government to keep records and set up filing systems.

In the 168 years since, however, the meaning has been twisted by many governmental servants into a claim they can keep the filing cabinets locked and the records hidden.

The pertinent language of the law as it now stands is:

"The head of each department is authorized to prescribe regulations, not inconsistent with law, for * * * the custody, use and preservation of the records, papers, and property appertaining to (the department)."

The bill would add only one sentence to the law:

"This section does not authorize withholding information from the public or limiting the availability of records to the public."

Benefits resulting from passage of the bill would be:

1. Governmental agencies and the public will be notified of Congress' interest in the people's right to know what goes on in Federal Government.

2. Congress will show that it intends to establish the policies determining types of information to be withheld.

3. Department heads and others in Government without authority will not be able to withhold information on their actions and records.

The CHAIRMAN. Under the rule the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore having assumed the chair, Mr. NATCHER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 2767) 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, pursuant to House Resolution 514, he reported the bill back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

Mr. HOFFMAN. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. HOFFMAN. I am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. HOFFMAN moves that the bill be recommitted to the Committee on Government Operations with instructions that the committee hold further hearings and as soon as may be convenient report back to the House a bill requesting the executive departments to establish reasonable regulations and procedures which will make available not only to the press, to the Members of Congress, and Congressional committees, but to interested individuals, any and all records and information in the possession of or under the control of the executive departments, other than records and information pertaining to state secrets, diplomatic communications, confidential military matters the disclosure of which might give aid to actual or potential enemies, or of such other records as may be determined by due process of law to be of such nature that inspection thereof would be contrary to the public interest.

The SPEAKER pro tempore. The question is on the motion to recommit.

The motion was rejected.

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

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. MOSS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed, H. R. 2767.

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

There was no objection.

TENTH ANNIVERSARY OF OEEC

Mr. BOGGS. 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 Louisiana?

There was no objection.

Mr. BOGGS. Mr. Speaker, today, April 16, 1958, is the 10th anniversary of the birth of a European organization which has made an invaluable contribution to the strength of the Atlantic community. This is the Organization for European Economic Cooperation. The OEEC includes the governments of 17 countries of Western and Mediterranean Europe. The United States and Canada are participating in its work as associate members.

Ten years ago Europe was facing one of the worst economic crises it had ever known. This crisis was the result of 6 years af war. Between 1940 and 1945 most of the European countries had been occupied by the Nazi troops, some by the Russians as well, and as a result of bombardments and land attacks a large part of the basic industrial equipment of Europe had suffered very heavy losses. In the same way farms had been devastated and the transport systems were largely destroyed.

Then on the 5th of June 1947, at Harvard University, Secretary of State George C. Marshall made the suggestion that the United States should grant to Europe substantial amounts of economic aid, provided the various countries concerned would combine their efforts in a joint European recovery program.

This was particularly gratifying to me because for some time prior to this date Senator FULBRIGHT and I had been pointing to the need for a concerted program insofar as Europe was concerned. We had introduced a resolution to this effect in the 80th Congress and had made many public expressions to the effect that piecemeal aid would never stop communism or restore Europe. So the Marshall speech was most gratifying to me.

As a result of Secretary Marshall's offer, it was agreed to establish the Organization for European Economic Cooperation, whose first task would be to work out a European recovery plan. The OEEC convention was signed in Paris on April 16, 1948, exactly 10 years ago.

The economic progress which the OEEC countries have achieved during the last 10 years is the best evidence of their economic vitality, combined with their desire to achieve economic cooperation and integration. In those 10 years, industrial production in the OEEC area increased by 90 percent; agricultural output by 55 percent; and the internal trade of the OEEC area expanded by more than 250 percent. It is significant to note that at the same time trade with countries outside the area expanded by about 80 percent.

I believe that the United States can take pride in having contributed much of the initial stimulus through the Marshall plan to the continuing drive toward European economic integration. In this connection you will recall that a common-market treaty between six of the OEEC member countries has now come into force, and ministerial negotiations are now going on in Paris with a view to the possible establishment of a free-trade area that would extend the advantages of closer cooperation to all 17 of the OEEC countries.

A summary of the OEEC's achievements during its first 10 years has recently been released by the organization. I ask unanimous consent that this summary be printed in the body of the RECORD at this point in my remarks.

The summary follows:

TENTH ANNIVERSARY OF OEEC—OUTSTANDING EVENTS IN 10 YEARS OF EUROPEAN ECONOMIC COOPERATION

1948

April 16: Signature of the Convention for European Economic Cooperation by Ministers

of 16 European countries and allied representatives for Germany.

This signature was the climax of 10 months intensive work following the offer of United States help to Europe made by General Marshall at Harvard on June 5, 1947. This work had begun in the Paris Conference in July 1947 and had continued in the Committee of European Economic Cooperation. This Committee decided upon the creation of OEEC.

In the general obligations included in the convention, "recognizing that their economic systems are interrelated and that the prosperity of each of them depends on the prosperity of all," the contracting parties undertake to work in close cooperation in their economic relations with one another; as an immediate task, to undertake the elaboration and execution of a joint recovery program; to promote the development of production; to develop, in mutual cooperation, the maximum possible exchange of goods and services; to this end to institute a multilateral system of trade by removing restrictions, together with a multilateral payments system; to strengthen their economic links, and for this purpose to continue the studies in progress on customs unions or analogous arrangements such as free-trade areas; to achieve and maintain currency stability; to make the fullest and most effective use of their manpower.

July 16: The Council approves basic principles for the establishment of the 1948–49 program and agrees on the principle of the division of American aid by OEEC.

The United States Government accepted the principle that it should be the Europeans themselves who should be responsible for the division of the American aid. Countries' requirements were examined within OEEC, and an agreed program and recommendations for the division of aid were sent to the United States Government, which approved them in their entirety. During the Marshall plan period (1948–52), $13,100 million of American aid were shared out among member countries.

1949

July 2: The Council requests member countries to take the necessary steps for the progressive elimination of quantitative import restrictions between one another in order to achieve as complete a liberalization of European trade as possible.

Until, with the beginning of the free-trade-area negotiations in 1957, the question of tariffs began to preoccupy the OEEC, the removal of quota restrictions on imports was the only field in which the organization had worked to free trade.

Taking the year 1948 as the year of reference, member countries were required to free goods imported on private account to a progressively higher percentage of their total of such imports: 50 percent on December 15, 1949; 60 percent on September 19, 1950; 75 percent on February 1, 1951. At the beginning of 1955 the statutory percentage was raised to 90 percent, and though in certain cases member countries have encountered difficulties which have prevented this being fully achieved, the overall percentage for the whole OEEC area now stands at 82 percent.

October 31: Delegates of the Federal Republic of Germany take their place on the council for the first time.

Apart from the fact that Trieste no longer has separate representation, the membership of the Organization has remained unchanged since this date. Member countries are: Austria, Belgium, Denmark, France, Germany, Greece, Iceland, Ireland, Italy, Luxembourg, Netherlands, Norway, Portugal, Sweden, Switzerland, Turkey, United Kingdom.

Certain other countries have special status. The United States and Canada are associate members, represented on the council and all other bodies of the Organization, but without voting power. Spain also participates in the work of the Organization and is a full member where food and agriculture are concerned. Yugoslavia sends observers to meetings and takes full part in the work of the European Productivity Agency.

1950

September 19: Member countries sign the agreement establishing the European Payments Union.

The EPU system took the place of previous annual payments agreements, and has since been renewed annually. It is designed as a central clearance and credit system for the settlement of all payments transactions between the member countries and their associated monetary areas, such as the sterling area. The Bank for International Settlements, at Basle, acts as agent for the OEEC in the Union, expressing member countries' credits and deficits with each other in one net credit or deficit with the Union each month. Net balances with the EPU are settled partly in gold and partly in credit, on a scale decided upon by the council of OEEC. Since August 1955 this scale has been 75 percent gold, 25 percent credit.

December 2: The Council examines the report of the economic committee on the shortage of raw materials.

The outbreak of the war in Korea had an immediate effect on Europe's economy, causing shortages in certain raw materials—particularly nonferrous metals—and consequently steep rises in prices. The organization subsequently participated in the central group of the International Materials Conference; adopted measures designed to increase the production of raw materials; and agreed upon restrictions on the end uses of nonferrous metals for nonessential purposes. These restrictions remained in force for 2 years, by which time the position had so far improved as to enable their cancellation.

1951

July 20: The Council adopts the Code of Liberalization of Trade and Invisible Transactions.

This code, agreed to by all member countries, lays down rules of conduct for these countries in the field of trade. It also contains certain escape clauses enabling any country in balance of payments difficulties to reduce or even temporarily to suspend its liberalization measures after detailed examination by, and the previous consent of its OEEC partners. Where a country is obliged to have resort to these clauses, the other member countries continue to maintain their liberalization measures vis-a-vis the country in difficulties.

Invisible trade, which applies to current transactions and transfers other than those directly linked with the selling of goods (e. g., freights, insurance, investments and tourism) account for 25 percent of the total current payments between member countries. The list of invisible transactions forms part of the code of liberalization and contains some 50 items which member countries are under an obligation to free from restrictions.

December 13: A European network of technical information centers is set up on the initiative of the OEEC Committee for Scientific and Technical Matters.

This was one of the first steps which led to the creation of the European Productivity Agency, within OEEC, on May 1, 1953. The EPA, working through national productivity centers, acts as a focus for cooperative action in this field. Its work is characterized by a marked emphasis on problems of education and training and on cooperative study of topics affecting the entire European economy—automation, human sciences, and the ever-increasing need for technical and scientific personnel. Its programs are directed both toward management and the trade unions.

In June 1956 the existence of the Agency was prolonged until June 1960.

1952

January 11: The Council sets up a ministerial coal production group.

In Europe's rapidly expanding economy, there has been a constant struggle to provide sufficient energy supplies. The coal, oil, gas, and energy committees have worked to insure the most efficient use of available supplies, and in particular to avoid excessive dollar expenditure. In 1956, after consideration of a special report entitled "Europe's Growing Needs of Energy—How Can They Be Met?", the Council decided to set up an Energy Advisory Commission to study energy problems of general significance and to forecast energy requirements and supplies.

March 27: The Council reaffirms its intention to pursue, by a policy of mutual assistance and economic cooperation, its endeavors to attain the objectives set out in the convention.

This was a moment of deep significance in the life of the Organization. The Marshall plan period was at an end and henceforth the 17-member countries would have to stand on their own feet without outside financial assistance. The progress made in the previous 4 years had taught member governments the value of economic cooperation and from now on the organization became a permanent forum for the planning and execution of this cooperation.

March 29: The Council decides on regular examination of the economic and financial situation of member countries.

To achieve a healthy expansion of the European economies, at the same time maintaining internal financial stability and the balance of payments, it is of special importance to coordinate the policies of member countries in the economic, financial, and fiscal fields.

To this end, regular examinations take place of the situations of member countries and of their intentions as regards economic policy in the competent committees of the Organization and by Council recommendations.

November 27: A conference on the dollar export drive is held at the Chateau de la Muette.

This conference, which was attended by representatives of the organizations in member countries responsible for directing and coordinating the dollar export drive, is a reflection of the very great importance attached by OEEC to dollar earnings. A measure of the Organization's success in this direction is provided by the fact that the combined dollar exports of member countries to the United States rose from $1,455,000,000 in 1949 to $4,657,000,000 in 1956.

1953

March 18: A conference on European inland transport meets under the auspices of the OEEC.

Up to this time, problems of inland transport had been dealt with in the OEEC by its Inland Transport Committee. As a result of this preliminary conference it was decided to set up a permanent European Conference of Ministers of Transport to insure the maximum use and most rational development of inland transport by rail, road, and water. Meetings of this Conference are held from time to time at the Chateau de la Muette in close collaboration with the services of the organization.

April 10: An OEEC mission starts talks in Washington with the American administration.

This mission, which went to the United States at the invitation of the United States Government, studied with its hosts the economic situation in Europe, recommendations contained in its 1952 annual report, and methods of achieving a wider system of trade and payments. Financial aid from America

had come to an end, but the continuing interest of the United States in helping to build and maintain a strong European economy is demonstrated by these talks and by the close participation of United States representatives in the day-to-day work of the Organization.

1954

May 5: The Council sets up a ministerial examination group for the study of problems which would arise if a number of member countries reestablish convertibility.

A return to full convertibility of European currencies has not yet proved possible. But it was necessary, in the event that one of the stronger currencies should go convertible, to make arrangements to bring EPU to an end without losing the financial cooperation which it had brought about. At a later date the Council approved the text of a European monetary agreement to come into force should this contingency arise, and this agreement stands ready to be put into operation at any time.

November 14: The Council instructs a special group to lend its good offices in the settlement of the Anglo-Icelandic fisheries dispute.

A small but significant pointer to the value of the relations established between the members of the OEEC negotiations between the two countries concerned having failed, the good offices of the organization succeeded in settling the dispute 2 years later.

1955

January 13: The Council established a Ministerial Committee for Agriculture and Food.

The OEEC thus took over the work of what had formerly been known as the Green Pool, and Spain, which had been a member of the latter body, became a full member of the organization in matters concerning agriculture and food.

The Ministerial Committee, which is assisted by a Committee of Deputies, is responsible for confronting the agricultural policies of member countries and for recommending means of improving trade in this field.

June 10: The Council recommends member countries to lend their help in the Italian program for the development of southern Italy and the abolition of unemployment.

Since this date, the Organization has given its support to Italy's efforts, and, through the European Productivity Agency, to those of Greece and Turkey in the economic development of their countries.

1956

February 28: The Council adopts a resolution concerning cooperation among member and associated countries in the development of peaceful uses of nuclear energy.

This resolution led to the setting up, on February 1, 1958, of the European Nuclear Energy Agency within OEEC. The functions of this Agency are to promote the establishment of joint undertakings between member countries, discuss their research and production program for nuclear energy, study their requirements for raw materials and capital equipment, promote the liberalization of trade in these products, develop facilities for the training of specialists and help to finalize and harmonize national legislation, in particular as regards the safeguarding of public health, prevention of accidents, third-party liability and atomic risk insurance.

On the same date, 12 member countries signed an international agreement setting up a first joint undertaking, the European Company for the Chemical Processing of Irradiated Fuels (Eurochemic).

June 17: The Council instructs a special working party to study the possible forms and methods of association, on a multilateral basis, between the custom union envisaged by the Brussels Inter-Governmental Committee (i. e., the European Economic Community) and the OEEC member countries not taking part therein.

Thus began what has since been, and remains, the organization's main preoccupation. On October 17, 1957, after a preliminary period of study of the possibilities of setting up a European free trade area, the real negotiations began. The Council then declared its determination to secure the establishment of a European free trade area which would comprise all member countries; to reach agreement at the same time on methods of further cooperation between all member countries in agricultural matters; in the establishment of the European free trade area, to take full account of the interests of member countries in process of economic development.

At the same time the Council decided to convene forthwith an Intergovernmental Committee at ministerial level under the auspices of the Organization and at its headquarters. All member countries are represented on this Committee, together with the European Economic Community (the common market countries) and the European Coal and Steel Community. Negotiations have since been carried on at a series of meetings of this Committee, presided over by Mr. Reginald Maulding, United Kingdom paymaster-general.

November 30: The Council takes action with regard to Europe's oil supplies.

In view of the possibility of an oil crisis developing, the Organization had undertaken preparatory work which enabled it to take very rapid action in the Suez emergency to minimize its effects on the European economy. The Organization set up an entirely new form of international cooperation in creating a special oil-industry group (OPEG) associating the main European international supplying companies with the work of the Organization's Oil Committee. This Committee, with the help of the industrial representatives, quickly organized a fair allocation among member countries, according to their needs, of available oil supplies.

These unusual arrangements, a moderately warm winter, and other favorable factors resulted in the fact that the Suez happenings did not exercise very serious repercussions on the general economy of Europe.

1957–58

In the foregoing chronology, the buildup of the main achievements in the Organization's life has been explained. A great part of the development of this work has taken place during the last 18 months.

In particular, negotiations on the free trade area, on the success of which so much of the economic future of Europe, and of the member countries, depends, has gone ahead steadily despite the difficulties attending such a vast venture. These difficulties were not unexpected, and every effort is being made to overcome them.

The establishment of the European Nuclear Energy Agency at the beginning of this year is another sign that the Organization marches in step with the times and adjusts its efforts to the needs of the moment.

One last 1957 effort has still to be mentioned:

October 28: At a meeting of the Working Party on Scientific and Highly Qualified Technical Manpower, the United States Government announces that it is prepared to provide up to $500,000 to a joint fund to which participating European countries would make an equivalent contribution.

The principle underlying the original Marshall offer still applies. Help is still forthcoming in certain specific cases from Europe's United States ally—but still the Europeans are expected to help themselves.

In the prosperous Europe of 1958, this is not such a difficult thing as it was 10 years ago, in the Organization's infancy.

DEPARTMENT OF THE INTERIOR RIGHTLY OPENS WATERFOWL ADVISORY COMMITTEE MEETINGS TO THE PRESS

Mr. REUSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and include extraneous matter.

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

There was no objection.

Mr. REUSS. Mr. Speaker, it is always a pleasure to report any action by any Government agency removing barriers of secrecy from meetings at which public business is conducted.

The voluntary opening of previously closed doors by Federal departments happens all too seldom. It is happening, however, in the Department of the Interior with respect to meetings of the Waterfowl Advisory Committee, which makes recommendations on waterfowl seasons and regulations that affect millions of American sportsmen.

Acting on the original request of the Milwaukee Journal, one of our great newspapers that is constantly battling secrecy in Government at all levels, Assistant Secretary of the Interior Ross Leffler has announced that future meetings of the Waterfowl Advisory Committee will be open to the press. Mr. Leffler and the committee members are to be congratulated on this wise decision. I hope it will lead to the opening of additional meetings of this nature.

The following article from the Milwaukee Journal of Thursday, April 10, 1958, summarizes the successful effort for freedom of information in this instance:

FOWL TALKS TO BE OPEN—PRESS NOT BARRED

(By R. G. Lynch)

Sportsmen will have a first-hand report henceforth as to how decisions are made on waterfowl seasons and regulations. As a result of a campaign started by the Milwaukee Journal, the Interior Department has decided to throw meetings of the Waterfowl Advisory Committee open to the press.

Heretofore, discussions leading to policy making were held behind closed doors by the National Flyway Council and the advisory committee. The council consists of two representatives from each of the four flyways; the committee consists of representatives of 15 conservation groups, such as the National Wildlife Federation, the Wildlife Management Institute, and the Audubon Society.

POLL IS TAKEN

The Journal asked permission to cover the 1957 meeting last August. Ross Leffler, Assistant Interior Secretary for Fish and Wildlife, did not think it would be fair to council and committee members to grant permission without consulting them. They were polled informally and the result was inconclusive. Some representatives felt that discussion would not be frank with reporters present.

Editorially the Journal suggested that interested citizens were entitled to know what went on at a meeting which determined important policy affecting them directly—not have to depend on a secondhand report by a few favored citizens who were invited.

It also was suggested that newspaper reports of discussions might help public understanding of seasons and regulations involving crop depredations by ducks and the little brown crane, and might prevent attempts to grant extra hunting for political reasons, as John L. Farley attempted to do for Washington when he was Director of the Fish and Wildlife Service.

OTHERS JOIN CAMPAIGN

The American Society of Newspaper Editors took up the campaign and Herbert Brucker of the Hartford (Conn.) Courant, chairman of its freedom of information committee, was informed last week that the policy had been changed.

Leffler told Brucker that Waterfowl Advisory Committee meetings henceforth would be open to the press; that he believed a well-informed public would aid the cause of conservation.

Sportsmen have been pressing for a voice in flyway council deliberations, at least the right to sit in and listen. The Louisiana Wildlife Federation led this movement. Resolutions submitted by its president, Lloyd Abadie of New Orleans, were consolidated into one which was adopted by the March convention of the National Wildlife Federation in St. Louis.

OPENS THE WAY

This resolution urged that representatives of State sportsmen's organizations be permitted to participate in flyway council meetings. No action has been taken on this request, but the decision to permit press coverage of the national meeting opens the way.

Four flyways—Atlantic, Mississippi, central, and Pacific—have councils comprised of representatives of all States within them. They discuss their own problems and make recommendations. The national flyway council then discusses the recommendations with the Fish and Wildlife Service.

The Service prepares seasons and regulations for approval by the Interior Secretary.

SUSPEND AUTO EXCISE TAX

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

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

There was no objection.

Mr. ASHLEY. Mr. Speaker, I have today introduced a bill to amend section 4061 of the Internal Revenue Code of 1954 by providing for a suspension of excise taxes on passenger automobiles until January 1, 1959.

The sole purpose of this legislation is to provide a stimulant for the depressed automotive industry. This industry, which directly or indirectly supports nearly 10 million American families, is the center of today's recession. Unless something can be done to increase the rate of new car sales, supplier industries throughout the country will be forced to lay off additional workers and suffer further cutbacks in production.

It is a sad commentary on our automotive industry, Mr. Speaker, that the leading manufacturers have shown no willingness to reduce their prices, despite the fact that sales have slumped dangerously in recent months. The extent of their willingness to help alleviate the human suffering which has accompanied the economic downturn is found in their assurance that any suspension in excise taxes will actually be passed on to the consumer. I hate to think that this is an accurate measure of the selfishness of the auto hierarchy, but such appears to be the case.

It is interesting to note, Mr. Speaker, that during a 10-year period, 1947 to 1956, the president of General Motors received bonuses totaling $3.92 million in addition to salaries aggregating $1.63 million. In 1956, 60 top officers and directors of General Motors averaged bonuses of $163,000 apiece.

During this period, of course, car prices were steadily rising. Prices were high in 1955 when a record 7.2 million passenger cars were sold. They were even higher in 1956 despite a slump in sales to 6 million. They went higher still in 1957, with production and sales continuing to decline to 5.8 million. This year prices went up again. The result, as we all know, has been the sharpest decline in automotive sales in recent years.

The fact is inescapable, Mr. Speaker, that immediate action must be taken to stimulate economic activity in this critical industry. By suspending the excise tax on new automobiles, prices will be lowered $150 to $300 per car. By enacting this legislation promptly—and by suspending the excise tax on automobiles only until January 1, 1959—a considerable incentive will be created to purchase automobiles during the immediate months ahead. I can think of no other antirecession step which will have a quicker or more beneficial effect upon our overall economy.

THE DEPRESSION

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. DINGELL] may extend his remarks at this point in the RECORD and to include extraneous matter.

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

There was no objection.

Mr. DINGELL. Mr. Speaker, we are presently in the midst of a no-fooling, honest-to-goodness depression. The President of the United States recently used that very word in his news conference, although later there was some attempt by the palace guard in the White House to change the word as it appeared in the text of the President's remarks.

It is interesting to note that the farm population of this country has dropped from 15.5 percent in 1952 to 12 percent today.

These same farmers who have been forced from the farm are now in the city adding to the substantial labor surplus presently oppressing the economy. It is interesting to note that in 1953 Mr. Benson's Deputy Secretary of Agriculture, Mr. True D. Morse, announced that the Eisenhower-Nixon administration plan was to push the marginal farmer out of farming and into industry. The remarks of another assistant to Mr. Benson, Mr. Earl D. Butz, on this question, were even more interesting. He said to the farmers:

> Adapt or die, resist and perish * * * too many people are trying to stay in agriculture that would be better someplace else.

Net farm income has dropped steadily since the advent of the present administration. In 1952, the figure for farm income was $14.3 billion. In 1957, by dint of Mr. Benson's vigorous efforts, farm income had dropped to $11.5 billion. In 5 years of the Eisenhower-Nixon-Benson farm program the farmer's share of the food dollar has dropped 7 percent. Consumers costs are up 2 percent, and middlemen's profits have grown astonishingly, as can be seen in the annual reports of the various packers and food processors.

It was extremely interesting to notice that the GOP announced the purpose of its tight-money policies in 1956 and 1957. W. Randolph Burgess, architect of the administration's hard-money policies, said he thought, "It is a pretty good statement," when asked to comment on the following statement appearing in the newsletter of the First National City Bank, which said, "The way to hold back pressure of excessive wage advances on prices is to relieve the labor shortage created by attempting too many projects at one time. This can be done by making money harder to borrow and by curtailing public expenditures." This hard-money policy had no effect on the cost of living which has risen continually since the Eisenhower administration came in. It is the administration's own figures which show that the cost of living has risen in every month since the hard-money boys got in the saddle and that the cost-of-living increase, according to a recent release from the administration, is the highest in history. The cost-of-living increase in the past 2 years, December 1957 over 1955, is as follows:

Personal care, up 10.1 percent.

Medical care, up 10 percent.

Transportation, up 9.9 percent.

Reading and recreation, up 7.5 percent.

Housing, up 5.8 percent.

Other goods and services, up 5.5 percent.

Food, up 4.7 percent.

Apparel, up 3.8 percent.

All items average, up 6.2 percent.

The last official figures show the cost of living is up 7 percent over 1952. At the same time nonfarm housing starts were down by approximately 100,000 per year. This administration tight-money policy meant diversion of Federal and State tax money to excessive interest charges rather than to conducting existing programs or to expansion of new governmental programs. The cost of this hard-money policy to the Federal taxpayer was enormous. The cost of carrying the Federal debt jumped over $1 billion a year as a result of a planned rise in interest cost between 1955 and 1957. Because of long-term financing it will be about 20 years before any favorable change can be expected in this exorbitant interest charge. I insert here a table

showing the rise of cost of servicing the Government debt compared with interest rates on Treasury bills.

Date	Rise in cost of Government debt	Interest rates on Treasury bills
	Billions of dollars	*Percent*
1952	6,240	1.766
1953	6,585	1.931
1954	6,371	1.953
1955	6,518	1.753
1956	7,048	2.658
1957	7,590	3.591

A parallel increase in cost to State and local taxpayers on State and local bond issues is to be noted. The interest cost on municipal bonds jumped 60 percent between 1955 and 1957.

The tight-money policy had a devastating effect on the house buyer, whose average cost went up better than $600 for a $10,000 house on a 20-year mortgage, or the equivalent of one additional bedroom. The farmer was hurt because he was unable to secure credit to tide him over between crops and the small-business man suffered far in excess of what the policy cost the big-business man. The result of this was that small-business failures skyrocketed and reached the highest points in history in 1956, 1957, and 1958.

Now to discuss whether or not this recession was planned.

Secretary of the Treasury Humphrey said before the Senate Finance Committee in July 1957:

> I think what we need is * * * some readjustments here and there. * * * I think perhaps less Government expenditure would be a helpful thing. Let me hasten to say I do not see any recession or depression or anything of that kind in the offing. All I see is what looks to me like an adjustment which is taking place. * * * Well, I do not really believe it will result in any marked unemployment.

Mr. David Lawrence on July 15, 1957, had the following to say:

> It is certain that as Government spending is substantially cut, the wheels of the Nation's economy will be slowed down. Some unemployment will be created and wage and price levels will be held steady so the outlook now is for a readjustment sometime in 1958.

It should be noted that Mr. David Lawrence is one of the principal apologists for the present administration in the daily press, and his column is always slanted to be most favorable toward the economic policies of the administration.

The Journal of Commerce had an even more interesting comment in its July 15, 1957, issue, wherein it said:

> The evidence now points strongly to the conclusion that both the administration and Federal Reserve authorities believe that a moderate recession now would be a small price to pay for the avoidance of another boom and bust later on.

In other words what the administration wanted was a substantial readjustment in the economy. They got that readjustment with a vengeance. An even more interesting comment appeared in the Lynn (Mass.) Telegram News of Thursday, March 27, 1958, wherein a distinguished columnist, Mr. Joseph A. Dear, had some very interesting comments to make on the administration and on its manipulation of the economy. Mr. Dear recalls Ike's advice to the American citizen in September 1957. Ike said that people should not buy. The people took Mr. Eisenhower at his word and an economy which was already slowing down received another body blow from the Republican administration.

BEHIND THE NEWS IN NATION'S CAPITAL

(By Joseph A. Dear)

WASHINGTON.—It now seems quite clear that the severity of the current recession can be traced directly to an egregious miscalculation by the Eisenhower administration last summer.

During the languid days of August, Ike apparently concluded that inflation posed the greatest threat to the economic health of the Nation.

He acted to meet the threat in two ways. First, he agreed to a cutback in the rate of defense spending. And second, he all but advocated a buyers' strike.

At a September press conference, Ike said: "I am not advocating any buyers' strike. But I do say this: we should buy selectively and carefully, and not merely because we have the largest income in history. * * * We should not be spending recklessly and adding fuel to this flame."

Ike has had second thoughts. This March 5 he said: "I believe that the upturn in our economy will be the result of millions of citizens making their purchases, having greater confidence."

In September, it was don't buy. In March, it's buy with confidence. And in both cases, the advice is partly irrelevant, in that it takes no account of a significant development.

And that is that, per capita income, figured in constant dollars, has been declining since late 1956. The total of all individual incomes was at a peak last August. But that was because the population, and therefore the labor forces, had increased.

In short, Ike's advice to consumers last fall may have been superfluous. It's possible they intended to buy less because they had less to spend. For the same reason, his implied confidence in the efficacy of consumer spending now may be unfounded.

Whether Ike's advice to consumers had any impact may be debatable, but there is no doubt that the decision to cut back the rate of defense spending did. To illustrate:

In the first 6 months of calendar 1957, Pentagon procurement spending totaled $6.7 billion. (That is money that is pumped into the economic bloodstream of the Nation. It represents payments for goods built by industry.) In the last 6 months of calendar 1957, $5.7 billion was spent by the Pentagon. That was a cutback of $1 billion. And during the first 6 months of this year, Pentagon spending for military hardware will soar to $9.7 billion. (No account is taken of expenditures for services, though these too have an impact on the economy.)

The story these figures tell is very simple. The administration now is permitting the Pentagon to order and pay for equipment that could have been ordered and paid for last fall.

For example: Last year $600 million was scheduled for automotive equipment. But during the first 6 months of the last fiscal year, that is, up to December 31, only $50 million of the $600 million had been spent. It is being spent now—only last week the Defense Department announced an outlay of $100 million for autos and trucks. But if the money had been spent last fall, Detroit might be in better shape today.

The defense spending rate does influence industry. It affects plant expansion and inventory planting. When the administration indicated it was tightening its belt, industry followed suit. And this should surprise no one in the administration. For the recessions of 1949 and 1953 both were preceded by cutbacks in the rate of defense spending.

In fact, Ike did and does have advisers who were and are aware of that. Ike was warned he might trigger a recession by the cutback. But the problem of inflation, which is still with us, received priority, and the warnings were discounted.

Now for the benefit of my good Republican friends I would like to recall a few more sad facts for them. The President is reported as being cheered by the figures of those employed and unemployed released by the Department of Commerce and the Department of Labor.

Those figures cannot just be taken as straight medicine. They must be interpreted. In the first place, there is a plus or minus 25,000 in the statistics. In other words, there could be as many as 25,000 more unemployed or less unemployed than the figures show. These are the figures that cheered Mr. Eisenhower. Unemployment seasonally adjusted rose from 6.8 percent to 7 percent of the work force. The March employment total was 62,311,000 or 1,554,000 less than the March figure of a year ago. The number of unemployed was 2,316,000 more than the March 1957 figure of 2,882,000. Even interpreted in the best possible light the number of unemployed in relation to the total labor force rose from 6.8 percent to 7 percent. The Departments of Commerce and Labor, in announcing the figures, referred to them as unchanged from February, because of the position of the two Departments that the 25,000 increase is within the margin of error. The two Departments did not take into consideration that the increase might be 50,000 rather than 25,000.

It must also be noted that these figures of the administration are close to a month old. Previously the President had said that if there was no upswing by March that he would recommend action. It is interesting to note that he is now again urging a wait-and-see policy on all of us. I wonder how much longer the unemployed workers in Detroit who are rapidly approaching exhaustion of their unemployment compensation feel about this.

It was the same Labor Department which on March 28 said that "almost half of the country's major industrial centers have substantial labor surpluses." I am quoting from an article appearing in the Detroit (Mich.) News of Friday, March 28, 1958, which I ask unanimous consent to insert below.

It is interesting that that article said that 70 big industrial centers are distressed areas because their jobless total has reached or exceeded 6 percent. In January only 45 such areas warranted that classification, and 19 had the

dubious honor of being on the list in March of last year:

LABOR SURPLUSES ARE REPORTED IN HALF OF COUNTRY

WASHINGTON, March 28—The Labor Department today said almost half of the country's major industrial centers have substantial labor surpluses.

It reported the possibility of a slight pickup in employment by mid-May but held out no hope of a significant improvement in the hard-hit manufacturing industries.

Producers of hard goods expect either to maintain their present reduced payrolls or to lay off additional workers, the Department said.

The key automobile and aircraft industries plan further cuts, it added.

MORE AREAS SUFFER

The Department now lists 70 big industrial centers as distressed areas because their jobless total has reached or exceeds 6 percent. Only 45 such areas warranted that classification in January, and 19 in March of last year.

Among new additions were Baltimore, Minneapolis-St. Paul, Indianapolis and Buffalo.

In addition, 32 smaller industrial centers were put on a separate list of substantial unemployment, bringing the total for smaller cities to 121. This compares with 72 in January and 59 in March of 1957.

DETROIT SITUATION

The Department said five areas—including Detroit—had more than 12 percent unemployment.

Detroit was changed from the category reflecting between 6 and 8.9 percent unemployment to the one for areas with 12 percent or more, a jump over the category with between 9 and 11.9 percent unemployment.

Grand Rapids, Mich., was changed from the category with between 6 and 8.9 percent to the category with 9 to 11.9 percent unemployment.

Three other Michigan cities—Flint, Lansing and Saginaw—were shifted two categories. They were switched from the moderate labor surplus group (3 to 5.9 percent of the labor force) into the 9 to 11.9 percent group of substantial unemployment. Toledo also was involved in such a switch.

A HOPEFUL NOTE

Adding another gloomy note, the Labor Department said heavy manufacturing plants expect few significant changes in their hiring rate over the next 2 months.

A Department expert found one hopeful note—the fact that the rate of increase of unemployment declined in January and February.

He predicted unemployment may decline slightly in April and May with return of better weather leading to increased outdoor work. But he said it probably will rise again in June with students entering the labor market to seek summer jobs.

The jobless total, 5,137,000 in mid-February, is expected to increase by about 200,000 this month. Official figures for March will be announced early next month.

In addition to these, some 32 smaller industrial centers were put on a separate list of substantial unemployment, bringing the total for such smaller cities to 121. In January of 1957 there were 72, and in March of that year there were 59.

For the benefit of those who do not think the situation is serious, I insert an article by Mr. J. A. Livingston appearing in the Washington (D. C.) Post and Times Herald of April 6, 1958, who had the following to say, "Depression is word for Detroit."

IKE AND CONGRESS MUST ACT SOON

(By J. A. Livingston)

A month ago, President Eisenhower said a tax cut is a possibility "if there is any deepening of the depression." At the time, depression was a slip of the tongue. Depression was a word to be avoided. March, so it was expected—hoped—would bring an upturn in business, a decline in unemployment.

Now, April's here. The recession has deepened. Layoffs continue to exceed rehirings. Thus, General Electric calls back 3,800 to make refrigerators at Louisville, but lays off 1,900 in its Louisville home-laundry plant, and 3,000 at its tube plant in Owensboro, Ky. Westinghouse closes its Columbus plant for a week, idling 4,000, and General Motors' Frigidaire division at Dayton lays off 1,100. CBS Hytron goes on a 4-day week at Danvers, Mass. (3,000 workers).

Du Pont expects to recall 70 to 80 workers at its nylon plant in Chattanooga and has canceled layoffs of another 50 workers; Chemstrand will recall 350 out of 1,000 workers laid off at its Pensacola, Fla., works, and hopes to take on more if orders continue at recent rates. Kaiser Aluminum & Chemical, at Trentwood, Wash., is recalling 100 workers, and ACF Industries, at Buffalo, 150 workers—this last in response to a $2,865,709 Army contract. And Pittsburgh Plate Glass is taking back 700 to 800 at Crystal City, Mo.

DEPRESSION IS WORD FOR DETROIT

But the Buick closing at Flint idled 11,000 workers for a week. Fisher Body, at Flint, laid off 1,200 workers; Pontiac laid off 3,000 at Pontiac and Oldsmobile 800 at Lansing. Detroit and vicinity is a full depression. No use mincing words on that. The auto depression has affected steel, aluminum, copper, coal, and carloadings, and is, unfortunately, widening its consequences.

Some white-collar workers, clerical workers, are being laid off or furloughed. Such workers breezed through the 1949–50 and 1953–54 readjustments. The Pennsylvania Railroad has instituted a 10-percent cut in salaries of all persons drawing $10,000 a year or more.

So far, this has been primarily a manufacturers' recession. Employment in manufacturing plants, at 15.6 million is down 11 percent from the postwar high in June 1953. It's below the low in the 1954 recession. The drop is traceable partly to increased efficiency.

SILVER LINING HARD TO SEE

Manufacturing workers are averaging only 38.5 hours per week, a 7-percent drop from the 41.6 hours per week in November, 1955, the postwar high. Gone is most overtime. The weekly pay of the average factory worker, at $80.85, is down $1.66 from a year ago (see chart). This, in spite of cost-of-living, productivity, and other wage boosts.

There still is no positive evidence that the decline has been arrested. It has slowed down. We may, as President Eisenhower has indicated, be going through the worst. But this is iffy. It assumes that businessmen, notably manufacturers, have cut inventories down to the reorder point, that automobile manufacturing is so far down that any upturn in sales would result in rehiring.

Hence, the waiting in Washington. Has the spring rise merely been delayed? There are two other reasons for deferring action on a tax cut:

MIRACLE TIME IS NOW

First, the administration, though it doesn't say so openly, would like to see prices come down, especially auto prices. And if businessmen got a Government-sponsored sales stimulus, they might relax. They might not make the adjustments in prices a recession customarily induces.

Second, the administration can't afford to announce a tax cut until it has the cut codified, until it knows exactly what kind of a cut it wants to recommend, until it has an agreement with certain key Congressional leaders on a definite plan. Otherwise, an announcement would turn Congress into a debating society, an idea society.

Yet, delay becomes less and less justifiable. Unless we are now at a culminating point in the decline—unless the worst is coming together all at once, in layoffs, inventory cutbacks, and the drop in consumer spending—the administration and Congress will have to act soon.

Delay is justifiable only if the President has good reasons to believe that employment will shortly rise. There's no use praying for a spring miracle. It is either here now—and will show itself in 2 or 3 weeks—or the Government must act, Bernard M. Baruch notwithstanding.

Mr. Livingston had an even more urgent statement to make in the Washington (D. C.) Post and Times Herald of Wednesday, April 9, 1958, which I ask unanimous consent to insert here.

BARUCH REBUKED: JOBLESS SEEN GREATER PROBLEM THAN INFLATION

(By J. A. Livingston)

At 87, Bernard M. Baruch still commands attention. Why? Because of a long history as an adviser to Presidents; because he has been a successful speculator which means a successful judge of economic conditions. And what he says is often unconventional, different, stimulating.

That's what makes the successful speculator—being unconventional, seeing a trend differently from his fellow men and acting accordingly. Now in the midst of a recession, Baruch again says the unexpected. Is he ahead of his time this time? Or, behind the times?

To fight the recession, the President's Council of Economic Advisors has been urging tax cuts. Numerous Congressmen, notably Senator PAUL H. DOUGLAS, Democrat, of Illinois, have advocated action now.

Along comes Mr. Baruch and tells the Senate Finance Committee: "Inflation, gentlemen, is the most important economic fact of our time—the greatest single peril to our economic health. The credit of the United States Government is the foundation upon which our solvency and security rest. We must prevent any further weakening of it by tax cuts or deficit spending."

To Baruch, the United States has been on a prosperity jag. Prices have increased. Bad habits, inefficiencies, have insinuated themselves into production and distribution. We've got to wring these excesses out of the system. We've got to get costs and prices down. Government deficits, a tax stimulant, will merely imbed the excesses in the price structure.

Unfortunately, when you wring prices out, when you wring the economy out, you also wring people out. Prices have no self-respect. Prices have no feelings. Prices have no dependents—no children wanting clothes, or food, or a chance to go to college. But people do. Unemployed do. And unemployment is the immediate problem of the President, of the period, of the times. Unemployment is a more important fact today than inflation.

In a series of lectures at Fordham University, Prosperity Without Inflation, Arthur F. Burns, former chairman of President Eisenhower's Council of Economic Advisers, made the point that only if people feel certain that the Government will act when a serious depression threatens will it be possible to contain the business decline. His position is diametrically opposed to Baruch's.

To Burns, a through-the-wringer approach will scare people. Consumers will buy less. Manufacturers will produce less. Fear will aggravate the decline. A recession will degenerate into a depression. The Government will be forced into greater and greater effort, greater and greater spending, to turn the depression around. Assurance that the decline won't be allowed to deteriorate into a rout is the best insurance against a huge deficit, argues Burns. It's better to act early than late.

The President has indicated that he thinks we're going through the worst of the decline now. I'm inclined to agree with him. If that's the case, we won't need a tax cut, and Secretary of the Treasury Anderson will have been wise in refusing to yield to both business and labor pressure for a tax cut.

However, we've already had a 10-percent drop in production; we can't afford to drop down another notch—to a lower level. That would precipitate another wave of layoffs, further shrinkage in purchasing power, another twist to the down spiral, a still greater Government effort later on. So critical weeks are ahead: Is this the bottom or isn't it?

It isn't useful to debate whether we can go through the wringer, whether we can tolerate a big increase in unemployment, whether we can tolerate the type of depression which would force prices and wages down.

We don't fight long-term inflation with large-scale unemployment. Human values outrank economic values. That was decided in the great depression. That, this country won't go through again, not and be this country. Baruch's stern prescription is for a prior age.

At the time the President was going over the March figures, the Washington (D. C.) Post and Times Herald reported that steel output had sunk below 50 percent of capacity. In February the mills turned out 1,425,000 tons of steel, and a year ago produced at the rate of 2,319,000 tons a week. Production during the third week of March totaled only 1,366,000 tons, but dropped to 1,298,000 tons during the last week of March. The same paper reports steel production at 48 percent of capacity now.

The situation has gotten to the point where United States Steel is going to spend an excess of several million dollars on advertising following the theme "Steel lightens your work, brightens your leisure and widens your world" and is going to use a special label to identify items made of steel. I need not remind the administration that the automobile production for this year will be not more than 4½ million units, down about 3 million units from 1955. Unemployment in the country is now at a level of 5.2 million according to the administration. The average number of hours worked has shrunk from 41.6 hours per week in November 1955, to only 38.5 hours per week. This statistic can best be understood when translated into some 80 million manhours per week of work, or its equivalent, a loss of about 2 million full-time jobs. This raises real unemployment to 9.2 million, or better. When you figure that the weekly pay of the average factory worker at $80.85 per week is down $1.66 from a year ago in spite of cost of living, productivity and other wage boosts, it becomes very clear that the economy has slowed down very much.

In an age where the Soviet leaders brag about their plans to achieve not only technical and military superiority over America, but to secure trade and industrial superiority over us the present recession is one of the gravest dangers to the Free World.

In the past year or so Soviet economic expansion has been at a rate twice as great as our own. This should give pause even to so incurable an economic optimist as Mr. Eisenhower, himself, who is still waiting to see whether this is a serious recession or not.

Another cause for grave concern is the lack of expansion of our economy. From 1948 to 1952 the gross national product, the value of all goods and services, increased at about 4 percent a year in real dollars.

From 1953 through 1957, the rate of expansion has been only about 1.8 percent in real dollars. The population has been increasing at the rate of 2 percent a year, and it becomes clear that little advance in the economy has been going on, even during 1957, called by the administration a prosperous year.

According to administration figures, the gross national product was $20 billion higher in 1957 than it had been in 1956, $434.4 billion compared with $414.7 billion in 1956.

When this change in the gross national product is figured in constant dollars, and not inflated dollars, the figures change radically, $430.4 billion for 1956, and $434.4 billion for 1957. What appeared to be an increase in the gross national product of $20 billion is really an increase of only $4 billion, or a real increase of only $17 per capita. What might have been considered an increase in goods and services produced of 4.8 percent, is really less than 1 percent, eight-tenths of a percent to be exact. With our population expanding at 2 percent a year we may actually be considered to have slipped back.

I wonder if it is necessary to remind the administration that the gross national product is shrinking this year in spite of inflation at the rate of about 3 percent. This is an enormous drop in the gross national product which should run to a loss of ten to twenty billions of dollars, or even more, depending on how the last three-quarters of this year turn out. That last three-quarters of the year is in the hands of the administration, and the Congress, and in a very real sense, the fate of the Nation and of the Free World may well ride on the action of the executive and legislative.

This recession will not end itself, rather, if anything, it will feed upon itself, and will tend to grow greater. Mr. Harold B. Dorsey, a financial columnist of considerable standing and ability made the point that the economy of the country will not right itself automatically, in an article appearing in the Washington (D. C.) Post and Times Herald of April 7, 1958, which I insert here:

ECONOMIC VIEWPOINT—AUTOMATIC RESURGENCE DISCREDITED

(By Harold B. Dorsey)

In some quarters the pattern of reasoning about the current business situation has been thrown into confusion by the fact that contracting business activity does not always function like a tensed spring, to recoil and to restore conditions to their earlier status automatically.

There had been a considerable feeling that automobile sales would have revived automatically by this time—regardless of the evidence of an oversold market. But, thus far at least, there is little evidence that the consumer is willing to borrow money to pay the present prices for automobiles.

Similarly, many business analysts have emphasized the evidence that metal-fabricating industries were using up steel and other metal raw materials faster than these materials were being produced. This evidence that the fabricators were liquidating their raw material inventories was interpreted as a sure sign that the fabricators would have to enlarge their purchases of the metals, and thus insure an increase in metal-producing activity. Instead of metal production rising to meet fabricating needs, the trend of the fabricators' sales, new orders, and unfilled orders strongly suggests that the raw material consumption rate is declining toward the low production level.

One of the forces that had been expected to aid in the development of the right bank of the recession valley centered around prospective improvements in the rate of total construction. Actual expenditures for total construction have been running slightly ahead of year-earlier figures. However, the latest F. W. Dodge figures for construction contract awards for January and February were running 10 percent below a year earlier. These award figures should give some idea of the trend of construction expenditures several months hence. Perhaps Government-stimulated activity in the construction field may improve these figures later, but the most recent natural economic forces in that area are operating in a negative direction.

A decrease in the price of aluminum, announced last week, directs attention to the continued price weakness of significant raw materials. The Bureau of Labor Statistic's sensitive daily index for industrial raw material prices receded last week to the lowest level in several years and was recording a year-to-year decline of about 13 percent. The broad wholesale price index and the consumers' price index, which include a much higher labor cost factor, are still running above a year ago. The diverse behavior between these two price indexes and the prices of industrial raw materials not only emphasize a maladjusted condition but also have negative implications for industrial activity over the intermediate future.

The disillusionment that has come to the automatic resurgence school of thought has broadened the curiosity about: (1) which forces will develop the right bank of the current recession valley, (2) when will that side of the valley begin to appear, and (3) whether or not it is reasonable to anticipate the right bank will rise in the intermediate future as high as the left bank whose bulk consisted in part of the excessive activity and of the overpricing that were the very causes of the current recession.

These highly important questions had not been given serious consideration by the automatic resurgence school—and it includes many—until their very recent (and still not complete) disillusionment.

Currently, there is a broad—if not majority—opinion in Washington that the recession will bottom out in this second quarterly period. It is difficult to say whether this opinion gives full consideration to (1) the fact that the most recent survey of business capital expenditure intentions indicates a continued decline beyond the second quarter and well into the second half, (2) total construction contract award figures suggest that actual construction activity (seasonally adjusted) 6 months from now, will be showing year-to-year declines in contrast with the recent modest year-to-year increases, and (3) that the latest figures on new orders coming to the durable goods manufacturers are still running well below the rate of shipping activity, and although the dollar decline in inventories is impressive, the ratios of inventories to sales, to new orders, and to unfilled orders are still deteriorating because these measurements of operating needs have been declining more rapidly than inventories.

The editorial in the Washington (D. C.) Star of April 9, 1958, was helpful in understanding editorial reaction, and I ask unanimous consent that it be inserted at this point:

MIXED PICTURE

Even while allowing for favorable seasonal factors, the February-March rise in employment by 323,000 does tend to support the President's view that the current business decline may be slowing up. For this figure is at least normal for a period in which job opportunities, particularly in agriculture and in construction, increase and ordinarily more than offset layoffs in other lines of work. By contrast, in the comparable period of 1954, when the economy was pulling out of another recession, the employment increase totaled only 45,000. In that year, there was a drop in all major employment categories except agriculture, and the net figure was substantially short of the 250,000 increase then considered normal.

At the same time, the present statistical picture remains a mixed one, with even the relatively small increase of 25,000 in unemployed running counter to the usual February-March trend. The durable goods industries—particularly automobiles, machinery and metals—remain as soft spots in the economy. The rate of new unemployment in these industries may have slowed, but until they show a clear upturn any optimism must remain highly qualified.

One of the States hardest pressed is Michigan, which is one of our great durable-goods producers. My State of Michigan has unemployment of 450,000. The city of Detroit alone has 265,000 out of work, 15 percent and 18 percent of the work force respectively out of work. The increase for the State of Michigan in unemployed is 46,000; 25,000 more workers are out of jobs in the city of Detroit. One frightening statistic that can be spread over the whole country is the increase in the number of workers who have exhausted their unemployment compensation; 15,330 workers in Michigan have exhausted their unemployment compensation. This is up about 6,000 from the previous month. A total of 35,996 workers throughout the State have exhausted their benefits. This is a real representation of the number of workers who have ceased to have any appreciable income and a real representation of the hardship which is striking our cities. I need not point out that the big increase in the number of those who will be going off unemployment compensation will occur in May and June of this year. When we consider that unemployment compensation puts a floor of about $3 to $5 billion per year under the economy the prospects are not good. I insert here a table showing how Michigan's unemployed are moving from the rolls of unemployment compensation at the greatest pace in recent history.

State unemployment insurance benefit exhaustions, Dec. 26, 1957,[1] to Mar. 7, 1958, and projections, Mar. 10–May 25, 1958

Period	Number of exhaustions		
	State total	Detroit labor-market area	All others
January 1958, actual	9,007	4,681	4,326
February, actual	11,659	6,106	5,553
Feb. 26–Mar. 7, actual	5,280	2,655	2,625
Mar. 9–Mar. 25, estimated	10,048	5,645	4,403
April, estimated	22,693	11,673	11,020
May, estimated	16,390	8,217	8,173
Total estimate, January through May 1958	75,077	38,977	36,100

[1] Reporting month runs from 26th of preceding month through 25th of current month.

For this reason, it appears that we must have a vigorous program to restore the economy, and we must have it forthwith; delay may be disastrous.

A tax readjustment aimed at benefiting the low-income tax brackets and at closing loopholes is a most desirable approach. Purchasing power is restored to those who must spend money and not to those who can merely put it in a bank or safe-deposit box. About 10 percent of the income of this country is not reported for tax purposes, or about $26½ billion. If this approach to taxation is followed, a substantial increase in purchasing power can be accomplished with little, if any, loss to the Federal Government in revenue. At the same time, individual exemptions can be upped from $600 to $700 or even $800.

An extension of unemployment-insurance benefits must be passed at the earliest possible date, along the lines of the bill authored by the distinguished gentleman from Minnesota [Mr. McCARTHY], with whom I have the honor to join in sponsorship of an identical measure. An intelligent public-works program can be, and must be started at an early date to furnish additional jobs and opportunity to the country. A program of this sort is of the greatest help, because it not only furnishes jobs and opportunity but also builds highways, schools, libraries, hospitals, airports, and other similar projects badly needed by our people.

The time for action is now. I have consistently set forth a number of measures that I felt would be helpful, and I am most critical of the President for his complacency and lack of aggressive leadership to our people, at a time when it is desperately needed.

The veto of the $1.8 billion river and harbors program is further proof of the President's lack of understanding of the gravity of the present economic situation which was so well exemplified by a recent front page of the Washington (D. C.) News which told in bold headline that Ike was buckling down to attack the recession, and the only other item on the page showed a large picture of the President vigorously addressing the ball on the golf course.

FEDERAL RESERVE SURVEY SHOWS THAT SMALL BUSINESS BORE BRUNT OF THE 1956–57 CREDIT SQUEEZE

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, during 1956 and 1957 when the credit squeeze was applied the hardest, there was a great deal of controversy over whether small business was bearing the brunt of the squeeze. The banks, including the American Bankers Association, released statements, studies, and so forth, in support of the contention that small business borrowers were getting a proportionate share of the bank credit, and perhaps more. Chairman Martin took the position that the use of monetary controls was the proper way to combat inflation because this was the "impartial" way. By this it was implied that the effects of the credit squeeze would be even throughout the economy and would avoid the bad aspects of alternative measures which might involve arbitrary decisions on the part of the Government as to which industries and which firms would expand, which would obtain credit, and so on.

The Federal Reserve System has now made a survey of bank loans to various sizes of business. This survey, which I first requested Mr. Martin to make when he was before the Joint Economic Committee in December 1956, appears in the Federal Reserve's report, Financing Small Business, which the Board has just released to the Small Business Committees and the Committees on Banking and Currency of the Senate and the House. These figures dispel any doubt about the "impartiality" of the credit squeeze—its effects have been anything but impartial. These figures resolve the controversy over whether small business has borne the brunt of the squeeze. Just consider these facts:

Between 1955 and 1957 there was a great increase in the demand for bank credit. Bank loans outstanding, according to Federal Reserve figures, increased from $30.8 billion on October 5, 1955, to $40.6 billion on October 16, 1957, an increase of 32 percent.

Bank loans to the biggest firms—those with $100 million or more of assets—increased 66 percent between the 2 years.

Bank loans to the smallest firms—those with less than $50,000 of assets—actually went down in 1957 from 1955 by 3 percent.

Consider the fact that small firms needed a great deal more credit just to carry inventories and finance their accounts at the increased levels of business and at the higher prices. Con-

sider also the fact that 1957 was a year of tremendous expansion of capital equipment—at least for the bigger firms—and that small firms in actual practice cannot generally obtain capital from the capital markets. Small firms do, and must, stretch out bank credit as a source of capital funds. Yet we find that the banks actually lent less money to the smallest firms in 1957 than they had in 1955.

Taking up the credit experience of those firms with more than $50,000 of assets, the Federal Reserve survey indicates that the adequacy with which a firm was able to meet its needs for bank credit was about proportional to the size of the firm. As already indicated, the biggest firms—those with $100 million or more of assets—enjoyed the biggest expansion of bank credit between 1955 and 1957. The next largest size group—firms with assets of between $25 million and $100 million—the banks expanded loans to these firms by 51 percent. At the other end of the scale, however, the banks made only 17 percent more loans to small firms having assets of between $50,000 and $250,000.

Furthermore, in 1957 the average size of the loans made to the big firms went up. The average size of loans to the corporate giants went up 55 percent. In contrast, the average size of loans dropped for all size classes of companies having less than 5 million of assets.

Thus, without respect to the number of smaller firms that were turned away from the banks, those that did succeed in getting some bank financing got loans on the average smaller than the loans they obtained in 1955.

The amounts of bank loans outstanding to each of the various size classes of business firms in 1955 and 1957 are compared in the following table, as are the average size of loans outstanding in the two periods:

Business loans of member banks, 1955 and 1957, by size of borrower

Size of borrower (total assets, in thousands)	Amount of loans					Number of loans					Average size of loan		
	Millions of dollars		Percentage change, 1955–57	Percentage distribution		Thousands		Percentage change, 1955–57	Percentage distribution		Thousands of dollars		Percentage change, 1955–57
	1955	1957		1955	1957	1955	1957		1955	1957	1955	1957	
All sizes	30,805	40,618	31.9	100.0	100.0	1,185.2	1,280.6	8.0	100.0	100.0	26.0	31.7	22.0
Less than $50	1,501	1,456	−3.0	4.9	3.6	503.1	504.7	.3	42.5	39.4	3.0	2.9	−3.3
$50 to $250	4,505	5,256	16.7	14.6	12.9	414.9	494.3	19.1	35.0	38.6	10.9	10.6	−2.1
$250 to $1,000	5,051	6,302	24.8	16.4	15.5	125.8	157.6	25.3	10.6	12.3	40.2	40.0	−.4
$1,000 to $5,000	5,586	6,775	21.3	18.1	16.7	37.9	48.2	27.2	3.2	3.8	147.3	140.5	−4.6
$5,000 to $25,000	4,742	5,912	24.7	15.4	14.6	11.0	13.3	21.1	.9	1.0	432.8	445.7	3.0
$25,000 to $100,000	3,240	4,893	51.1	10.5	12.0	4.4	5.4	22.7	.4	.4	732.6	901.6	23.1
$100,000 or more	5,297	8,815	66.4	17.2	21.7	6.0	6.5	7.3	.5	.5	878.8	1,363.5	55.1
Not ascertained	883	1,207	36.7	2.9	3.0	82.0	50.7	−38.2	6.9	4.0	10.8	23.8	121.3

NOTE.—Details may not add to totals because of rounding.

Source: Federal Reserve System Financing Small Business, committee print, 85th Cong., 2d sess., p. 375.

This shift in bank credit away from small firms and in favor of the bigger firms was not a byproduct of a shift in the kinds of industries to which loans were made. Another table of the Federal Reserve's figures shows an increase in bank loans to each type of industry, with one exception, between 1955 and 1957. But in every industry there was either a decrease in loans to the smaller firms or a small increase compared to the enormous increases in credit which the banks extended to the giant firms in the industry.

Compare, for example, the tremendous increases in bank credit made available to the corporate giants in each of the following industries between 1955 and 1957 with the experience of the smallest firms in each of these industries—which in most cases had substantially less bank credit in 1957 than in 1955:

Change in amount of business loans of member banks, 1955–57

Business of borrower	Amount outstanding Oct. 16, 1957 (in millions of dollars)	Change: 1955 to 1957—Borrowers with assets of—		
		All borrowers	Less than $50,000	More than $100,000,000
	$40,618	*Percent* 31.9	*Percent* −3.0	*Percent* 66.4
Manufacturing and mining:				
Food, liquor, and tobacco	2,392	28.0	−33.5	104.5
Textiles, apparel and leather	1,685	−3.0	−38.7	47.7
Metals and metal products	5,526	70.5	−18.2	151.2
Petroleum, coal, chemicals and rubber	3,750	44.1	−16.2	138.1
All other	2,793	47.2	−7.2	119.2
Trade:				
Retail trade	4,588	33.2	3.4	33.7
Wholesale trade	2,982	24.7	−10.6	134.7
Commodity dealers	816	10.7	−18.8	20.2
Other:				
Sales finance companies	3,096	9.3	−32.5	5.9
Transportation, communication, and other public utilities	4,168	47.0	31.2	40.0
Construction	1,981	17.1	−7.7	310.0
Real estate	2,976	22.5	−24.9	19.9
Service firms	2,263	28.3	4.6	9.3
All other nonfinancial	1,606	20.4	6.0	96.1

Source: Op. cit. p. 377 (excerpts only).

The Federal Reserve survey will, I think, prove to be well justified, if it does no more than correct the misimpressions under which the Board has recently applied its credit squeeze. Certainly, previous public statements from the Reserve System indicate that the System has been under the impression that its credit policies were having no disproportionate or discriminatory effect on small business. For example, consider the following statement of Chairman Martin made before the House Small Business Committee on November 22, 1957, at which time Chairman Martin was reasoning from inadequate information about the amount of credit available to small business. Referring to his then available data, for the years 1951, 1954, and 1957, he said:

> Unfortunately, these figures are not available by size of business, but the Board's staff has made a rough breakdown of the data by corporate and noncorporate status. This breakdown shows quite similar percentage increases in debt for the corporate and noncorporate sectors over both periods. Since unincorporated businesses are typically small in size, the breakdown suggests that in recent years businesses of all size have been willing and able to expand their debt positions. (Hearings before the Select Committee on Small Business, House of Representatives, on the Problems of Small-Business Financing, 85th Cong., 1st sess., November 19 through 22, 1957, p. 322.)

BEFORE ANY SUMMIT CONFERENCE: A CONSTRUCTIVE WESTERN POLICY FOR MIDDLE EUROPE

Mr. REUSS. 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 Wisconsin?

There was no objection.

Mr. REUSS. Mr. Speaker, Secretary of State Dulles at his press conference yesterday spoke sharply of the recent Soviet use of diplomatic interchanges for propaganda purposes. These exchanges, he said, have "been debauched and prostituted into purely an organ of propaganda."

One can understand Mr. Dulles' disgust with some of the tricky and mendacious propaganda proposals the Soviet

Union has been making recently. But our response to such Soviet propaganda ought not to be simply to curse the darkness. Rather, we should light a candle. If we do, it might disclose that the free people of the Western democracies really can evolve a position for middle Europe that is better than our present absence of a policy.

Let us look at our foreign policy in Europe today.

NATO'S CRISIS OF CONFIDENCE

The NATO's alliance suffers from what Walter Lippmann calls a "crisis of confidence." This is so because the people of Western Europe now recognize that massive retaliation cannot be a complete or satisfactory answer to the question of how to deter Communist aggression. Now that the Soviets have the power to destroy Washington or New York or Chicago with thermonuclear-armed rockets, our threat to bomb Moscow in retaliation for some local aggression, in the Middle East or in Asia or even in Europe, will not be taken entirely seriously.

To constitute a real deterrent to Russian aggression, we now realize that NATO must have adequate strength on the ground, both in conventional and in limited atomic weapons. To provide for atomic defenses in Europe, the administration has proposed legislation which will permit us to share with our allies certain of our atomic secrets and weapons.

This proposal to share atomic secrets and weapons with present nonatomic powers marks a great divide in our foreign policy. Such a sharing of weapons—with 4th, 5th, 6th, and *n*th nations—has several fateful consequences.

First, to move another step away from conventional weapons increases the chance that any war at all in Europe will be a nuclear war.

Secondly, placing the atomic weapon in the hands of more countries increases the number of those who will have the capacity to trigger the atomic war we seek to avoid.

Thirdly, spreading atomic installations throughout Western Europe may induce Russia to do likewise among her satellites in Eastern Europe. And since Russia cannot trust the East Germans or the Czechs or the Poles or the Hungarians with such weapons, it means that the Red army will become an even more permanent part of the Eastern European landscape.

OVER THE GREAT DIVIDE

The proposal to share the atom bomb, therefore, must be considered not in isolation, but in the context of our entire foreign and military policy. As we rush onward over the great divide, we and our NATO allies must at least think out and place before the bar of public opinion an alternative policy for middle Europe to what we have now. We must demonstrate that while we are preparing for the worst, we shall never cease working for a policy with some hope in it.

We now have no alternative policy. The present administration sought power 6 years ago with a promise to liberate the European areas under Russian sway. The 1952 Republican platform promised to replace the Democratic "negative, futile, and immoral policy of containment" by a program which would "set up strains and stresses within the captive world." Newspaper advertisements in the foreign language press showed a uniformed General Eisenhower swearing:

> Upon my honor, before God, I will work for liberation.

In January 1953 Mr. Dulles said he would "use the Voice of America to help stir discontent and to let the Poles, Czechs and others know that they have this country's support." He talked encouragingly of airdrops to aid such peoples.

THE END OF "LIBERATION BY AIRDROP"

Then came a series of astonishing demonstrations that throughout middle Europe the people were rejecting Soviet tyranny. Despite years of Communist indoctrination, despite the use of Soviet tanks and bayonets, the captive peoples of East Berlin and Poznan and Budapest demonstrated that they would never accept despotism as their final lot. But, confronted with the very liberation which its words had encouraged, the administration did nothing but condemn the tyrant. Liberation by airdrop died in November 1956 when the last pathetic SOS call for help from Radio Free Budapest went unanswered.

No responsible leader in the West is proposing a war of liberation. That would be folly, and to promise it would be a cruel deception. But the West's rejection of the role of saber rattler does not mean that it need go to the other extreme and adopt the role of dazed and policyless bystander.

Yet today our "policy" for middle Europe appears to be simply this: Let the Russians withdraw from Eastern Germany and the other satellites to their own borders, with no prior assurance that the countries thus liberated would not arm to the teeth and become hostile. No Russian, Communist or not, who remembers the two World Wars is likely to buy such a proposal.

We cannot acquiesce forever in the plight of the millions in middle Europe who are enslaved by Soviet tyranny. They deserve more than prayers, more than fatuous expressions of sympathy.

What we need is a policy that seeks an end to their nightmare, a new order for these people whose hope for freedom in 1945 was dashed by the designs of aggressive communism. What we need is a policy which comes to grips with the realities of our divided world and which takes into account the aspirations of our European allies as well as the longings of the captive peoples. What we need is a policy which commends itself to the deep sense of justice which all peoples share.

A PROPOSAL FOR MIDDLE EUROPE

Would it not be to this country's advantage to attempt to secure the agreement of our NATO allies to a proposal for a settlement in middle Europe, as an accompaniment to an all-out effort to strengthen NATO militarily, along some such lines as the following?

First. A troop withdrawal by Russian troops to Russia's historic boundaries, and by British, French, and United States troops to the west bank of the Rhine.

Second. A guarantee by Russia and NATO of free elections in both East and West Germany. As for the other middle European states which would be freed from foreign armies, a declaration by the West that it will do all it can to achieve free elections and respect for human rights there, too.

Third. Self-imposed arms limitations by the emerging states of middle Europe, including a Germany united in freedom, as a step in a more general worldwide disarmament. Such limitations would be internationally policed, but would permit a level of defense forces so that these countries would not be a pushover for an aggressor. Prohibiting missiles and atomic weapons should be considered. As an interim measure, the use of a United Nations police force could be explored.

Fourth. Guarantees from both NATO and Russia against aggression against middle Europe. Continued voluntary alliances with East or West pursuant to these guarantees would not be precluded.

Fifth. Deemphasis on nationalism in middle Europe, in favor of regional political and economic federation. With nationalism deemphasized, a solution for such festering sores as the Oder-Neisse territory would be attainable.

THE NEED FOR INCLUSIVENESS

All of this is quite a mouthful. Certainly in most aspects of our foreign policy, and particularly arms control policy, it is not wise to talk about package solutions. Instead, a step-by-step approach is much more likely to succeed in this imperfect world. But a settlement for middle Europe has such interrelated elements, so likely to be misunderstood if stated piecemeal, and so likely to be ineffective or even dangerous if worked out on an atomized basis, that the package approach is essential, at least so far as formulating the matter is concerned.

Thinning out of troops and armaments in central Europe had better not be considered without also considering the reunification of East and West Germany by free elections. To have a free Germany and a Communist Germany facing each other, with Russian and Western troops withdrawn from their respective sides, would increase the chances of a conflict, not diminish them.

Similarly, a reunited Germany would solve little if no concurrent steps were taken to secure freedom for the satellites of Eastern Europe, and a settlement for the Oder-Neisse territorial problem. And it would be a tragedy to achieve the freeing up of Eastern Europe only to have it relapse backward into a morass of economic nationalism, excessive militarism, and political totalitarianism.

Therefore, while the achievement of the proposal may come in phases and stages, its grand design needs to be inclusive.

ADVANTAGES OF THE PROPOSAL, IF ACCEPTED

If such a proposal were made, negotiated, and carried out, its advantages for the West would be obvious. Eighty million human beings now subject to Soviet tyranny would be free to shape their own destiny. Secondly, and independently of the human beings involved, such a consummation would remove from communism an area essential to its plans for world domination.

Thirdly, by placing hundreds of miles between Russian troops and NATO troops, it would reduce what is probably the greatest single daily threat of atomic war. Now, I will be the first to concede that even the successful carrying out of the proposal will not result in a "disengagement" between East and West in the sense that all frictions and tensions will have been removed. Far from it. The main antagonisms would still persist and remain to be dealt with. But each point of hostile contact that can be removed is a net gain.

These are the advantages of the proposal. What are the disadvantages? Several have been suggested:

THE POSSIBLE DISADVANTAGES

First. It would mean the withdrawal of United States Ground and Air Forces from Europe to the United States, and hence the end of NATO. The short answer to this is that it would mean nothing of the kind. There is plenty of room for America's present four ground divisions west of the Rhine, where, indeed, it is reported they are about to be withdrawn in any event. Equally, it would involve no removal of American strategic bombing airbases. And it is hard to visualize much additional that American missile bases east of the Rhine could do over what they could do west of the Rhine. Far from withdrawing from NATO, the United States should take immediate steps to see that NATO's power does not rely exclusively on massive retaliation, but includes also enough deterrent and retaliatory forces armed with tactical atomic weapons and with conventional arms.

Second. It would permit Germany to be drawn into the Russian orbit. Here again, the proposal for a voluntarily imposed German self-limitation on armaments in no way suggests German neutrality or disorientation from the West. A reunited Germany should be encouraged to participate fully in the Coal-Steel Community, the Council of Europe, Euratom, the common market, the European Payments Union. With its energy, it should be encouraged to take the lead in a new enterprise by the have nations to help develop the have nots. Subject to the self-imposed limitations on its own armaments and on the stationing of foreign troops, a reunited Germany could continue as a member of NATO and participate in its guaranty against aggression. As for the suggestion that Germany might want to form a new Rapallo arrangement or a new Molotov-Ribbentrop pact with Russia, the new Germany's attachment to Western free ideals is the best guarantee against this happening. Indeed, there is nothing to prevent Western Germany from such an arrangement with Russia today, if it wanted it. The best additional guarantee that a desertion to Russia will not come about lies in creating a belt of independent states between Germany and Russia.

Third. It would hurt NATO's defense strategy by depriving the West of a battleground in Western Germany, and of the West German Army. With the reduction of British, French and American forces in West Germany, it is not clear how much is left of NATO's forward strategy. But in any event, acceptance of the proposal would mean that a Russian aggression would have to start, not from East Berlin or Mecklenburg or Thuringia, as at present, but from several hundred miles to the east. Here the defense forces of the liberated states could provide at least a temporary roadblock against the Russians which does not exist today.

It is by no means clear that the 12 West German divisions which now constitute its NATO ceiling would be lost to the West under the proposal. The self-defense forces of a united Germany, even with a drastic arms limitation, might well be not far from this number of divisions—not to mention the absence from the area of the 22 first-rate Soviet divisions now in East Germany.

Fourth. The Russians might break their promise, and not withdraw their troops. Secretary of States Dulles, who is fond of reiterating the sorry tale of Russian perfidy, apparently takes this view. It is true that Russia has violated pledge after pledge where it has served its purpose to do so. It is equally true that where there is present a self-enforcing provision, such as in the current Korean armistice line, the Communist agreement has been kept. Obviously, under the present proposal, if the Russians cheat on withdrawal, the West would cease its withdrawal.

Fifth. The Russians might reenter their former satellite states. True, they might, although it seems absurd for them to withdraw from where they are now comfortably ensconced, only to have to fight their way west again the hard way. If they entertain the idea of reentry, they could perhaps be discouraged by the clearest kind of statement by NATO that violation of the borders of middle Europe would be a cause for war. A further insurance against Russian reentry, whether by aggression or by subversion, would be the determination of the countries of middle Europe to resist with their national forces. In short, it is an odd argument that we should reject a proposal that the Russians go back to Russia on the ground that once they are back home, they might come charging out again.

Sixth. The Russians might turn their attentions on Asia, Africa, and the Middle East. Undoubtedly they would. But their attentions are pretty well turned in that direction as it is.

WILL RUSSIA BUY THE PROPOSAL?

If the proposal has so many advantages for the West, and is so free of boobytraps, how can we expect Russia to accept it? True, at various times Communist spokesmen have indicated a certain receptivity. On November 17, 1956, shortly after the Hungarian uprising, then Premier Bulganin offered to negotiate the European question on the basis of mutual troop withdrawals. Later, in a television interview, First Secretary Khrushchev espoused similar talk of mutual disengagement. Then there is the so-called Rapacki plan, for a nuclear-free zone in Poland, Czechoslovakia, and East and West Germany. None of this Communist talk has ever been tested by serious negotiation. All of it has been contradicted by negative talk at other times. And all of it no doubt replete with diplomatic pitfalls.

But let us assume that the chances of Russia's accepting the proposal are at present close to nil. Is it not nevertheless important that the West lay before the world, including Russia, a proposal that a reasonable and patriotic Russian, freed of megalomaniac fantasies, might adopt?

WHAT ARE RUSSIA'S LEGITIMATE INTERESTS?

Surely the proposal answers the real Russian need. It would cut down the threat of an atomic war which Russia should want no more than we. At Budapest, the satellites showed that they are ready to turn their guns east, not west. In return for getting out of the sagging satellites with some face-saving, Russia could conserve some of her strength for making the Russian people prosperous, which, being human, they wish to be. Insurance against the setting up of heavily armed and hostile states on Russia's borders could provide a real measure of military security. And economic internationalism in middle Europe would assure Russia of a trading area very much in her interest. Indeed, the proposal has such genuine advantages for Russia's legitimate interests that we need to remind ourselves that our prime object is not making things difficult for Russia but producing a peaceful world.

The making of a just proposal by the West is necessary even if we conclude that there is at the moment no chance that the Russians will accept it.

MERELY MAKING THE PROPOSAL MAY ENCOURAGE CRACKS IN THE KREMLIN WALL

We are involved in the world whether we like it or not. In earlier days, it was excusable for us not to have a policy for various important areas of the world. It is not excusable today. Whether we like it or not, our foreign policy today depends upon people—the people of the United States, who must participate in making it, and the people of the rest of the world, who are affected by it. Diplomats may decry the use of outspoken policies and programs. But the people, on both the making and the receiving end of our foreign policy, want an opportunity to be heard.

Even if it were certain that Russia would reject such a proposal, America cannot remain silent on the kind of middle Europe that we would like to see emerge from the long nightmare of communism. The responsibilities of world power require that we make known our vision of a free middle Europe. For once known, it can begin to mold events. It can give encouragement to the captive

peoples. And it can hasten the day when more reasonable men can come to power in Russia, by giving them, too, a goal.

It is worth recalling that once before in the history of middle Europe the march of communism was halted by a timely and understandable American blueprint for a future world order. In 1918 the Bolsheviks were mounting a spurious peace offensive. Woodrow Wilson's Fourteen Points, with their promise of humane and independent governments in middle Europe, did much to counteract this offensive and halt the march of communism.

A more recent example shows how we can hurt our position by failing to think through and announce a policy in advance. In World War II the allies held out for postwar Germany only the negative policy of unconditional surrender. In the words of Hanson Baldwin, this was—

> The biggest political mistake of World War II * * * it discouraged opposition to Hitler, probably lengthened the war, cost us lives, and helped to lead to the present abortive peace.

AND IT WOULD STRENGTHEN NATO, NOT WEAKEN IT

The making of such a proposal, even though it is rejected out of hand, would be useful for an additional reason. The best way of strengthening NATO is to convince our allies that we have something more in mind than simply bases for atomic missiles. Throughout NATO there is now a deep disillusion. In Great Britain, the articulate leaders of the Labor opposition—Hugh Gaitskell, Harold Wilson, Dennis Healey—are pushing vigorously for a proposal substantially like that here outlined. The Conservative government has hesitated to say yes or no to it, although many individual Tories, such as Lord St. Oswald in the House of Lords, are vigorous partisans of the proposal.

In Germany, Social Democrats like Mayor Willy Brandt of West Berlin, and independents like Wilhelm W. Schuetz, editor of Aussenpolitik, are articulate exponents of the proposal. Again, the government of Chancellor Adenauer, while clearly and correctly insisting on the reunification in freedom of the two Germanies as a condition of security arrangements, has by no means ruled out the suggestion of self-imposed troop withdrawals and arms limitations. It is difficult to conceive of any West German Government's opposing freedom for the East Germans because it refuses to consider an arms limitation that the rest of the West thinks desirable.

In Norway, Denmark, France, and elsewhere, voices for a new NATO policy are heard more and more.

NATO deserves from us leadership, not the repetition of tired policies and tired slogans.

THE SUMMIT MEETING

Mr. Speaker, this is not the first time that this proposal has been advanced by myself and by some of my colleagues on this side. On many occasions—such as on March 16, 1955, in December 1956, on March 27, 1957, on November 22, 1957, on December 12, 1957, on January 27, 1958—the ideas here discussed have been analyzed and dissected.

The proposal becomes more timely than ever because this country seems to be drawn inexorably toward a summit meeting. Now, if and when the West evolves a constructive position for middle Europe, and if and when preliminary negotiations disclose some hope of success, a summit meeting could make sense. But it does not make sense to send the President to parley at the summit when the West has no agreed position to negotiate from nor common objectives to negotiate for. Such a summit conference would almost inevitably result either in another smashing Russian propaganda victory or in dangerous concessions on our part.

I hope and pray, Mr. Speaker, that our country will take the lead in constructing a positive proposal for middle Europe, in hammering it out with our NATO allies, in obtaining their agreement to it, and then in presenting it to the Russians at whatever level seems best. If we succeed, we will have moved a little way toward peace. If we fail, the West can at least go forward on its gloomy course with its unity fortified for having tried.

REORGANIZATION PLAN FOR THE DEPARTMENT OF DEFENSE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Georgia [Mr. VINSON] is recognized for 60 minutes.

Mr. VINSON. Mr. Speaker, on April 3, 1958, the President of the United States addressed to the Congress a most significant, and at the same time a somewhat surprising, message.

In effect, the President of the United States has asked the Congress to merge the armed services into one vast organization; he has asked Congress to surrender, to one man in the Pentagon, its constitutional responsibilities to prescribe the basic roles and missions for the armed services; he has notified Congress that notwithstanding the long legislative history to the contrary, he has already directed the creation of a supreme general staff; and he has further notified Congress that he has directed the Department of Defense to prepare its budget in such a form as to reduce the Congressional control over appropriated funds for defense purposes. In addition, the President has asked that Congress concur in such overt steps that have already been taken even though such recommendations have not been enacted into law.

I do not profess to be a military leader; I do not profess to know the technical aspects of strategy and tactics, but I do know that as one Member of the House of Representatives I shall fulfill the obligations imposed upon me by the Constitution of the United States with reference to our national security.

Therefore, I cannot disregard section 8 of article I of the Constitution, even though others may choose to overlook it. I do not propose, as a Member of Congress, to surrender my responsibilities to the President of the United States, to the Secretary of Defense, or to any member of the executive branch of the Government.

Our Government is based upon the separate division of powers of three branches of Government: the legislative, the judicial, and the executive.

Space ships, satellites, and guided missiles cannot abrogate the Constitution of the United States.

Scientific advances and technological progress may frighten some people into unwise and hastily considered decisions, but I do not believe that they will stampede the House of Representatives, the Senate, or the American people.

Mr. Speaker, the deep concern which I feel with respect to the tenor and content of the President's reorganization message is not a purely private one. Nor is it limited to only one side of Capitol Hill. Within the last few days the distinguished majority whip of the Senate, the Honorable MIKE MANSFIELD, stated that as a result of the Pentagon reorganization proposal:

> The lines are now drawn in a struggle of great constitutional significance. The constitutional question is: Does the Congress intend to surrender its authority over the purse and the designation of roles and missions to a Secretary of Defense who will, in effect, be a czar?

I completely subscribe to Senator MANSFIELD's evaluation of the issue now before the Congress.

On the basis of my many years in Congress, I hopefully predict that Congress will not surrender its constitutional responsibilities to anyone.

I do not believe that the Congress will divest itself of those obligations conferred upon it by the Constitution. I do not believe that Congress will grant to someone in the Pentagon those duties and responsibilities which under the Constitution are placed upon and rest with Congress.

Mr. Speaker, with respect to the President's message, I confess that I am, even now after a week's study, puzzled by certain of its principal allegations.

One point that puzzles me is the President's vigorous criticism of the chain of command to the unified commands. This chain of command, according to the President's message, is "cumbersome and unreliable in time of peace and not usable in time of war." And yet, Mr. Speaker, what is being thus criticized in the President's message of April 3, 1958, is the very system which was established by the President in connection with the proposal and enactment of the President's Reorganization Plan No. 6 of 1953.

Among other things, the 1953 message stated that the system he proposed "will make it always possible to deal promptly with emergency or wartime situations."

There is also reason for deep concern regarding the President's statements with respect to the Joint Chiefs of Staff system. His proposals with respect to the Joint Chiefs of Staff would, if put into effect, destroy this sound, effective, and war-proven system in all but name.

This is brought about by the simple device of increasing the status of the Chairman of the Joint Chiefs of Staff and giving him control of the joint staff which would be converted into an opera-

tional staff. As a result, the Joint Chiefs of Staff would be isolated and such power and authority that they have would gravitate to the supreme high command under the direct control of the Chairman. He, the Chairman, in turn would be, for all practical purposes, a single Chief of Staff.

One of the truly great virtues of the Joint Chiefs of Staff has been the manner in which it effects a unity of planning and command. This is achieved through the system by which the members of the Joint Chiefs of Staff, who have the authority for making plans, are also the chiefs of services who, in large measure, are responsible for carrying out those plans. It is by this simple, but fundamental, device that unity of authority and responsibility is effective. It is the means by which the fatal theory of the "ivory tower" is avoided.

Therefore, Mr. Speaker, I view with grave misgivings that portion of the President's proposal which not only states that the chiefs of the military services should be able to delegate portions of their service responsibilities to their vice chiefs—which in itself is not objectionable—but coupled with that delegation is the requirement that the Secretary of Defense will, in effect, separate the Joint Chiefs of Staff from their day-to-day role as chiefs of their respective military services.

Once this is done, the Joint Chiefs of Staff system has been destroyed.

Mr. Speaker, my apprehensions concerning the emergence of a supreme national general staff are not based on empty speculation. In this matter we are clearly in an area of predictable events. It should be no surprise that the foundation for a supreme staff exists. This has been the result of two basic factors: The creation of the position of a Chairman of the Joint Chiefs of Staff and then his increasing authority over the Joint Staff.

At the time the Chairman was initially proposed, the Armed Services Committee viewed such a position with apprehension, because such a position could so readily be developed into that of a single Chief of Staff. We also recognized that the Joint Staff, because of its peculiar position in the Defense Department, could, without statutory restrictions, become a potential supreme staff. That is why there is a numerical limitation on the Joint Staff.

As a result of bringing the Joint Staff under even closer personal control of the Chairman, we come precariously close to a single Chief of Staff with his supreme national staff.

The changes announced in the President's message have brought us even closer to the actual establishment of such a Prussian-type supreme high command.

This results from discontinuance of the joint committees that bring reality to the Joint Chiefs of Staff plans, and by converting the Joint Staff into an operational staff. All that remains to complete the construction of a high command, such as Von Moltke ruled, is to give, as proposed, the Joint Chiefs of Staff Chairman more power over the Joint Staff.

The Joint Staff and its director will become in a professional sense feudal retainers dependent on pleasing the Chairman. This does not encourage the development of independent courageous thinkers. It will lead to mental compliance and subjective thinking. This is the type of system that produced the kind of German general staff officers who were so anxious to please Hitler and who were so responsible for the disaster that engulfed them and their nation.

Mr. Speaker, the concept of one-man control of the armed services is not new.

Neither is its adoption an indication of Congress. Long ago it demonstrated its inadequacy to deal with the size and complexities of modern defense problems.

The claim that the chiefs of the services are too busy with their service responsibilities to perform well as members of the Joint Chiefs of Staff is likewise not new.

This same complaint was made to Winston Churchill during World War II about the British Joint Chiefs. Churchill replied that he judged their proposals for one-man control to be misconceived in theory and unworkable in practice. The guiding principle of war direction is, Churchill said, that war plans should be formulated by those who have the power and responsibility for executing them. Under the system which he had evolved in the hard school of experience, the need for interservice planning was fully met by the Joint Chiefs of Staff and its subordinate bodies, in which those carrying out the responsibility for execution came together to make jointly the plans which they are to carry out. The establishment of a war planning directorate divorced from the service staffs responsible for action would have been vicious in principle for it would have created 2 rival bodies, 1 responsible and 1 irresponsible. Yet both nominally of equal status.

Churchill stated the very obvious, but all too-frequently forgotten fact that "Any clever person can make plans for winning a war if he has no responsibility for carrying them out."

Mr. Speaker, there is, through the President's message, a reiteration of the maintenance of civilian control over the military. However, the proposals which are contained in the message would in effect undermine, and to a large degree, abrogate the concept of executive civilian control. For example, the proposal to remove the secretary of the military departments from the military command channel would necessarily result in replacing the service Secretaries with a line of direct military control from the Joint Chiefs of Staff and the Joint Staff. Here we have a perfect example of the substitution of military control for civilian supervision.

In his message proposing Reorganization Plan No. 6 of 1953, which established the command channel which the President would now change, the President at that time stated:

> The channel of responsibility and authority to a unified command will unmistakably be from the President to the Secretary of Defense to the designated civilian secretary of a military department. This arrangement—

The President then told Congress—

> will fix responsibility along a definite channel of accountable civilian officials as intended by the National Security Act.

If that arrangement of 1953 fixed civilian responsibility along a definite channel of civilian command, then the removal of civilians from that channel must obviously lead to the aggrandizement of military control at the expense of civilian control.

Mr. Speaker, the President asks the Congress to eliminate what he calls a contradictory concept that the three military deartments can be administered separately yet directed by one administrator who is supposed to establish integrated policies and procedures and he alleges that the inclusion of the words "separately administer" in the law has "encouraged endless, fruitless arguments."

The President states further that such provisions "unavoidably abrade the unity of the Defense Department."

The President, in effect, asks that the military departments be relegated to housekeeping bureaus with the superintendent in charge of housekeeping as the head of each military department.

Thus, the message, for all practical purpbses, eliminates three civilian secretaries. By eliminating these three civilian secretaries, we would enhance the power of the Secretary of Defense to the extent that the net result is greater concentration of military control subject only to the mental and physical capabilities of one individual Secretary. If ever there was an open invitation to the concept of the man on horseback, this proposal is it.

Obviously, the Secretary of Defense cannot personally exercise such vast powers. His powers must be delegated. To whom will these powers be delegated? The answer is obvious: an increasingly powerful supreme high command, the joint staff. The Secretary will have nominal power. Actual authority will be exercised by the chairman and the super joint staff which the reorganization would actually establish. That is precisely the means by which the great German general staff controlled Germany.

Mr. Speaker, the entire philosophy of the Pentagon reorganization proposal is greater military centralization and concentration of power. This is not by any organizational standard the way to achieve efficiency in a large scale organization. The key to efficiency is responsible decentralization. This is particularly true of an organization as large as the Department of Defense.

One of the most logical and persuasive explanations of the need for decentralization is found in President Eisenhower's message to Congress in connection with Reorganization Plan No. 6 of 1953, in which he stated:

> In an organization the size of the Department of Defense, true effectiveness with economy can be attained only by decentralization of operations under flexible and effective direction and control from the center. I am impressed with the determination of

the Secretary of Defense to administer the Department on this basis and to look to the Secretaries of the three military departments as his principal agents for the management and direction of the entire defense enterprise.

I commend that persuasive statement to the House in connection with the present organization framework of the Department of Defense which is now subjected to such severe criticism.

The President has stated that the legislation he will propose to the Congress will provide the Joint Chiefs of Staff with "professional military assistance required for efficient strategic planning and operational control."

The actual result of the President's proposal is a supreme Prussian-type general staff.

The concept of this staff system is unilateral thinking at all costs. There can be no room for discussion, no room for debate, no room for service advocacy, no room for split papers. From this system will come complete merger, and undoubtedly an ability to fight a war based upon a single concept.

The Secretary of Defense, in the future, will have presented to him not a choice of decisions but only unilateral decisions. The Congress will be told by the military leaders of the future one philosophy of warfare and then will be asked to rubber-stamp it with an appropriation.

Mr. Speaker, if that one-sided thinking is wrong; if the decisions of that superstaff and its single Chief based upon a single concept are incorrect; if the decisions for the Congress and the Secretary of Defense to make are narrowed to a "yes" or "no" on a single viewpoint, and that decision is wrong, this Nation, and Christian civilization, will die.

That is my fear, my concern, my worry with respect to the "ivory tower" operational staff that is proposed to be established to direct these unified commands. For those who doubt the disaster that can befall a nation which, with false confidence, adopts a single concept of war, let them look at the Maginot Line and the defeat of France.

Mr. Speaker, I cannot but conclude that the President has been misadvised as to the significance of the provision that the military departments shall be separately administered by their respective Secretaries under the direction, authority, and control of the Secretary of Defense.

This matter of whether or not the power of the Secretary of Defense is impaired by the provision that the military departments should be "separately administered" has been the subject of searching legal review and opinion. That opinion stated:

The argument that the words "separately administered" detract from the "direction, authority, and control" of the Secretary of Defense is without substance on its face and obviously is contrary to Congressional intent.

"Separately administered" simply means that the Secretary of Defense cannot exercise his supreme power so as to destroy the separate entities of the three military departments or deny them the right to operate in the spheres assigned to them by law or to deprive their separate Secretaries of their top administrative positions over their respective departments.

The opinion with respect to this matter concludes that—

There are no separately administered preserves in the Department of Defense.

This opinion was signed by H. Struve Hensel, Counsel of the Committee on Defense Department Organization; Roger Kent, General Counsel, Department of Defense; and Frank X. Brown, Assistant General Counsel, Department of Defense, and was promulgated under the letterhead of the Office of the Secretary of Defense, March 27, 1953.

Thus, the proposal to eliminate the statutory status of the military Secretaries cannot be justified on the grounds that their separate administration of their departments is an impairment of the authority of the Secretary of Defense. In fact, the provision that the military departments should be "separately administered" by their respective Secretaries, subject to the authority, direction, and control of the Secretary of Defense, has as a basic purpose the fixing of a definite channel of control by which the Secretary of Defense exercises his authority, direction, and control over and into the military departments. The fact that this power of the Secretary of Defense is exercised, in turn, through the Secretaries of the military departments in no way detracts from the power of the Secretary of Defense himself.

Mr. Speaker, the President of the United States has directed the Secretary of Defense to eliminate the executive agency system under which our unified commands now operate. He has so stated in his message:

Accordingly, I have directed the Secretary of Defense to discontinue the use of military departments as executive agents for unified commands.

But thereafter, the President says:

To facilitate this effort I ask Congressional cooperation. I request repeal of any statutory authority which vests responsibilities for military operations in any official other than the Secretary of Defense.

In other words, the President says I have now placed myself in a strange position. That is, I have eliminated the military Secretaries and the military chiefs of staff from operational control and I ask you to legalize my actions.

But beyond that, the President has also stated:

I have directed the Secretary of Defense to discontinue the Joint Staff Committee system and to strengthen the Joint Staff by adding an integrated operations division.

And then the President says:

I ask the Congress to assist in this effort by raising or removing the statutory limit on the size of the Joint Staff.

In other words, the President of the United States intends to create, or is in the process of creating, an operating general staff in the Joint Staff notwithstanding the fact that the one great fear of the Congress is that a single Chief of Staff might one day be created and that we might thus resort to the Prussian staff system.

I certainly question the wisdom of such a move before the Congress has had an opportunity to express its views on this subject.

Mr. Speaker, the message from the President emphasizes over and over again the importance of centralized control.

A very significant part of the President's message is that part which deals with the appropriation of funds to the military services. Here the President has stated that he regards it as fundamental that the Secretary as civilian head of the Department of Defense "should have clear flexibility in money matters, both among and within the military departments."

He asked that hereafter the Congress make appropriations to the Department of Defense so as to provide the Secretary of Defense "adequate authority and flexibility to discharge his heavy responsibilities."

Mr. Speaker, I know of no concept more dangerous to the security of the United States than that which the President recommends in his message with respect to the appropriation of funds. No Secretary of Defense has the ability, the knowledge, the clairvoyance, the time, the strength, and the wisdom to assume the operational control of the entire Military Establishment. Today he has three military secretaries to assist him in this tremendous undertaking. Today we appropriate funds to the three military departments, but the Secretary of Defense has all of the authority necessary to control the expenditure of those funds once they have been appropriated.

But, Mr. Speaker, I do not intend to be a party to any statute, system, or device which seeks to give the Secretary of Defense complete control over the original appropriation of funds as well as their ultimate disposition.

I am convinced that the collective wisdom of the Congress of the United States supersedes the collective wisdom of the Secretary of Defense.

Now, Mr. Speaker, the Constitution provides that the Congress will make rules and regulations for the Armed Forces and will provide for an Army and a Navy.

It does not provide that a nonelected official will make these decisions for the American people.

I have seen too many instances in my 43 years in the Congress where the people have been right and the executive branch has been wrong. I have seen the Congress appropriate funds for a specific purpose, only to have that purpose thwarted by the executive branch of the Government. I have seen the Congress demand an enlarged Air Force against the will of the executive branch of the Government. And it may well be that expansion of our Air Force in those critical times may have been a major deterring factor to a third world war. I do not propose to subscribe to any system which contemplates that one individual will possess all of the powers now vested in the Congress of the United States.

I wish to make it clear that I am not casting any aspersions on the present Secretary of Defense or any individual.

But laws are written for all men, not one man. The good intentions of one

Secretary and one President does not guarantee the same intent in future Secretaries, or future Presidents.

Mr. Speaker, the President claims that there is confusion and controversy over the introduction of new weapons into our Armed Forces and over the current applicability of law into the established roles and missions. Certainly if the Secretary of Defense and the President of the United States cannot eliminate this alleged confusion under existing law, isn't it an indication of administrative weakness that will not be rectified by the granting of complete authority and control to one man? The advocates of merger and the Prussian staff system will continue to whittle away at the service traditions and pride on the nebulous claim of efficiency and savings so long as they cannot accomplish all that they seek. The only method of testing their contention would be to fight another world war. But, fortunately for those of us who oppose merger and a general staff system, we have history and success as the proof of our convictions.

The proponents of a national general staff can draw only on a record of lost wars and national disaster as their precedent.

Are we to jeopardize national security on the concept of centralized efficiency without regard to the end result? I think not. If there is confusion in the Department of Defense today it would indicate that those charged with the responsibility for overseeing the Department of Defense have been remiss in their duties.

If there are interservice rivalries which are seriously affecting our national security then certainly the witnesses who appeared before the Armed Services Committee from the Department of Defense could not identify those rivalries. I certainly do not believe that any witness who appeared before our Committee attempted to conceal any information, so I must conclude that the harmful rivalries so often referred to in the press are assumptions without fact.

Certainly we have interservice competition and it is a fortunate thing for the American public that we do, and certainly each Service desires the funds necessary to fulfill their important missions in our national security and it is a fortunate thing that such is the case.

And we have a Congress of the United States who separates these requests and bases its judgment on the testimony from all who are interested parties. Certainly this is a far better system than placing this fantastic responsibility in the hands of one non-elected individual.

Mr. Speaker, we must approach the reorganization plan for the Department of Defense from the viewpoint of reaching decisions vital to our future existence as a free nation.

We must not be carried away with catch words and phrases of efficiency and savings which have been the theme song since 1947. We must not trap ourselves by adopting a single war concept, for the enemy might not resort to the same concept. We must consider these hearings as the most important that will be conducted during this Congress, and possibly for many Congresses to come. We must not let any prejudice enter into our considerations for we have the same objective as the President of the United States—we are all seeking greater efficiency. But we must not be carried away with the idea that we can rise by falling, or that we can cure the illness of inefficiency by aggravating the disease.

Mr. Speaker, the President's message makes it clear that the Pentagon does not like the Congressional prescription of the roles and missions of the services. It is clear that the Pentagon intends that the constitutional function of the Congress, to prescribe basic roles and missions, be exercised wholly within the Pentagon completely free of Congressional restraint.

The President's message to the Congress alleges that the Defense Secretary's authority must be freed of legal restrictions over basic roles and missions. It is stated that various provisions of this kind becloud his authority. The message asks that needless and injurious restraints on the authority of the Secretary of Defense be removed. It calls attention "to the need for removing doubts concerning the Secretary's authority to transfer, reassign, abolish or consolidate functions of the Department."

Mr. Speaker, I am not at all convinced that any change is necessary in basic roles and missions. I do not believe that the Congress, when it enacted the National Security Act of 1947 ignored the potential of the atomic weapon or was oblivious to the implications of future success in achieving an affinity between the bomb and the ballistic missile. These facts were fully known to us at the time and their impact on the present era was predicted with whatever degree of circumstantial accuracy is possible with respect to an event due to occur years hence.

As was anticipated, the advent of the missile in the hands of our field forces is the single major event which has occurred. The jurisdictional problem which arose was dealt with by the Secretary of Defense acting within the scope of authority granted him in the National Security Act of 1947, as amended. In settling the issue he obviously did not find himself dealing with a matter which was "frozen in legislation" as the Rockefeller report phrases it. Instead he found a broad and flexible legislative delineation between the sphere of the Army and the Air Force which provided him with both the authority and precedent requisite to reach a decision.

Under the Constitution of the United States, the Congress must reserve to itself the power to prescribe the basic roles and missions of the Armed Forces. It will do so in whatever detail appears in its judgment to be necessary to enforce its will. It may be a general assignment of an obvious function as in the case of the Army, a more exact assignment to insure specific composition and capabilities as in the case of the Navy, or it may be the detailed recital as in the case of the Marine Corps which procedure Congress found necessary as a safeguard against the incursions of the larger services.

Congress has not told the Army to fight a war on the land. Congress has not told the Navy to fight a war on the sea. Congress has not told the Air Force to fight a war in the air. It has told these services to provide the forces and means for conducting warfare in these three media with the minimum of duplication. Congress did so in the belief that our ability to control the air, the land, and the sea intervening between us and the enemy offers the most reasonable guarantee of protection.

The Rockefeller report is wrong. Congress did not enjoin the services to fight independently three separate wars, one on land, one at sea, and one in the sky. It told them instead to develop "an efficient team of land, naval and air forces."

Now let us see just what are these service roles and missions that Congress has prescribed which are alleged to be so restrictive, so injurious, or so needless.

First, let us consider the Army. The Army's role is contained in that part of the law which says that the Army "shall be organized, trained, and equipped primarily for prompt and sustained combat incident to operations on land."

It seems unlikely that any will claim that now or in the future there will never be a requirement for "combat incident to operations on land." Certainly the forces for this purpose must be appropriately organized, trained and equipped. Is it injurious, or restrictive to the authority of the Secretary of Defense for Congress to so state?

Let us consider the Air Force, whose role is contained in the statement that the Air Force "shall be organized, trained, and equipped primarily for prompt and sustained offensive and defensive air operations."

Certainly no one denies that now, or for well into the future, we must have forces organized, trained, and equipped for this purpose. Is it injurious or restrictive to the authority of the Secretary of Defense for Congress to so state?

Let us consider the role of the Navy, which is contained in the law which states that the Navy "shall be organized, trained, and equipped primarily for prompt and sustained combat incident to operations at sea."

Congress further made specific provision that the Navy organization shall include naval aviation. Let me say that only if it is intended to completely or partially destroy naval aviation can it be said that the Secretary suffers from a restriction in regard to the role of the Navy.

Finally, let us consider the role of the Marine Corps, contained in the statement that the Marine Corps "shall be organized, trained, and equipped to provide fleet marine forces of combined arms together with supporting air components, for service with the fleet in the seizure and defense of advanced naval bases, and for the conduct of such land operations as may be essential to the prosecution of a naval campaign."

Further, Congress made a specific, more detailed recital of the required composition and capabilities of the Marine Corps. This, Congress specifically

did because we were concerned that without such specific provisions the Marine Corps which has never faltered before an enemy in battle, would soon be quietly but completely destroyed in some obscure corner of the Pentagon.

To whom is this protection of the Marine Corps injurious?

Let me say that unless it is intended to destroy the Marine Corps, there is no restriction here.

In what way is there any beclouding of the authority of the Secretary? Can it be logically claimed that the provisions of the law which pointedly, clearly, and explicitly forbid the Pentagon to alter roles and missions are cloudy in word or intent? Hardly, for it seems that the very clarity of expression of Congressional intent gives rise to the allegation. It is very clear what the Pentagon cannot do.

What is in fact beclouded, is the intention of those who would deny Congress its power to prescribe roles and missions in whatever detail Congress judges is necessary to enforce its will.

Mr. Speaker, in 1949 the Pentagon, in effect, informed the Armed Services Committee that these provisions were no longer needed. At the same time, naval aviation and the Marine Corps were being whittled away by the Pentagon. In the proposed 1949 amendments, the Pentagon sought the power to effect "consolidations" and "transfers" in service roles. We were assured by the Chief of the Army General Staff, General Bradley, that there would be no more amphibious operations for the Marines and naval aviation.

As a consequence of these displays of Pentagon intent, Congress wrote into the law specific provisions to prevent their occurence. Within a year an amphibious landing at Inchon by Marines, supported by naval aviation, turned impending defeat into victory for the United States in the first phase of the war in Korea.

Mr. Speaker, in the face of these facts of most recent history, can anyone really believe that our national defense has suffered because Congress wrote a law forbidding the overt or piecemeal destruction of the Marine Corps and naval aviation? If that is a restriction that jeopardizes national security, the Armed Services Committee must require the Pentagon to produce detailed evidence to prove its allegation.

Also, let those who wish to eliminate the law protecting the Marine Corps come forward and tell us just what they would do if we were to lift these "restrictions" they say again are injurious and needless.

If the case can be made that the Armed Forces are suffering, that there does exist an injury from the presently stated roles and missions, Congress will certainly act to redress the injury. But let it be clearly understood that not only is the Marine Corps and naval aviation in jeopardy. If the proposed powers of the Secretary of Defense are granted, it will mean the inevitable federalization of the National Guard.

It will only be a relatively short time before the authority of the Governors of the States over the National Guard will cease and the Guard will be at the mercy of the supreme staff in the Pentagon.

Thus, this is but an example of the far-reaching implications of the removal of legal restraints on the Pentagon. In this measure it has not only a military significance, but strikes at the very foundation of our Federal-State relationships with reference to the National Guard.

Mr. Speaker, there has been ample evidence that roles and missions are not the culprit.

The culprit has been the resistance of some in the military services to the authority of the Secretary of Defense when, in accordance with roles and missions, he made specific assignments of certain weapons. To remove roles and missions from the law would not cure this. It would invite more of the same by removing from him the sound basis of the law on which his decision rested.

The Secretary of Defense has complete authority and flexibility in assigning military duties, or functions, to the services in accordance with the role prescribed by Congress. He has been doing it for years in what is termed the "functions paper." He has revised this document on several occasions. He can revise it again at any time he determines that new weapons or techniques require this action. He has no restrictions in these administrative determinations except those that are self-imposed.

Throughout the history of the Unification Act there has been evidence that the proponents of a supreme general staff have resisted and opposed the exercise by Congress of its constitutional functions. This resistance has been most pointed as to the Congressional determinaton of the fundamental character of the Nation's Armed Forces. This resistance cannot be used as the means for nullification of the Congressional mandate.

Mr. Speaker, I find myself in disagreement with many portions of the President's message. But disagreement on forthright issues is not unhealthy to our system of government. The Constitution provides a time-tested manner for properly resolving such differences of opinion. And, I am confident, the Congress will so resolve this issue.

But I do feel, Mr. Speaker, a deep sense of regret, as chairman of the Armed Services Committee, over one aspect of the President's recent message. In reading the message, I discerned in it a readiness to blame existing law, and the Congress that passed it, for the shortcomings and confusion we are told exist in our Defense Establishment.

I do not contend that any law is perfect, nor that Congress is above criticism.

But I failed to discover in any instance in the message a recognition that it is possible that even a few of our defense deficiencies are the result of a failure of leadership and direction on the part of the appointed officials in the Pentagon.

I found no recognition, Mr. Speaker, of the fact that the chain of command from the Secretary of Defense, through the Service Secretaries to the unified commands which system is so vigorously criticized by the President in his message of April 3, 1958, was established by President Eisenhower in 1953.

I find no recognition of the fact that the executive agency system of supporting unified commands, which system has long demonstrated its logic and efficiency, and which the President condemns and has discontinued, was reaffirmed, strengthened, and specifically continued by the President in 1953.

Nor do I discern in the President's recent message the words and spirit of mutual understanding and desire to cooperate that so nobly characterized his defense reorganization message in 1953.

In that message, President Eisenhower said:

> The Congress is a full partner in actions to strengthen our Military Establishment. Jointly we must carry forward a sound program to keep America strong. The Congress and the President, acting in their proper spheres, must perform their duties to the American people in support of our highest traditions.

I am sure that we can today subscribe to those 1953 thoughts of the President. I am confident that Congress will act as a full partner in the strengthening of the Defense Establishment. I am also sure that the Congress, acting in its proper sphere, will be cooperative, but in the performance of its constitutional obligations, it will fulfill those obligations in the manner intended by the Constitution, and not by an unconstitutional abrogation of those responsibilities.

Mr. Speaker, I certainly do not hold that there is no room for improvement in the Department of Defense. No organization that is the product of the effort and of the mind of man is perfect. I do believe that the Department of Defense organization is essentially sound. On the other hand, there are refinements that should be made to further increase the effectiveness of its organization. To achieve such an objective it has been my honor to join with the distinguished gentleman from Texas [Mr. KILDAY], and with the ranking minority member of the committee, the distinguished gentleman from Illinois [Mr. ARENDS], in the introduction of a bill to reorganize the Department of Defense.

It is my conviction that this bill will build more efficiency into an already successful organization.

I am not impressed by those who loudly demand the drastic and disruptive overhaul of our military structure.

After all, this country won the last great global war. We were not defeated. Ours is not an Army, Navy, Air Force, and Marine Corps lying beaten in the ashes of defeat. Our armed services are not professionally bankrupt, possessing only discredited doctrine, defeated leadership and destroyed morale. We are not confronted by the one unenviable task of recreating out of the shambles of defeat and despair a new and untried military force. Fortunately, ours is a victorious, war-proven, dedicated, and able military force.

Therefore, the job as I see it is to improve the existing defense organization. The bill we introduced was written for that purpose.

Briefly, I would like to review certain essential provisions of that bill.

First, it strengthens the Joint Chiefs of Staff. It does this in two respects. It enables the Chief of Staff of the Army and the Air Force, and the Commandant of the Marine Corps, to delegate to their vice chiefs, if they care to do so, some of the detailed administrative work of their respective services. This, I wish to emphasize, is an optional delegation of authority. It is not mandatory. Furthermore, there is nothing in this bill that will force the service chiefs, after making such delegation as they think appropriate, to sever themselves for practical purposes from their role as chief of a service.

Thus, the present Joint Chiefs of Staff system is strengthened, and preserved, by our bill. This, incidentally, is the same authority we gave the Chief of Naval Operations several years ago. It has created a degree of efficiency in the high command of the Navy that is a reassuring change from the confused situation that previously existed when authority and responsibility were divided between a Commander in Chief, United States Fleet, and a Chief of Naval Operations.

There is one aspect of Joint Chiefs responsibility which does require clarification and that is with respect to unified command matters. Our World War II Joint Chiefs of Staff devised the unified command system for securing effective unity of action in the field. This American solution to a perplexing command problem proved highly successful and today forms the basis for conducting our military operations. The National Security Act does not spell out the relationship of the chiefs respecting such commands in any detail and there have been occasional misunderstandings as to just what this relationship is.

The proposed amendment to the Security Act provides that the joint chiefs, subject, of course, to the authority of the President and the Secretary of Defense, shall have authority as to the delineation of strategic boundaries between such commands, coordination between them, and assignment and withdrawal of forces.

This, we wish to reemphasize, will be carried out subject to the authority of the Secretary of Defense and the President for we must always keep in view the principle that military authority must never be exercised independent of civilian control.

Next, is the important provision pertaining to improving the organization and functioning of the National Security Council.

It is our conviction that the National Security Council has not had the full benefit of the advice and experience of the Secretaries of the Army, Navy, and Air Force. The Secretaries of the military departments presently attend the meetings of the Council infrequently and on a haphazard basis. Therefore, we have proposed a necessary amendment to the National Security Act to make the Secretaries of the Army, Navy, and Air Force permanent members of the National Security Council. This action will broaden the advice, judgment, and information available to the Council. It will also broaden the experience and knowledge of the service Secretaries and enhance their prestige.

We consider the provisions of our bill pertaining to restraining and reducing the administrative overhead in the Department of Defense as extremely important and necessary. These provisions will reduce by 14 the number of assistant secretaries in the Department of Defense and the military departments. This will streamline administration and expedite decisions by reducing the number of minor officials who now wield a veto without sharing in the consequences of delay and inaction.

There is no doubt but that the administrative overhead of the Department of Defense has mushroomed far beyond the limits intended at the time the Department was established by law.

We are convinced that bureaucratic expansion cannot be retarded or reversed by legislative intent, pleas, or admonition. The time has come for definite action in reducing the administrative overhead of the Department of Defense.

In addition to the reduction in the number of secretaries, there will be under our proposal a reduction of 1,800 in the number of civilian employees in the Office of the Secretary of Defense. This reduction of 75 percent of the civilian employees should have a discernable and salutory effect from the standpoint of streamlining, expediting, and clarifying the functioning of the Department.

Also, it will result in at least partial elimination of the many areas in which the Office of the Secretary of Defense duplicates the functions of the three military departments. A proportionate, and perhaps greater, reduction should be made in the number of military personnel assigned to the Office of the Secretary of Defense.

Another important provision pertains to the functions of the Comptroller of the Department of Defense.

Throughout the defense posture hearings I was impressed by the extent to which national defense has been warped and distorted by fiscal considerations. Budgetary practices, fiscal policies, and procedures have to a surprising degree preempted military considerations in determining and carrying out our military programs.

We cannot defend ourselves successfully with a sword in one hand and a cash register in the other. Money appropriated by the Congress for national defense must not be arbitrarily withheld. Fiscal advisers must not be permitted to control the military aspects of military programs. Fiscal administrators must not engage in the field of military operations by championing their judgment against that of the professional officers appointed for the purpose.

It is difficult for the legislative branch to intervene effectively to prevent such practices, but we have proposed an amendment to title IV of the National Security Act which we believe will have the effect of confining the Comptroller solely to the useful and productive tasks which Congress has specified that he perform.

The Comptroller's function—the management of funds—is one that provides an excellent example of bureaucratic growth. I believe, as does every Member of this House, in the proper supervision of funds by the military or any other department of Government. But this can be carried to extreme, and that extreme was reached some time ago in the Comptroller functions within the Department of Defense.

I am convinced that we must stop concentrating power in the Pentagon, for power and authority is the meat on which bureaucracy feeds and grows.

Not only will our bill prohibit the Comptroller of the Department of Defense from vetoing or altering military decisions or programs, but by restricting him to proper financial functions, the bill should have the helpful effect of at least slowing the growth of this portion of the bureaucracy within the Department of Defense.

Mr. Speaker, I would not have imposed upon the time of the House if I did not feel the greatest concern and apprehension, not only for our national security in a military sense, but also for the threat that has been posed to the responsibilities of Congress as derived from the Constitution.

I believe that our Nation can be militarily strong without being militaristic.

I believe that we can have military proficiency without militant Prussianism.

I believe that Congress is just as capable today as it has been in the past to play its constitutional role in helping make our Nation strong.

I believe that in our form of government, the Executive can have adequate freedom of action in military matters without necessitating an abdication by Congress of its responsibilities.

For these reasons we commend to your attention and consideration our bill which it has been my honor to sponsor jointly with Messrs. KILDAY and ARENDS.

Our objective is improved national security.

Our objective is greater efficiency in our Military Establishment.

Our objective is the preservation of constitutional government.

Our objective is national survival.

We believe our bill will accomplish these objectives.

AMERICAN MERCHANT MARINE: CONTRIBUTIONS OF DELTA LINE TO THE WAR EFFORT DURING WORLD WAR II AND THE KOREAN CONFLICT

Mr. BONNER. 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 North Carolina?

There was no objection.

Mr. BONNER. Mr. Speaker, the Merchant Marine Act of 1936, which provides the blueprint for the operations of our American merchant marine, states that it is necessary for the national defense as well as for the development of foreign and domestic commerce.

It is indeed unfortunate that the vital need for secrecy precludes the possibility of letting the people know of the heroic service rendered by the merchant marine during wartime. The part played by our ships and the skilled men required to run them, both afloat and ashore, is illustrated by the experience of one of the smaller subsidized lines with headquarters in New Orleans.

In this connection, I include the following article on the war record of the Delta Line:

CONTRIBUTIONS OF DELTA LINE TO THE WAR EFFORT DURING WORLD WAR II AND THE KOREAN CONFLICT

PREWAR

The Mississippi Shipping Company, Inc. (Delta Line), founded in 1919 by a group of New Orleans businessmen, has long been recognized as an outstanding carrier in the United States Gulf-South American trade, maintaining regular services between United States Gulf ports and ports of Brazil, Uruguay, and Argentina. Because of the large tonnages of coffee handled, the company is often referred to as the "Coffee Fleet." Prior to World War II, the Delta Line operated nine Hog Island-type steamers, of which four had been converted for passenger service. In late 1938, under the terms of an agreement made possible by the Merchant Marine Act of 1936, the company contracted for six large new combination cargo-passenger vessels to replace the older vesels. Three of these vessels were delivered in 1940; the SS. *Delbrasil*, SS. *Delorleans*, and SS. *Deltargentino*. They proved to be highly efficient and popular.

World War II began in Europe in the summer of 1939, and by the end of 1940 virtually all European-flag ships had been withdrawn from the trades in the South Atlantic. In early 1941, the Goverment requisitioned the *Delorleans* and the *Deltargentino* for services as military transports, and, further, requisitioned the three yet undelivered combination vessels for defense purposes. The steamship *Deltargentino* became the United States Army Transport *J. W. McAndrew*, and was immediately placed in service by the Army Transportation Corps in transporting troops and supplies to the Panama Canal as a defense measure. Manned largely by former Delta Line officer personnel, this vessel was later to distinguish itself, as a troop carrier during the war, transporting the first American troops to Australia and New Caledonia, in early 1942. Later, this vessel was to take part in many landings, including the north African invasion. Similar service was performed for the Navy by the steamship *Delorleans*, which became the U. S. S. *Crescent City*, and the steamship *Deluruguay*, which became the U. S. S. *Monrovia*. Many Delta Line officers, commissioned naval reserve officers, followed these vessels to active duty with the United States Navy, providing a practical, hard-core nucleus for the manning of these vessels.

WARTIME OPERATIONS

Under the War Powers Act, enacted in early 1941, the War Shipping Administration was delegated the authority to operate all American-flag shipping for war purposes, and all of the vessels of the company soon were placed under Government control.

In early 1942, three of the company's older vessels, steamship *Delplata*, steamship *Delvalle*, and steamship *Delmundo* were lost due to enemy submarine action in the Caribbean. In May 1942, the steamship *Delbrasil*, then operated by Delta Line for the War Shipping Administration, transported the first contingent of marines from New Orleans to New Zealand, which became the staging area for the reconquest of the Solomon Islands. Still operated by Delta Line, the *Delbrasil* subsequently took part in the Guadalcanal campaign. Later, this vessel was formally requisitioned by the Navy and became an attack transport, the U. S. S. *George F. Elliott*.

Under the emergency shipbuilding program large numbers of new vessels were being built and turned over to American steamship lines for operation. As general agents for the War Shipping Administration, Delta Line manned and operated a total of 58 vessels during the war years, and completed over 500 voyages under wartime conditions. A total of eight vessels were lost, due to enemy action, resulting in the loss of 81 lives, not including naval armed guard personnel. It is a tribute to the high standards of Delta Line shipboard personnel that the number of vessels under company control was increased from a peacetime fleet of nine vessels to a maximum of 58 without difficulty. Acknowledgment of these efforts was included in the annual report for the year 1942, which read as follows:

"Our officers and directors are justly proud of the young men and women who have during the year taken their places in the Armed Forces, fighting for a better day and in defense of the principles which make possible this and other free enterprises. They are entitled to our admiration for their faith and courage. Our daily reports have to do with another class of men who display no lesser heroism in going to sea in our ships. Casualties of these men have already run into the thousands. There is no glory of battle for these men—only grim endurance, nerve-racking suspense, and sudden catastrophe. We wish to offer our measure of appreciation of the heroism of all these and express our hope for their preservation and safe return."

In addition to the freight vessels operated for the War Shipping Administration, the company operated four converted C-2 troop ships in the Pacific theater, under orders of the United States Navy. The vessels were the SS. *Typhoon*, SS. *Meteor*, SS. *Dashing Wave*, and the SS. *Young America;* each had a complement of 85 merchant marine officers and men, 145 naval officers and ratings, nine marines, and transported approximately 2,000 troops. These vessels were operated by Delta Line for the WSA, under United States Navy charter, carrying marines, Army troops, and Navy Seabees. This was truly one of the initial efforts to unify the services. These ships took part in many of the South Pacific landings under the same conditions as commissioned attack transports. The transport *Young America* received a commendation for the part this vessel played in the invasion at Leyte. Similar commendations were received by the personnel of other vessels operated by Delta Line in the European and Pacific theaters.

Vessels operated by Delta Line took active part in such major campaigns as the marine landing at Guadalcanal, the North African invasion, New Guinea, the Philippines, the Normandy invasion, as well as services on the suicidal run around the North Cape to Murmansk, Russia.

LOUISIANA SHIPYARDS

The Delta Line assisted materially in the organization of the Louisiana Shipyards, Inc., which company obtained a contract from the United States Maritime Commission for the construction of facilities at the port of New Orleans for building emergency cargo vessels. Delta Line underwrote practically the entire capital stock of this shipyard, thus, materially aiding the war effort. Under an agreement between the Delta Shipbuilding Co., Inc., and the Louisiana Shipyards, Inc. (approved by the United States Maritime Commission), a total of 188 Liberty ships were delivered between 1941 and 1945. Many of these vessels were allocated to Delta Line for operation under the WSA.

KOREAN WAR

During the Korean conflict, Delta Line operated a total of five vessels for the United States Maritime Administration, and the Military Sea Transportation Service, completing a total of 27 voyages between 1950 and 1952 without a single casualty. The vessels employed were the steamship *Del Alba*, and four chartered Victory ships.

CONCLUSION

It should be recalled that, under the terms of the Merchant Marine Act, 1936, the vessels of a subsidized operator, such as Delta Line, may be requisitioned by the Government, during any period of emergency, at cost less accrued depreciation. All of the company's ships requisitioned during the war were paid for on that basis. Furthermore, Delta Line placed its entire organization at the service of the United States Government. The transition from peacetime commercial shipping to wartime operations was smoothly accomplished. Today, Delta Line is planning a fleet replacement program which will not only assure American exporters and importers of access to world markets, but will also provide excellent ships for defense purposes. The ships and men of Delta Line will be ready should another emergency arise.

OUR SECURITY LIES IN MORAL AND SPIRITUAL PRINCIPLES

The SPEAKER pro tempore (Mr. WIER). Under previous order of the House, the gentleman from Pennsylvania [Mr. SAYLOR] is recognized for 30 minutes.

Mr. SAYLOR. Mr. Speaker, now that our satellites are in orbit—and at a height greater than that attained by either of the Russian moonlets—one might presume that this technological achievement would help dispel the feeling of gloom and uneasiness brought into sharp focus by the launching of the first Soviet sputnik.

But, apparently, such is not the case. Why?

Principally, I believe, because somehow our feet have strayed from the paths blazed by the founders of our Republic. Theirs was the then unique conception that a nation would surely prosper if its roots were firmly imbedded in the eternal moral values and if it, accordingly, extended the blessings of equality of opportunity and treatment to all its citizens.

Our dedication to that fundamental belief attracted to our youthful Nation millions of immigrants, rich and poor, privileged and underprivileged, and America quickly grew to sturdy giant-hood.

Somehow, however, we seem to have made the tragic mistake of attributing our phenomenal rise to world leadership to material things and have, in the process, transferred to things material our hopes for the present and the future.

In the past 2 decades we built the world's most powerful Navy, and the largest Air Force, the first A-bomb, and shortly thereafter the even mightier H-bomb, while simultaneously expanding the world's largest productive capacity in consumer goods.

But have any—or all—of these material accomplishments brought us the security and the peace of mind we at first believed we would find in them?

Obviously not. Nor will satellites. Nor nuclear submarines. Nor rockets

capable of hitting the moon. This is not to say that material armament is unnecessary. But, Mr. Speaker, I do say that it, alone, is not enough to preserve our freedom.

Mr. Speaker, with all my heart and all my mind I believe that this Nation will not again know tranquillity, serenity, or real security until it once more recognizes that its basic strength lies in the practice of those moral and spiritual principles that made it great.

We must recapture the faith of our forefathers, such as Washington, Jefferson, and Lincoln, each of whom fervently believed that material progress is the fruit of freedom, rather than the reverse being true.

They believed that material progress is the effect, rather than the cause.

We must, it seems to me, reaffirm our respect for the sanctity of our moral obligations and for the integrity of our pledged word. Permit me, please, a specific example of the extent to which respect for our obligations has deteriorated:

When Louisiana was purchased from Napoleon in 1803, this was the language of article III of the treaty of cession:

> The inhabitants of the ceded territory shall be incorporated in the union of the United States and admitted as soon as possible * * * to the enjoyment of all the rights, advantages, and immunities of citizens of the United States; and in the meantime they shall be protected in the free enjoyment of their liberty, property and the religion which they profess.

Statesmen and constitutional lawyers of that day recognized this language to be an unequivocal pledge of early statehood and the record of Congressional debates in the years that followed clearly reveals that this interpretation was not seriously challenged.

In fact, the bitter Congressional debate that Jefferson's purchase touched off stemmed mainly from the broadly accepted interpretation that article III of the treaty was a pledge of early statehood.

And, principally because that article was so interpreted, Louisiana did become a State in 1811, only 8 years following ratification of the treaty of cession.

Such, Mr. Speaker, was the veneration of our early Congressional predecessors for their country's obligation as expressed in the treaty which brought about the Louisiana Purchase.

In 1867 our Nation was party to another treaty of cession—this time with Russia—and we thereby acquired Alaska. If my colleagues will refer to the report which accompanied H. R. 7999 which provides for the admission of the State of Alaska into the Union, they will find on pages 84–87 the full text of that treaty.

It will then become readily evident that when this Alaska treaty was drafted our State Department took the substance of article III from the Louisiana Purchase agreement and incorporated it almost verbatim into the treaty of cession for Alaska. Here is the significant language of article III of the Alaska treaty:

> The inhabitants of the ceded territory * * * shall be admitted to the enjoyment of all the rights, advantages, and immunities of citizens of the United States and shall be maintained and protected in the free enjoyment of their liberty, property, and religion.

As you see, the language is almost identical; clearly the intent was the same. Even the same section was used in both treaties to spell out this Nation's unqualified pledge of eventual statehood to our newly acquired citizens in Alaska.

Mr. Speaker, 91 years have now elapsed since that guaranty of ultimate statehood was pledged.

In the intervening years Alaskans have volunteered and were conscripted to fight—and die—in 4 major American wars, and hundreds of millions of dollars in Federal taxes have been collected from 3 generations of patient, loyal Americans who have now served the longest statehood apprenticeship on record—91 years. Just 9 years short of a full century.

Should any of my colleagues be inclined to challange my statement that the treaty of cession was—and remains—a clearcut pledge of statehood, I should like to ask:

How else but through statehood can Alaskans enjoy the right to help select the President of the United States and the Vice President? How else can they acquire their fundamental American entitlement of voting representation in the United States Congress? How else but by the grant of statehood can Alaskans enjoy the right to select their own governors and State judiciary—instead of being governed and judged by political appointees of the Federal administration in power?

How, too, but through statehood can Alaskans enjoy the advantages of developing and controlling their own vast natural resources when under territorialism the Federal Government owns and administers over 99 percent of Alaska's land area?

And, how else, save by statehood, can they enjoy the immunities of citizens of the United States—without the protection of the Bill of Rights and the freedom of responsive local self-government?

Surely, Mr. Speaker, each of these enumerated rights, advantages and immunities are considered by each of us to be among our basic entitlements as American citizens. Surely, we would consider it a gross encroachment upon our freedom if any of these were denied us. Is it not mockery to call men who do not possess them maintained and protected in the free enjoyment of their liberty, property and religion?

Mr. Speaker, injustices inflicted upon our patient citizens in Alaska and Hawaii are too clearly a matter of record to require further delineation here. As a member of the committee that has had the responsibility of conducting repeated hearings on the subject, I do not hesitate to say to my colleagues that both have been shamefully treated—yet, even exploited—as colonies and their citizens disgracefully discriminated against as inferior colonial peoples.

What I do wish to bring to the attention of my colleagues, however, is this:

Our unwarranted continuation of Alaska's period of pupilage is not only the perpetuation of a great injustice to the loyal Americans residing there; it represents, as you have seen, a failure on our part to honor a treaty obligation. An obligation, Mr. Speaker, which under our Constitution became part of the supreme law of the land.

Nor is it our national honor alone that is at stake. Both major political parties have, for years, pledged statehood and our crass failure to redeem those pledges is again evidence of our great need to return to the kind of morality that looks upon a promise as a sacred obligation.

I do not wish to make this a partisan address in any sense of the word for the integrity of our Nation's solemn commitments is not properly a partisan matter.

Moreover, there seems to me no ground for partisanship in that both major political parties pledged Alaska statehood in their most recent platforms.

On August 1, 1957, I was much heartened to read that you, Mr. Speaker, held this same view which you expressed in this forthright language:

> I am for the admission of Alaska as a State into the Union.
>
> The only reason for setting the bill over until January was because of the lateness of the session and the confusion that always obtains at a time like this.
>
> The people of Alaska can be assured again that they will have their day in court.
>
> This is not a partisan issue and I do not intend to treat it as such.

Mr. Speaker, I am sure every longtime advocate of Alaska statehood shares my own encouragement over the knowledge that the bill will receive your personal support. Because each of us is aware of your integrity and, hence, the significance of that support, I am confident that the bill will be granted a rule and be brought to the floor of this House promptly and in the routine manner.

Too, Mr. Speaker, there appears to me to be this compelling reason for prompt enactment of the Alaska statehood bill:

We are, each of us, here to uphold the Constitution of the United States and to help translate into law the clearcut desires of the people we represent.

That the people of the United States hold an incontestable desire that Alaska become a State seems hardly open to question. For years, every responsible poll of public opinion has shown a heavy favoring majority; the latest, released March 1 by Dr. George Gallup reveals a 12 to 1 ratio favoring immediate statehood. And there is no question that the majority of Alaskans earnestly seek admission into the Union now.

North, South, East, West, every section of our Nation, returned a heavily favoring majority; and, Mr. Speaker, I earnestly say to my colleagues that we cannot, with impunity, continue to ignore a desire on the part of the American people on which there is so nearly complete unanimity.

For, as each of us knows, Americans possess an instinctive resentment of injustice, coupled with an equally deep respect for fair play. And, they have begun to discover that their fellow Americans in Alaska are victims of a monstrous injustice and that they most certainly have not received fair play.

Moreover, Americans are beginning to discover that Alaska is a rich storehouse of precious minerals, timber, habitable land, and other resources most of which have lain undeveloped for almost a century—and will so continue as long as she remains a territory subject to control by the retarding hand of an absentee Federal landlord.

Mr. Speaker, should Alaska fail to attain statehood in this Congress, I am of the opinion that such a failure will, this time, excite national political interest.

How shall we—who profess that "government by and with the consent of the governed" is the very keystone of our political philosophy—explain to peoples abroad or, for that matter, to our own people, our wanton disregard of the express wishes of our fellow Americans in Alaska?

And last, Mr. Speaker, responsibility for failure to bring statehood legislation before the Congress in time for enactment will not on this occasion be a shared guilt of both political parties. It will be purely that of the Democratic Party.

For the President has recommended this legislation; the Secretary of the Interior, Mr. Seaton, has labored diligently to encourage enactment; the appropriate committees of both Houses have held hearings on the Alaska statehood bill and have, by top heavy favoring majorities, favorably reported it to this and to the other Chamber.

The Democratic Party is in complete control of the legislative machinery of both Houses, and, as each of us is aware, commands a heavy majority on the Rules Committee of this body.

Will it not, then, be painfully obvious to the Members of this Congress and, more significantly, to Americans everywhere that should we fail to give Alaska "its day in court" such a melancholy event will have occurred solely because the Democrats so willed?

Mr. Speaker, with all my heart I hope and pray that such will not be the epitaph of Alaska's statehood hopes in this Congress.

It need not be—and will not—if those in position to influence the legislative actions of this Congress will demonstrate their continued faith with our American heritage of the supremacy of moral and spiritual values.

We need but to follow the well-defined footsteps of those who bore our identical Congressional responsibilities in the earlier years of this Republic.

But, should we shirk our moral obligation toward Alaska, surely our failure will bring upon us erosive consequences that will, in time, affect more than the people of that Territory. Abraham Lincoln expressed my fears in this sobering language:

> Those who would deny freedom to others do not deserve it for themselves and, under a just God, they will not long retain it.

May God grant that we will not continue to put Abraham Lincoln's prophetic words to the test. And may this Congress act swiftly to fulfill the pledge we made 91 years ago—and continue to make in party platforms.

THE INTEGRITY OF THE CONGRESSIONAL FORUM IS IN JEOPARDY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Missouri [Mr. CURTIS] is recognized for 20 minutes.

Mr. CURTIS of Missouri. Mr. Speaker, in my last monthly newsletter to my constituents I wrote at some length about the loud talking that is going on about the recession in Washington, D. C. I think it is important for the people to distinguish between the statements that are released to the press without being subjected to the rebuttal of those who might disagree with the alleged facts and arguments contained in these statements and those statements that have been subjected to rebuttal. The loudest statements, as one might surmise, are those which have not been subjected to criticism or rebuttal. They come from press releases or speeches given before captive audiences where there has been no opportunity for anyone to correct misstatements of fact or present a different viewpoint.

I have many times pointed out that the Congress is essentially a set of procedures. In these procedures rest the hope of any free society. One of the procedures of the Congress is to provide a forum for the people's elected representatives to get up and speak his views on a subject in the presence of his colleagues. Any colleague who disagrees with what he has said can also gain the floor through asking him to yield for a question, a correction, or an observation or by obtaining his own time to present his own views.

The reports and hearings of Congressional committees also provide a forum where the statements of one Member may be challenged for accuracy of fact or argument by those in disagreement.

The public is under the general impression that when they read a news item, or hear a commentator quoting Senator X or Congressman Y that what X or Y had to say was said on the floor of the House or the Senate and therefore was subjected to rebuttal. Nine times out of ten this is not the case at all. Nine times out of ten Senator X or Congressman Y has either given a public speech far removed from the halls of Congress, issued a press release or simply given his written statement to the Congressional reporter for insertion into the CONGRESSIONAL RECORD. The only remarks the Senator or Congressman has made on the floor are these: "Mr. Speaker—or Mr. President if a Senator—I ask unanimous consent to insert my remarks in the CONGRESSIONAL RECORD at this point—or at some other specified point." Sometimes the Senator or Congressman does not even do that. Sometimes another Representative takes the floor to say: "Mr. Speaker, I ask unanimous consent that my colleague, the gentleman from New York, Mr. Q, be permitted to extend his remarks in the RECORD at this point."

Some people are under the impression that remarks can only be extended in the Appendix of the daily RECORD. This is not true. They may be and usually are placed in the body of the RECORD along with a statement something like this: "I ask unanimous consent that my remarks may be placed in the RECORD just after or immediately preceding the remarks made by the gentleman from Missouri."

Furthermore, even if a Member has participated in debate the remarks in his press release and the remarks printed up in the RECORD the next day in conformance with the press release may be at complete variance with what the gentleman actually said on the floor. This is particularly true if the gentleman's statement has been challenged in the debate. Under the privilege of revising and extending one's remarks what one actually has said can be completely deleted and an entirely new statement inserted. This privilege has been abused to the extent that even in a colloquy which has occurred in debate the remarks of one of the debaters has been so changed as to render meaningless the printed remarks of his opponent which remain unrevised.

For several years I have had a resolution in the House to amend the rules so that any statement not actually spoken on the floor be printed in different type. In this way a person reading the CONGRESSIONAL RECORD will at least know what was said on the floor or what was not said. This proposal has gotten nowhere, primarily I believe because the people of this country do not know what is really going on and not knowing have not gotten excited about it.

I believe one of the most exasperating experiences a Congressman can have is to have engaged a gentleman in debate only to find that the gentleman's remarks having been put in a press release are carried by the news services as if his remarks had been unchallenged. Of course the statements contradicting his remarks having been spoken in rebuttal on the floor could not be given out as a press release.

There is one further matter of procedure to understand. When no particular business is on the floor of the House or the Senate it is rather easy to get the floor when no one is around to challenge what you are saying. In other words, it is possible by planning it and waiting for the opportunity to actually take the floor and go through a controversial statement and claim that it was given on the floor. Technically this is correct, but actually it creates an erroneous impression because the remarks have not been subjected to rebuttal. There are a dwindling number of Congressmen who still as a matter of principle notify those they know might take exception to the statements they are going to make, that they are going to take the floor on such a day, to present their views on this particular subject, so that they will have an opportunity of being present and taking the floor in rebuttal.

When a Congressman issues such a challenge and makes it known to the press I believe this kind of statement should be treated with considerably more weight than a routine press release. Regrettably, this does not seem to be the case. Indeed, the people are not ever

made aware of the fact that most of the statements emanating from Washington are unbrave statements which have been slipped into speeches away from the Congress or into the CONGRESSIONAL RECORD like a thief at night. Indeed, a thief at night is not an unapt phrase inasmuch as what one wished one had said in debate as opposed to what one really said can be sent over to the Government Printing Office as late as midnight and appear in the RECORD the next day as if it had been said.

What bearing does this have on the political statements that have been made about the recession? It has this bearing. Almost without exception the statements that have been made by members of both the executive and the Congressional branches of the Government about the recession in the past few months have been self-serving and unchecked statements completely unconnected with the process of Congressional debate. In other words, the Congress as an institution has been bypassed by this system of arguing matters out through press releases.

The same is being done today on almost every major subject: foreign aid, foreign trade, defense, the budget. This neglect of the Congressional forum is effectively destroying the Congress as a deliberative body. Unless we can reestablish the rostrums in the wells of the House and the Senate to the position they once held as the proper place for public debate to be carried on, we must recognize that the representative form of government we once knew has disappeared. It will have been replaced by a system of public discussion which, in my judgment, can only bring disaster to our society.

The Congress, as an institution established by the Constitution and developed in the first 150 years of our Nation's history, provided the methods of gathering together whatever knowledge existed in the society and applying it to the problems of the day, hammering it out with logic, argument, and wisdom in the wells of the House and the Senate. The new system that has developed is not suited to either gathering the real knowledge of the society nor exposing what dubious knowledge is gathered to the white heat of straightforward debate. It is a system that discredits wisdom and promotes demagoguery. It is a system that depends upon who can yell the loudest—has the best press relations—and who can dissemble the most—appear to be most considerate of the people's interest and who can damn with subtle attacks the motives and integrity of those who dare to take a different point of view. It is ad hominem argument. It is the personification of ignorance and the villification of wisdom. It is time we who have been entrusted with the preservation and strengthening of the institution of Congress for a few brief years—and even 40 years is a brief period of time in the history of an institution—to start responding to that trust. An effective independent legislature is the bulwark of any free society. It can only be maintained as effective and independent by retaining its essential structural parts, its essential procedures.

Mr. BOYLE. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Illinois.

Mr. BOYLE. From your observation it appears that you somewhat indict the integrity of almost all of the Members of the House. I would like to inquire whether you have or have not served notice on the Members of the House that you were going to make these observations today.

Mr. CURTIS of Missouri. No, I have not. But, what I have done is served notice, because I am going on to discuss a specific thing, on the gentleman from Minnesota, [Mr. MCCARTHY]. Then I am going to discuss some other aspects. But, I will say up to date I do not believe I have or, at least, it has not been my intention to say anything that I believe is too controversial. What I have been reciting is something that I think every Member of the House is aware of; the procedures that have developed. It is not at all attacking the integrity of any individual. I, myself, issue press releases. My point is when they are press releases, they should be so designated so that it is known. And, as I pointed out in the amendment that I have offered on the resolution to amend the rules, it is not that we be prohibited from inserting in the RECORD things that we did not have time to say; because of the fact that we have 435 Members it is obvious that we do not always get the time. But there should be a distinction made between what has actually been said on the floor, subject to rebuttal—just as the gentleman has taken this opportunity, which I welcome, for that very reason, it is subject to possible rebuttal in case there is any dispute. That kind of statement in the RECORD should appear that way while a statement that is a well-weighed and thought-out statement but nonetheless put into the RECORD without anyone having a chance to criticize it or dispute it, should show in slanted type so that anyone reading the RECORD would know what was subject to rebuttal and what was not.

So that what I have said is merely to present that particular situation and it does not involve anyone's integrity.

Mr. BOYLE. Mr. Speaker, will the gentleman yield further?

Mr. CURTIS of Missouri. I yield further.

Mr. BOYLE. I am sad that I cannot go along with the observation the gentleman is making. It seems to me in the intensity of his remarks he is surely indicting the integrity of all the Members of the House. But, if the gentleman will yield further, I would like to ask another question.

Mr. CURTIS of Missouri. I am glad to yield further.

Mr. BOYLE. There is not much controversy on the question that there are presently 5,200,000 people unemployed?

Mr. CURTIS of Missouri. No, there certainly is not. But there is a question as to what is the economic cause of that, whether it is a depression or whether it is a recession, and whatever it is, what the economic factors are. I think the way to get to the bottom of these things is by debate on the floor rather than by issuing a lot of publicity statements where people who might disagree with one's analysis are not given the opportunity of expressing that disagreement.

I might state that I took the floor just before the Easter recess, for an hour, when I did discuss the recession. I did notify the majority leader on the other side that I was going to take the floor to go into those matters, just for that very purpose. And he was present and we debated the matter. I have been doing what I could with some of my colleagues to urge them to take the floor on some of these subjects that seem to be debated in the press and are not being debated on the floor and at the same time suggesting that they notify those on the other side of the aisle that they were going to take the floor on that subject. In that way we could bring back to the well of the House the kind of debate which I think is so healthy and so important if we are going to preserve this forum that I think, and all of us believe, is the essence of a free society.

Mr. Speaker, to continue with my prepared statement—and I hope the gentleman will read the statement tomorrow to see whether or not he still feels that I have been attacking the integrity of individuals. I certainly think this; the integrity of the Congress is at issue, but I do not believe it involves the integrity of any individual person, the leadership, or anyone else. It is something that we have grown into, it is an evolution, it is a system.

I was going to point out, and I already have done so but I want to emphasize it again, the small attempts I have made to try to bring back on the floor of the House, for example, the debate on this matter of recession, instead of doing it through press releases or speeches that all of us give, myself included, away from the floor of the House.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Oklahoma.

Mr. ALBERT. The gentleman recognizes, of course, that the rules of the House have grown up to accommodate the legislative process in a very broad sense. I do not think there is any question about that.

Mr. CURTIS of Missouri. I think the rules of the House are excellent.

Mr. ALBERT. All matters which go into the RECORD go in under the rules of the House; at least, they are presumed to go in under the rules of the House, and all Members have the right to challenge any Member—and this is the point I wanted to make—who inserts in the RECORD anything that is in violation of the rules or the right to answer any argument placed in the RECORD by unanimous consent.

Mr. CURTIS of Missouri. I fully agree with the gentleman on that.

Mr. ALBERT. You cannot do by indirection what you cannot do directly.

Mr. CURTIS of Missouri. Actually the rules state that when a person asks unanimous consent to insert into the RECORD a particular thing, any Member has the privilege of asking the gentleman to explain what he is inserting into

the RECORD. However, I think the gentleman will agree with me that through custom we have gotten out of that habit. In the majority of instances where matters are put into the RECORD they are perfectly proper matters, and are matters that are the considered opinion of that individual. But I do say that that is a different kind of statement than one that has actually been made with the opportunity for those who might disagree with him to contest it. That is one aspect.

The other aspect is this. I do believe there has been a real abuse of the privilege of revising and extending remarks whereby actually—and I have seen this happen; I think it is still not generally utilized but it has happened—a person makes remarks on the floor of the House, completely deletes the statement, and then inserts something that is an entirely different speech. It makes it look as if that had actually been given on the floor and been subject to rebuttal.

Mr. ALBERT. Of course, it is understood that Members should have the right to correct grammatical errors and errors of various kinds.

Mr. CURTIS of Missouri. That is not what I was talking about.

Mr. ALBERT. If a Member departs too far, I think another Member would certainly be within his rights if he would challenge the Member as having inserted in the RECORD something which did not represent the actual debate which took place.

Mr. CURTIS of Missouri. I believe the gentleman is in error. I think this is a fact, that if he changes it in such a way that it changes the sense of the remarks of the person who has been in colloquy with him then it is subject to it, but the gentleman who has the power of revising and extending his remarks can go along and is at complete liberty to put in whatever he wants to.

Mr. ALBERT. I agree with the gentleman he is still responsible for those remarks, and other Members may challenge him on the accuracy of his revision.

Mr. CURTIS of Missouri. Not during the debate. A lot of this is a matter of timing. You have debate that occurs on the floor of the House. A press release is given out. Actually, because those remarks are made, the debate goes an entirely different way than was anticipated. For example, the remarks I have made here I have had prepared, but in the midst of them someone asked me to yield, which I did. Therefore, the actual occurrence here on the floor will be quite a bit different than what I might have handed out as a press release. As a matter of fact, some of the things I might have said or any Member might have said might have been successfully contradicted and the individual involved might admit he was in error on a point or argument, but that has not been picked up.

Mr. ALBERT. That is true, but I do not know how we could change that.

Mr. CURTIS of Missouri. Just consider my amendment. This amendment is not revolutionary. It would simply provide that you would have in slanting type if it went into the RECORD what was not said on the floor and subject to rebuttal. Of course, that would not include a correction to make a sentence that one actually spoke understandable or to correct the English or things of that nature because they were actually spoken. But, I think the resolution I have proposed for sometime would make it clear that that which was put into the RECORD and not subjected to rebuttal still is of value; and we should have that privilege, but it should be read for what it is. For example, I remember on the debate on social security under suspension of the rules where there was 20 minutes allowed on each side, I got 2 minutes because I was on the committee and I made a great complaint about the procedure and said that we did not have an opportunity to debate the matter. Yet, through the insertion of remarks in the RECORD, anyone reading that debate would have thought that it had taken 2 days to say all that was apparently said on the floor of the House. And no one reading the RECORD could possibly tell what was really said on the floor of the House. All I want is that there be a distinction between the two.

The SPEAKER pro tempore. The time of the gentleman from Missouri has expired.

Mr. CURTIS of Missouri. Mr. Speaker, I ask unanimous consent to proceed for an additional 5 minutes.

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

There was no objection.

Mr. CURTIS of Missouri. Mr. Speaker, I simply want to call attention to what I called attention to this morning in the debate that we had on the floor yesterday where I engaged in colloquy with the gentleman from Minnesota [Mr. MCCARTHY].

Mr. BOYLE. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield.

Mr. BOYLE. I felt that that was in part the basis for some of the gentleman's observations.

Mr. CURTIS of Missouri. No, no.

Mr. BOYLE. I think following your enunciations which the gentleman has set forth so forcefully, you ought to defer now and promptly send our colleague a notice tomorrow and tell him that you are going to make some observations on the floor of the House so that he could be present.

Mr. CURTIS of Missouri. If the gentleman please, he obviously was not listening to what I said. I told the gentleman from Minnesota this morning when I called him up by telephone. I told him there was an error in the RECORD and that I was going to first correct it and then I was going to get some time on the floor under special orders to discuss what he said yesterday and what went on so that he would have an opportunity to be here. He thanked me for notifying him. He is not here and I am sorry he is not here, but nevertheless I have done what I regard to be my duty. I try to practice what I preach, may I say to the gentleman, because I feel very deeply about this subject.

Now, Mr. Speaker, to get to the point I was going to make, that the gentleman from Minnesota [Mr. MCCARTHY] in his prepared statement under a special order made a number of statements which I felt were in error and, in fact, a number of them were rhetorical questions and I sought to answer them. Seven or eight times I asked the gentleman to yield, and he would not yield to me. Then toward the end of the debate—rather it was not a debate, but at the end of his talk, he began to yield to gentlemen on his own side who had not been requesting that he yield up to that time. The third time that he did that when I was still trying to ask him to yield and he did not yield, I suggested that there was not a quorum present anyway and at that point the majority whip moved to adjourn. The RECORD then read the next day that the gentleman from Minnesota had actually yielded to me. He recognized that that was an error. It was an error apparently that occurred at the Printing Office. I have corrected that particular error. But, unfortunately, it gave the wrong impression of what actually had occurred because what I was trying to do was to conduct a debate and I, in fact, had said in the debate that had proceeded with the gentleman from Oklahoma [Mr. ALBERT] who did yield, that I thought this was a very healthy proceeding and that we were going about this in a way that I hoped would be productive of results because these statements were being batted back and forth. If you please, we were getting ahead possibly and getting a better understanding of some of these issues that face us.

Mr. MCCORMACK. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I am afraid I will not have time. May I just finish and then I will yield. I was going to go on with these notes that I made in regard to the statement that the gentleman from Minnesota [Mr. MCCARTHY] had made and point out places in which I was in disagreement. I will do so in my revision of remarks and I will just simply state where he said something that caused me to want the gentleman to yield. Incidentally, in many instances he was quoting from certain Republican leaders, and at one time was quoting the U. S. News & World Report. I wanted him to yield for the citation from which he was quoting, because in my experience no one had said such things and I wanted to find out what those authorities were.

I will put those in the RECORD. The gentleman from Minnesota [Mr. MCCARTHY] will have an opportunity to supply that information that I thought was necessary in order to make his statement and arguments that he was using apply.

I now yield to the gentleman from Massachusetts.

Mr. MCCORMACK. When I heard last night that the gentleman had made a point of order of a quorum not being present when special orders were being taken up, I felt very sorry, because the gentleman from Missouri is one of the last men I would expect to make a point of order under the circumstances. The same situation exists now, where a point of order could be made. Of course, we

know that under special orders what the custom and procedure and practice is. It is most unusual that a point of order be made under those circumstances.

Mr. CURTIS of Missouri. May I ask the gentleman to comment on the situation where we had been discussing the matter and the gentleman had refused to yield numerous times, and then had yielded to his own colleagues.

Mr. McCORMACK. The gentleman declined to yield to me just a moment ago.

Mr. CURTIS of Missouri. I said temporarily.

Mr. McCORMACK. But that is just an illustration of what happens. The Member who has the floor may at a particular time decline to yield.

Mr. CURTIS of Missouri. That is right. The gentleman from Oklahoma [Mr. ALBERT] said that, and said he would yield later.

Mr. McCORMACK. A Member may refuse to yield for various justifiable reasons.

Mr. CURTIS of Missouri. That is right.

Mr. McCORMACK. That does not mean to say that they had refused to yield.

Mr. CURTIS of Missouri. I think the gentleman will agree that when a Member starts yielding to others, when the original person had been requesting him to yield, it is obvious that he did not intend to yield.

Mr. McCORMACK. Not necessarily, because the gentleman who has the floor has complete discretion. That is why I always get my own time. Invariably I get my own time because I have control of the time then. Furthermore, if there were several Republicans seeking recognition and asking the gentleman to yield, and one or two Democrats asking him to yield, I do not think I would criticize the gentleman from Missouri or any other Member of the Republican Party if during the debate he yielded to his own colleague, because he naturally would expect cooperation and support and assistance. When he did that I would not assume he was declining to yield. Ultimately I would assume that he would go over to the Democratic side. The gentleman ought to know that the gentleman from Minnesota [Mr. McCARTHY] is well able to take care of himself on the floor.

Mr. CURTIS of Missouri. I began to wonder whether he was.

Mr. McCORMACK. The gentleman from Minnesota [Mr. McCARTHY] did not decline at that time.

Mr. CURTIS of Missouri. He did not say that. Had he said what the gentleman from Oklahoma [Mr. ALBERT] had said or what I just said, "When I have concluded I will yield," that would be different. But quite the contrary. No. "I decline to yield." That is the way it went.

Mr. McCORMACK. In a running debate I have waved a hand and said, "I decline to yield."

The SPEAKER pro tempore. The time of the gentleman from Missouri has again expired.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman may proceed for 2 additional minutes.

The SPEAKER pro tempore (Mr. WIER). Is there objection?

There was no objection.

Mr. ALBERT. I would like to return to the gentleman's comment and argument long enough to read a very brief statement under the general heading of "Remarks in the RECORD." Under section 926 of Cannon's Procedure in the House of Representatives, page 315, which I think is very pertinent to the argument which the gentleman made:

> An accurate and comprehensive record of proceedings is an indispensable adjunct to representative government. Especially important, though often decried, is the right to extend remarks in such record. In large legislative bodies where time is necessarily at a premium, it affords Members opportunity to explain their attitude on pending questions and so give constituents a basis on which to approve or disapprove, and at the same time apprises colleagues and the country at large as to local sentiment the Member is elected to represent.

It seems to me that, if we did anything which would injure the rights contemplated in that passage, we would be doing injury to the legislative process.

Mr. CURTIS of Missouri. I could not agree with the gentleman more. That is exactly what I have said. What I tried to expound in the matter of this extension of remarks is somewhat different. I know the gentleman wants to be accurate. What I was talking about is that it be clear that that which has been put into the RECORD show that it has been put into the RECORD; on the other hand, that which has actually been said on the floor should so show, and there is a very easy way of doing it by putting that which is said on the floor in one type and that which is inserted in the RECORD in slanted type.

I call the gentleman's attention to the further provision of the book of procedure from which he is reading which goes on to say that a Member in revising shall not so change his remarks as to alter the meaning of the statements made by a Member with whom he may have been engaged in colloquy; and I do point out that frequently that particular provision has not been abided by, but at least it is in the rule.

Mr. McCORMACK. If the gentleman will yield, I do not think the gentleman ought to use the word "frequently." Occasionally there might be a transgression, but I would not say it was frequent.

Mr. CURTIS of Missouri. That is right.

Mr. McCORMACK. And there is a way of correcting such transgression under the rules, I may say to the gentleman.

Mr. CURTIS of Missouri. That is right. I had to do it 3 times, as a matter of fact, I may say to the gentleman, 1 time when someone actually blue-penciled my own remarks.

I do accept the gentleman's correction of "frequently." I should say "occasionally." I am only 1 Member but I have had it happen to me 3 times in the past 3 years, I regret to say.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman.

Mr. McCORMACK. Sometimes in running debate, extemporaneous debate in the House and heated argument, I say things sharply that upon reflection I would not have said and did not mean. I do not like to hurt anybody intentionally. Sometimes on reading my remarks I find that in running debate I was sharper than I really thought I was capable of being. But I have always gone to the Member and said, "I just did not mean that; do you mind if I delete it?" I do not want to have anything sharp in the RECORD unless someone is nasty with me, trying to smear me, but I find upon reading my remarks that unintentionally I had a sharper quality that I do not want to possess, but that in runing debate I find occasionally I do possess.

Mr. CURTIS of Missouri. I may say that the gentleman and I have engaged in colloquy on previous occasions and that I am very happy with the arrangement we have whereby I allow him to correct exchanges on his time and he accords the same privilege to me.

The SPEAKER pro tempore. The time of the gentleman from Missouri has expired.

THE LATE HONORABLE DENIS J. DRISCOLL

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I desire to pay respectful tribute to the memory of my late friend and colleague, the Honorable Denis J. Driscoll, of Pennsylvania, who passed away on January 18, 1958, at his home in St. Marys, Pa.

He served his Congressional District, his State, and his Nation capably, honorably, and with great distinction for many years. He has been conspicuous in the ranks of the Democratic Party.

The public career of Denis Driscoll extended over critical years in our country's history—years that literally reshaped the political and economic life of the United States.

He was born in North Lawrence, N. Y., March 27, 1871, attended the public schools, Lawrenceville (N. Y.) Academy, and State Teachers' College, Potsdam, N. Y. In 1888 and 1889 he taught school in Potsdam, N. Y., moved to St. Marys, Pa., in 1890, and continued teaching as a high-school teacher, and subsequently served as principal of the public schools from 1892 to 1897.

Denis Driscoll then began the study of law, was admitted to the bar on April 22, 1898, and on that same day enlisted as private in the 16th Regiment, Pennsylvania National Guard, which on that day had been called for service in the Spanish-American War. He served under General Miles in Puerto Rico, was honorably discharged as a second lieutenant.

He then began the practice of law in St. Marys. In 1899 he became a member of the Pennsylvania State Democratic Committee. The positions in public life that he held included: chief burgess of St. Marys, president of the school board, delegate to the Democratic National Convention, and United States attorney for the western district of Pennsylvania.

In 1934 he was elected Representative to Congress, and served from January 3, 1935, to January 3, 1937. His understanding of public problems led to his appointment as chairman of the Pennsylvania Public Utility Commission for a 10-year term on April 1, 1937, from which position he resigned to accept an appointment on March 2, 1940, by the United States Court for the Southern District of New York, as 1 of 2 trustees in the reorganization of the bankrupt Associated Gas and Electric Corp., and served until August 1946. He then resumed the practice of law, and engaged in writing and the study of public and political problems.

Denis Driscoll was sincere in his convictions, and a fine sense of public service prompted his official acts. Those who knew him best recognized in him the qualities of true Americanism. In his passing he has left a record as high in achievement as it was faithful in performance.

The accomplishments of Denis Driscoll are an inspiration to those who believe in democracy. He demonstrated statesmanship to a high degree in his positions of public trust.

To his widow and two daughters, I extend my sincere sympathy.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HAYS of Arkansas (at the request of Mr. TRIMBLE), from April 16 through April 21, on account of necessary absence from the country.

Mr. KEOGH (at the request of Mr. MULTER), for balance of week, on account of death in family.

Mr. CRETELLA (at the request of Mr. SADLAK), on account of illness.

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. SAYLOR, for 30 minutes, today.

Mr. CURTIS of Missouri, for 20 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. REUSS and to include extraneous matter.

Mr. NATCHER.

Mr. ALGER and to include extraneous matter.

Mr. SAYLOR.

Mr. MULTER (at the request of Mr. BOLLING).

Mr. HEALEY (at the request of Mr. BOLLING).

Mr. LANE.

Mr. FOGARTY in two instances and to include extraneous matter.

Mr. COLLIER in two instances.

Mr. MCINTOSH and to include extraneous matter; Mr. CUNNINGHAM of Nebraska and to include extraneous matter; Mr. DAWSON of Utah in two instances and to include extraneous matter (at the request of Mr. MARTIN).

Mrs. SULLIVAN (at the request of Mr. EDMONDSON) and to include extraneous matter.

Mr. WESTLAND.

SENATE ENROLLED BILLS SIGNED

The SPEAKER PRO TEMPORE announced his signature to enrolled bills of the Senate of the following titles:

S. 280. An act for the relief of Agapito Jorolan;

S. 1708. An act to amend the act entitled "An act relating to children born out of wedlock," approved January 11, 1951.

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;

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;

S. 2230. An act to authorize the Secretary of the Interior to convey certain lands to the Charlotte Rudland Dansie Association;

S. 2725. An act to exempt from taxation certain property of the National Council of Negro Women, Inc., in the District of Columbia; and

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.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 46 minutes p. m.) the House adjourned until tomorrow, Thursday, April 17, 1958, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1817. A letter from the Director, Office of Defense Mobilization, Executive Office of the President, transmitting the Semi-annual Statistical Supplement to the Stockpile Report, pursuant to Public Law 520, 79th Congress; to the Committee on Armed Services.

1818. A letter from the Acting Secretary of Agriculture, transmitting a report prior to restoration of balances to the appropriation "Salaries and expenses, Farmer Cooperative Service, 1957," pursuant to the act of July 25, 1956 (31 U. S. C. 701–708) and the reporting requirements set forth in Bureau of the Budget Circular No. A–23, dated June 21, 1957; to the Committee on Government Operations.

1819. A letter from the Chairman, Federal Communications Commission, transmitting a report on backlog of pending applications and hearing cases in the Federal Communications Commission as of February 28, 1958, pursuant to Public Law 554, 82d Congress; to the Committee on Interstate and Foreign Commerce.

1820. A letter from the Under Secretary of the Interior, transmitting a copy of an application for a loan under the provision of the Small Reclamation Projects Act of 1956 (Public Law 984, 84th Cong., as amended by Public Law 85–47), pursuant to section 4 (c) of Public Law 85–47; to the Committee on Interior and Insular Affairs.

1821. A letter from the Director, District Unemployment Compensation Board, Government of the District of Columbia, transmitting the 22d Annual Report of the District Unemployment Compensation Board for the year 1957; to the Committee on the District of Columbia.

1822. A communication from the President of the United States, transmitting a draft of proposed legislation entitled "A bill to promote the national defense by providing for reorganization of the Department of Defense, and for other purposes" (H. Doc. No. 371); to the Committee on Armed Services and ordered to be printed.

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. COOLEY: Committee on Agriculture. H. R. 10114. A bill to provide equitable treatment for producers participating in the Soil Bank program on the basis of incorrect information furnished by the Government; without amendment (Rept. No. 1606). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H. R. 11092. A bill to exempt the production of durum wheat in the Tulelake area, Modoc and Siskiyou Counties, Calif., from the acreage allotment and marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended; with amendment (Rept. No. 1607). Referred to the Committee of the Whole House on the State of the Union.

Mrs. PFOST: Committee on Interior and Insular Affairs. H. R. 6472. A bill to provide for the acquisition and addition of certain lands to Fort Frederica National Monument, in the State of Georgia, and for other purposes; without amendment (Rept. No. 1608). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H. R. 11424. A bill to extend the authority of the Secretary of Agriculture to extend special livestock loans, and for other purposes; without amendment (Rept. No. 1609). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON of Illinois: Committee on Government Operations. Twenty-second report on General Accounting Office operations in Europe (Rept. No. 1610). Referred to the Committee of the Whole House on the State of the Union.

Mr. MORGAN: Committee on Foreign Affairs. Report on the 12th session of the General Assembly of the United Nations pursuant to House Resolution 29 (Rept. No. 1611). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ALBERT:

H. R. 11929. A bill to amend the national defense amendment, and for other purposes; to the Committee on Ways and Means.

By Mr. ASHLEY:

H. R. 11930. A bill to suspend until January 1, 1959, the manufacturers excise tax on passenger automobiles; to the Committee on Ways and Means.

By Mr. BAKER:

H. R. 11931. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

By Mr. BENTLEY:

H. R. 11932. A bill to amend title II of the Social Security Act to eliminate the requirement that a wife, husband, widow, widower, or child have occupied that status for a specified period of time in order to qualify for benefits, and to eliminate remarriage as a bar to benefits in certain cases; to the Committee on Ways and Means.

By Mr. COLMER:

H. R. 11933. A bill to provide for the conveyance of interests of the United States in and to uranium, thorium, and other materials in certain tracts of land situated in Jackson County, Miss.; to the Committee on Government Operations.

By Mr. DAVIS of Georgia:

H. R. 11934. A bill to amend title II of the Social Security Act to provide that the dependency requirement for child's insurance benefits shall be met, where a parent was disabled and therefore unable to support his child for a period preceding his death, if such parent was supporting such child when the disability began; to the Committee on Ways and Means.

By Mr. EBERHARTER:

H. R. 11935. A bill to provide, where a State or local retirement system has been divided into two parts under section 218 (d) (6) of the Social Security Act so as to obtain coverage for only those employees who desire it, for the transfer of certain additional employees to the part consisting of those desiring such coverage; to the Committee on Ways and Means.

By Mr. HULL:

H. R. 11936. A bill to extend the time for the collection of tolls to amortize the cost, including reasonable interest and financing cost, of the construction of a bridge across the Missouri River at Brownville, Nebr.; to the Committee on Public Works.

By Mrs. KNUTSON:

H. R. 11937. A bill to clarify paragraph 4 of section 15 of the Pay Readjustment Act of 1942 (56 Stat. 368); to the Committee on Armed Services.

By Mr. McINTOSH:

H. R. 11938. A bill relating to the tariff treatment of certain peat moss; to the Committee on Ways and Means.

By Mr. McMILLAN:

H. R. 11939. A bill to amend the Federal Property and Administrative Services Act of 1949, as amended, to make applicable to the District of Columbia the provisions of the act governing the utilization of personal property and the disposal of surplus personal property, and for other purposes; to the Committee on Government Operations.

By Mr. MAHON:

H. R. 11940. A bill to amend the Trademark Act of 1946; to the Committee on the Judiciary.

By Mr. MILLS:

H. R. 11941. A bill to amend title II of the Social Security Act to provide for up to 1-year retroactive payment of disability insurance benefits in case of delayed applications therefor, and for other purposes; to the Committee on Ways and Means.

By Mr. REED:

H. R. 11942. A bill to amend title II of the Social Security Act to provide for up to 1-year retroactive payment of disability insurance benefits in case of delayed applications therefor, and for other purposes; to the Committee on Ways and Means.

By Mr. MOORE:

H. R. 11943. A bill to amend the national defense amendment, and for other purposes; to the Committee on Ways and Means.

By Mr. MORANO:

H. R. 11944. A bill to authorize the modification of the existing project for Bridgeport Harbor, Conn., and for other purposes; to the Committee on Public Works.

By Mr. MOSS:

H. R. 11945. A bill to amend the Flood Control Act of 1950 with respect to the Sacramento River flood-control project, California; to the Committee on Public Works.

By Mr. NATCHER:

H. R. 11946. A bill to provide for research into problems of flight within and outside the earth's atmosphere, and for other purposes; to the Select Committee on Astronautics and Space Exploration.

By Mr. REECE of Tennessee:

H. R. 11947. A bill authorizing the Tennessee Valley Authority to construct a bridge across the Powell River arm of Norris Lake; to the Committee on Public Works.

By Mr. RHODES of Pennsylvania:

H. R. 11948. A bill to amend title II of the Social Security Act to increase the minimum benefits payable thereunder and to provide a 10-percent increase in all monthly insurance benefits payable thereunder; to the Committee on Ways and Means.

By Mr. SISK:

H. R. 11949. A bill to extend the availability of certain appropriations for emergency conservation measures to June 30, 1960; to the Committee on Appropriations.

By Mr. TEAGUE of Texas:

H. R. 11950. A bill to amend the National Science Foundation Act of 1950 to encourage the training of additional engineers and scientists and the expansion of facilities for engineering and scientific education by providing scholarships and fellowships for engineering and science students; to the Interstate and Foreign Commerce.

By Mr. WESTLAND:

H. R. 11951. A bill to provide that certain income from entering prize contests shall be taken into account in computing net earnings from self-employment; to the Committee on Ways and Means.

H. R. 11952. A bill to amend the Federal Water Pollution Control Act by providing Federal aid for disposal works; to the Committee on Public Works.

By Mr. BURDICK:

H. R. 11953. A bill to extend the provisions of the National Wool Act of 1954; to the Committee on Agriculture.

By Mr. BURNS of Hawaii:

H. R. 11954. A bill relating to general obligation bonds of the Territory of Hawaii, to amend Public Law 720 of the 84th Congress (70 Stat. 552, ch. 606); to amend Public Laws 640 and 643 of the 83d Congress (68 Stat. 782, ch. 889, and 68 Stat. 785, ch. 892); and to amend the Hawaiian Organic Act to delete the annual limitation on indebtedness that may be incurred by the Territory of Hawaii; to the Committee on Interior and Insular Affairs.

H. R. 11955. A bill to amend section 1237 of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. LANKFORD:

H. R. 11956. A bill to amend the act of July 24, 1956, to promote continued efficient and economical operation of the public transportation facilities of the District of Columbia and the Washington metropolitan area by amending or repealing certain provisions of that act requiring D. C. Transit System, Inc., to abandon streetcars, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. McFALL:

H. R. 11957. A bill to extend the availability of certain appropriations for emergency conservation measures to June 30, 1960; to the Committee on Appropriations.

By Mr. MARTIN:

H. R. 11958. A bill to promote the national defense by providing for reorganization of the Department of Defense, and for other purposes; to the Committee on Armed Services.

By Mr. VAN PELT:

H. R. 11959. A bill to provide for the issuance of a special postage stamp to commemorate the National Flag Day; to the Committee on Post Office and Civil Service.

By Mrs. KNUTSON:

H. R. 11960. A bill to strengthen the national security, advance the cause of peace, and assure the preeminence of the United States, in the academic, scientific, and technical disciplines through programs designed to stimulate the development and to increase the number of students at all educational levels in our schools, and to provide additional facilities therefor, and for other purposes; to the Committee on Education and Labor.

By Mr. FRELINGHUYSEN:

H. R. 11961. A bill to provide for research into problems of flight within and outside the earth's atmosphere, and for other purposes; to the Select Committee on Astronautics and Space Exploration.

By Mr. MONTOYA:

H. R. 11962. A bill to amend the national defense amendment, and for other purposes; to the Committee on Ways and Means.

By Mr. O'HARA of Illinois:

H. R. 11963. A bill to provide for direct Federal loans to meet the housing needs of moderate-income families, to provide liberalized credit to reduce the cost of housing for such families, and for other purposes; to the Committee on Banking and Currency.

By Mr. FULTON:

H. R. 11964. A bill to provide for research into problems of flight within and outside the earth's atmosphere, and for other purposes; to the Select Committee on Astronautics and Space Exploration.

By Mr. PATTERSON:

H. R. 11965. A bill to authorize the construction of certain works for flood control on the Hall Meadow Brook, and East Branch of the Naugatuck River in the State of Connecticut; to the Committee on Public Works.

By Mr. THOMPSON of Texas:

H. R. 11966. A bill to amend the national defense amendment, and for other purposes; to the Committee on Ways and Means.

By Mr. MILLS:

H. Con. Res. 308. Concurrent resolution to provide for the printing of additional copies of hearings on reciprocal trade agreements legislation; to the Committee on House Administration.

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. 11967. A bill for the relief of Pierino Filosa; to the Committee on the Judiciary.

By Mr. BAKER:

H. R. 11968. A bill for the relief of James K. Green; to the Committee on the Judiciary.

By Mr. BURDICK:

H. R. 11969. A bill for the relief of Maria Rita Mathieu; to the Committee on the Judiciary.

By Mr. BYRNE of Pennsylvania:

H. R. 11970. A bill for the relief of Antonio C. Abelon; to the Committee on the Judiciary.

By Mr. DENT:

H. R. 11971. A bill for the relief of Rose Mary Sproull; to the Committee on the Judiciary.

By Mr. HEALEY:

H. R. 11972. A bill for the relief of Miklos Britz; to the Committee on the Judiciary.

By Mr. KEARNEY:

H. R. 11973. A bill for the relief of Irene Cybulski; to the Committee on the Judiciary.

By Mr. KEATING:

H. R. 11974. A bill for the relief of Michalena and Nunzio Trabona; to the Committee on the Judiciary.

H. R. 11975. A bill for the relief of Eber Bros. Wine & Liquor Corp.; to the Committee on the Judiciary.

By Mr. KIRWAN:

H. R. 11976. A bill for the relief of Sister Mary Damion (Maria Saveria D'Amelio), Sister Maria Tarcisia (Maria Giovanna Fenuta), and Sister Maria Regina (Maria Lizzi); to the Committee on the Judiciary.

By Mr. MAHON:

H. R. 11977. A bill for the relief of Mrs. Anita Moreno de Moreno; to the Committee on the Judiciary.

By Mr. MORANO:

H. R. 11978. A bill for the relief of Stephen Spencer, Martha Spencer, Peter Spencer, and Judith Spencer; to the Committee on the Judiciary.

By Mr. NIMTZ:

H. R. 11979. A bill for the relief of Hannelore G. L. Alt; to the Committee on the Judiciary.

By Mr. SISK:

H. R. 11980. A bill for the relief of Amelia Maria Angela Taccola; to the Committee on the Judiciary.

By Mr. WALTER (by request):

H. R. 11981. A bill for the relief of Oong Choi; to the Committee on the Judiciary.

By Mr. WESTLAND:

H. R. 11982. A bill for the relief of Norma Matilda Brown; 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:

561. By Mr. BRAY: Petition of C. Z. Bondy, chief of the Miami Tribe of Indians, et al., regarding possession and use of certain lands; to the Committee on Interior and Insular Affairs.

562. By Mr. BUSH: Petition of Mrs. Wilbert E. Mutchler and residents of Cogan Station, Pa., and vicinity, urging early enactment of H. R. 4835, a bill to prohibit alcoholic beverage advertising in interstate commerce and over the air; and H. R. 1009, a bill to prohibit the sale, service, and consumption of alcoholic beverages on commercial and military planes; to the Committee on Interstate and Foreign Commerce.

563. By Mr. HILLINGS: Petition of Mrs. W. M. Smith, of Azusa, Calif., and 1,080 others, urging support of legislation to prohibit advertising of alcoholic beverages in interstate commerce; to the Committee on Interstate and Foreign Commerce.

564. By Mr. MARSHALL: Petition of Mrs. W. D. Oakley, of Buffalo, Minn., in support of legislation to prohibit liquor advertising in interstate commerce; to the Committee on Interstate and Foreign Commerce.

565. Also, petition of Mrs. Sophie Rasmussen, of Milaca, Minn., in support of legislation to prohibit liquor advertising in interstate commerce; to the Committee on Interstate and Foreign Commerce.

566. By Mr. NIMTZ: Petition of Mrs. M. E. Mullett and 22 others of Nappanee and Bremen, Ind., urging the adoption of legislation to prohibit the transportation of alcoholic beverage advertising in interstate commerce, and its broadcasting over the air; to the Committee on Interstate and Foreign Commerce.

567. Also, petition of Mrs. Omar S. Pope and 46 other laymen of the South Side Church of God, South Bend, Ind., urging the adoption of legislation to prohibit the transportation of alcoholic beverage advertising in interstate commerce, and its broadcasting over the air; to the Committee on Interstate and Foreign Commerce.

568. Also, petition of Mrs. Ray Carr and 27 others of Marshall County, Ind., urging the adoption of legislation to prohibit the transportation of alcoholic beverage advertising in interstate commerce, and its broadcasting over the air; to the Committee on Interstate and Foreign Commerce.

569. By Mrs. ST. GEORGE: Petition of the Woman's Christian Temperance Union, of Sullivan County, N. Y., with reference to the advertising of alcoholic beverages; to the Committee on Interstate and Foreign Commerce.

570. By Mr. WESTLAND: Petition of 25 residents of Whatcom County, Wash., in support of legislation to prohibit alcoholic beverage advertising in interstate commerce; to the Committee on Interstate and Foreign Commerce.

EXTENSIONS OF REMARKS

Byelorussian Independence Day, March 25, 1958

EXTENSION OF REMARKS

OF

HON. PAUL H. DOUGLAS

OF ILLINOIS

IN THE SENATE OF THE UNITED STATES

Wednesday, April 16, 1958

Mr. DOUGLAS. Mr. President, I ask unanimous consent that a statement I have prepared in regard to Byelorussian Independence Day be printed in the RECORD.

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

STATEMENT BY SENATOR DOUGLAS

The year 1958 marks the 40th anniversary of two significant events in the history of mankind, both occurring with the breakup of the Russian Czarist Empire.

One of those events has been widely heralded, with all the fanfare possible through the media of mass communication. That is the 40th anniversary of the Bolshevik seizure of power in Russia and the establishment of the Russian Federated Soviet Socialist Republic. Last October leaders of the international Commmunist movement from most of the countries of the world gathered in Moscow to commemorate that unhappy event.

All during this year the people of the free world will be reminded of this anniversary through the vast propaganda machine the Kremlin has built up to advertise the devious and misleading wares of communism. As usual, this propaganda campaign will seek to hide the tragic stories which lie behind the establishment of the Union of Soviet Socialist Republics while presenting a distorted version of history as seen through the eyes of the new elite class who are the aristocracy of communism.

Unfortunately, large segments of the people of the free world will not be told the full story of the origin of Communist power. I say this because the free world in general, and the United States in particular, has not mastered the art of using the potent weapon of truth to combat the big lie of the Communists.

The second of these events marks an historic epic in human freedom, a period when the spirit of national independence and individual liberty burst forth from the ruins of the Russian Czarist Empire. It was during the period 1917–18 that no less than 12 nations, once a part of the Russian Empire, threw off the chains of imperialism, declared their national independence, established representative forms of government, and sought admission to the family of free nations. Most of these newly independent governments patterned their constitutions after that of the United States and many of them carried word for word excerpts from our own Declaration of Independence and Bill of Rights. Seldom in history has the United States enjoyed such prestige and emulation in world affairs as that which attended the breakup of the old European empires.

It was during this historic epic that the Byelorussian nation officially declared its national independence on March 25, 1958.

This action was taken by the Rada, a provisional but representative body which had been established on December 5, 1917. It is significant to note in this connection that the Rada had representation of all the Byelorussian political parties, including the two Jewish parties, Poalej Syon and Bund; the Polish Socialist Party; the Russian Constitutional Democrats (Radets); and the Russian Socialist Revolutionists (Essers). The only votes cast against the declaration of independence which established the Byelorussian National Republic came from the Russian Constitutional Democrats and the Russian Socialist Revolutionists, who, though representing a very small minority of the population of the country, insisted upon a maintenance of the authority of the Russian Empire.

After the overwhelming majority vote by the Rada, the representatives of the two small dissenting parties withdrew and then engaged in activities calculated to destroy the newly won independence of the Byelorussian nation.

The Byelorussian Government lost no time in giving leadership to all phases of national life except the military. This phase of national life was denied them by the German army which then held military control over the country. Nevertheless the newly established government made significant progress in the fields of education, advancement of native culture, laws to protect the rights of the individual and social security.

It gained de jure recognition from Czechoslovakia, Austria, Estonia, Finland, Latvia, Lithuania, Poland, Ukraine and Georgia. De facto recognition of the status of this newly independent nation was extended by France, Denmark, Bulgaria and Yugoslavia.

After the signing of the Treaty of Brest-Litovsk, an act which signaled the defeat of the Russian Czarist Empire, the German Army began its withdrawal from Byelorussia. By November 1918, the German army had withdrawn all its forces from the newly independent country.

Immediately thereafter the Red army under the command of Commissar Trotsky, who had acted as Russian signatory to the Treaty of Brest-Litovsk, invaded Byelorussia with the intention of destroying the newly independent government. From that date until March 18, 1921, Byelorussia was the theater of war between the Red army and the military forces of Poland. Thereafter the his-

toric lands of Byelorussia were occupied by the Russian Communists, with the exception of that period during World War II when the armies of Hitler marched to the gates of Moscow and Stalingrad.

But during this period of 40 years, marked by war and foreign occupation, the Byelorussian people have not lost their hope, their faith in human freedom or their aspirations for national independence. The programs of mass deportation, economic depression, cultural spoliation and oppression of individual liberties since carried on by the Russian Communists stand as an undeniable tribute to the Byelorussian people in their aspirations to be free and independent.

As we commemorate this 40th anniversary of Byelorussian national independence we remind the people of the world, including the Russian Communists, that the American people have not forgotten and shall not forget the heroic efforts of the people of Byelorussia to gain their rightful place among the free nations of the world.

It would be fitting on this historic occasion that the Voice of America reestablish a regular broadcasting program in the Byelorussian language, carrying the message of hope from the hearts of the American people that this once free and independent nation will soon be released from the chains of Communist imperialism.

This, in a very practical sense, is the best answer we, as a Nation, can give to the torrent of false propaganda which the Russian Communists are offering the world as they celebrate the 40th anniversary of their seizure of power in Russia.

I would, therefore, appeal to the President of the United States to take such action as may be necessary to reinstate a regular Voice of America broadcast program to Byelorussia which has unfortunately been discontinued during the tenure of his administration. The hopes of freedom should surely be kept alive for the Byelorussians, as well as for the other captive peoples.

"It Was the 18th of April in '75"

EXTENSION OF REMARKS

OF

HON. THOMAS J. LANE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1958

Mr. LANE. Mr. Speaker, it was near midnight, and a cold moon was ghosting the countryside when Paul Revere started his famous ride.

To warn the patriot leaders and the minutemen, that the oppressors were coming.

Paul Revere eluded one patrol of Redcoats, was ambushed by another, his horse was taken from him, he was released, but he managed to get the warning to Lexington in time.

The ride he began that night inspired the farmers and the artisans to fight for their freedom.

It was a ride that has never ended.

Up through the years, in peace and in war, it has summoned the courage and integrity of every real American to be vigilant and determined that freedom shall be defended and extended.

That ride is a part of the American heritage.

Animating the Paul Reveres of today, the men and women whose love of country awakens us from the slumber of indifference. Calling upon us to stand up against those forces that would deprive us of the liberties that were won for us by others, through the greatness of their heart and spirit.

In order to perpetuate the memory of the man who alerted the farmers and the villagers to the approach of tyranny, Postmaster General Arthur E. Summerfield has announced that a special 25-cent Paul Revere stamp will be first placed on sale at Boston, Mass., on the anniversary of the epochal ride that sparked the war for American independence.

Stamp collectors will be advised by any postmaster concerning the procedure to follow so that they may secure first-day cancellations of these historic stamps that are certain to become items of beauty, and sentiment, and value.

"On the 18th of April in '58."

The Veto of the Rivers, Harbors, and Flood Control Bill

EXTENSION OF REMARKS

OF

HON. LYNDON B. JOHNSON

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Wednesday, April 16, 1958

Mr. JOHNSON of Texas. Mr. President, we are now beginning to hear from the people regarding the Presidential veto, on yesterday, of the rivers and harbors authorization bill. The people in our States who have close knowledge of the need for the water-development projects provided for by the bill do not understand the reasons advanced for the veto. Neither do I.

This measure could have been followed quickly by the necessary funding legislation. It would have put people to work building projects that are important to the future of the Nation.

I deeply regret that the President saw fit to veto what I believe to be a constructive bill.

Mr. President, this morning I have received telegrams from city officials and other citizens of Texas who protest the veto. The bill authorizes a navigation project of vital and urgent importance to the city of Port Lavaca. The people of Port Lavaca are understandably distressed, as the mayor of the city states in his telegram. Their distress and amazement are shared, I am confident, by many, many persons throughout the Nation.

Mr. President, I ask unanimous consent that the telegrams I have received from citizens of Texas be printed in the RECORD.

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

PORT LAVACA, TEX., *April 15, 1958.*

Senator LYNDON JOHNSON,
Senate Office Building,
Washington, D. C.:

The city of Port Lavaca, Tex., through its city council expresses the amazement and distress of its citizens at the President's action in vetoing the public works bill thus blocking recommended and approved public works at a time when the community is fast feeling not only the effects of the depressed general economy but the throttling effect on its local fishing industry by the holding up of navigation improvements that have met all the tests for approval. We strongly urge you not only to vote to override this veto but to use all your influence with other Members to do so.

JOHN H. CLEGG, JR.,
Mayor of Port Lavaca, Tex.

PORT LAVACA, TEX., *April 15, 1958.*

Senator LYNDON B. JOHNSON,
Office of the Democrat Leader,
Washington, D. C.:

LYNDON, we are sick over the veto. Is there a chance to override it?

CARROLL HARTZOG.

PORT LAVACA, TEX., *April 15, 1958.*

Hon. LYNDON B. JOHNSON,
Office of Democratic Leader,
Washington, D. C.:

The Presidential veto of rivers and harbors bill will drastically effect our continued rising unemployment in Port Lavaca, Point Comfort, Victoria area. Attempt override if possible.

L. L. FROELICH,
President, Chamber of Commerce.

PORT LAVACA, TEX., *April 15, 1958.*

Senator LYNDON B. JOHNSON,
Office of the Democratic Leader,
Washington, D. C.:

Deeply shocked President veto river-harbors bill. Urge you to exhaust all possible means to completely assure us that this veto will be overridden.

CLEGG SHRIMP CO.,
JOHN CLEGG, *President.*
R. E. CLEGG TRAWLERS,
R. E. CLEGG, *Owner.*

Mr. CHAVEZ. Mr. President, I have listened with great interest to the comments made by the distinguished majority leader, the senior Senator from Texas [Mr. JOHNSON], in protesting the veto message of the President on the rivers, harbors, and flood-control bill.

As chairman of the Committee on Public Works of the United States Senate, I wish to enter my protest. Later in the day, I shall give facts and figures in regard to what the veto message actually means to the people of the United States.

A Salute to Franklin, Ky.

EXTENSION OF REMARKS

OF

HON. WILLIAM H. NATCHER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1958

Mr. NATCHER. Mr. Speaker, each year the Kentucky Chamber of Commerce presents awards to various cities in furtherance of community development. Last week, during appropriate ceremonies, the city of Franklin, Ky., for the second successive year, won the top award for towns with a population of over 3,500.

Franklin, Ky., is located in Simpson County on U. S. 31-W, 6 miles from the Tennessee border. It is known as the friendly city. This friendliness is quickly discerned by all those who visit the town.

The city of Franklin was incorporated in 1820. According to legend, Franklin and another town were vying to become the county seat of Simpson County. It was decided that the winner would be the town having the best water supply. Near the center of Franklin was an old well which periodically went dry. Shortly before the judges arrived the townspeople filled the well with water, with the result that Franklin became the county seat. As the story goes, the well has never gone dry subsequent to that time.

The above legend is an indication of the ingenuity and community spirit still manifest in the good citizens of Franklin. Not only the mayor of Franklin, all city officials, the local newspaper—the Franklin Favorite—and radio station WFKN, the chamber of commerce, the business and professional women's club, but every organization, as well as all religious groups, and the people generally, are concerned with the advancement of their city. Just 10 years ago there was only 1 manufacturing plant in Franklin employing 200 persons. Today the town has 6 industries employing approximately 600 people. And many other instances of expansion could be cited, not only along industrial lines, but by way of cultural development and beautification of the city.

Mr. Speaker, the city of Franklin in winning two consecutive community development awards has not only reflected credit upon its own citizens, but upon the State of Kentucky as a whole. I am proud to have such a city located in the Second Congressional District which I have the honor to represent.

Support for H. R. 607

EXTENSION OF REMARKS

OF

HON. JACK WESTLAND

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1958

Mr. WESTLAND. Mr. Speaker, I know there is no group of citizens who are more seriously affected by inflation and the high cost of existence today than our senior citizens who must look to their retirement payments for their major income. It is for this reason that I introduced legislation to increase the annuities of retired civil-service personnel.

This body has passed a compromise bill which calls for a 10-percent increase for some 310,000 retirees and survivors. This will help to take care of those medical bills, those groceries, those rent payments, and those replacements for clothing that confront all of us. As I see it, it may not be enough.

However, it is better to do something than to do nothing. I do think it is a good idea for the Civil Service Commission to make a study and an analysis of the annuity structure and of the methods of adjusting annuities and to report its recommendations.

While this study is being made, H. R. 607 will allow some measure of relief to these former civil-service employees who come under the authority of this bill. This is why I have supported this legislation.

It is good some adjustment is being made for retired civil-service personnel, who, I might add, represent only a small number of older citizens. On the other hand, there are a great many more people on social security. These perhaps suffer more than others because of inflation and the rising cost of living. Something must be done for them.

We must certainly watch the inflationary trend which has reduced the value of dollars received through social-security checks each month, and do all we can to prevent further devaluation. Also, there should be some kind of correction for this injustice in the form of the readjustment of social-security benefits.

I am sure, Mr. Speaker, this body is aware of its obligation to fulfill the needs, not only of retired civil-service employees, but also of that larger group, the elderly people who must live on their sometimes pitifully small social-security benefits.

Peat Moss and Peat Products

EXTENSION OF REMARKS

OF

HON. ROBERT J. McINTOSH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1958

Mr. McINTOSH. Mr. Speaker, production of peat moss and peat products in the United States has a great future potential. While it is a growing industry, it is still in its infancy when the annual production is considered in relation to the vast peat resources scattered throughout 30 States. The Bureau of Mines estimates that the peat and peat moss deposits are in excess of 13 billion tons, enough to last 4,000 years at present production rates.

Although peat is one of our most abundant resources, the deposits have remained relatively undeveloped. The use of peat products in the United States is primarily as a soil conditioner for agricultural and horticultural purposes. Since 1950, the consumption of peat products in the United States has more than doubled and this trend may even accelerate in the future.

Ten billion tons of the estimated total deposits in the United States are located in the States of Michigan, Wisconsin, and Minnesota. While Michigan has the third largest reserves of any State, it is at present the largest producer of packaged peat in the Nation. Total production in the United States is about 300,000 tons annually and nearly an equal tonnage is imported.

Except for the relatively heavy imports of peat products into the United States, the domestic industry might have developed more rapidly. Until 1940, the great percentage of peat products used in the United States were produced domestically. However, a customs court decision interpreting the intent of Congress in the Tariff Act of 1930, opened the way for peat moss imports, duty free. A second court decision, 2 years later, further confused the application of the duties specified by Congress and since that time nearly half of the peat products consumed in this country have been imported. Without this competition, the domestic industry might today be about twice its size.

To correct what appears to have been a mistake or capricious action by the Customs Court, I have today introduced H. R. 11938 to restore the language of the Tariff Act of 1930 which called for a duty of 50 cents per ton on imports of peat moss. This legislation, if approved, will resolve the paradoxical situation resulting from court decisions and again place the domestic industry in the position intended by Congress.

Under the court decisions, the identical product, peat moss, is subject to duty in one instance and admitted free in another. If it is labeled "stable and poultry grade," import duty must be paid. If it is labeled "fertilizer grade," it is admitted duty free. It is not difficult to realize that even though the duty rate is low on that labeled "stable and poultry grade," it is only a matter of time until all such imports will be labeled "fertilizer grade" and entered in competition with domestic production duty free.

Interestingly, the statistics on imports show that this is exactly what is happening. Imports on the dutiable classification of peat moss have dropped from more than 31,000 tons in 1948 to about 11,000 tons for the latest year. Imports of peat moss classified duty free rose from less than 60,000 tons in 1948 to nearly 250,000 tons for the latest year.

These facts serve to point up the errors of the court in its decisions. The Tariff Act of 1930 placed fertilizers and chemicals making fertilizers on the duty free list. Congress did not consider peat moss as a fertilizer and in a separate section specified 50 cents per ton duty. During the Customs Court case in 1940, the great preponderance of the evidence showed that peat moss had never been classified as a fertilizer, had never been used as a fertilizer, and research showed that it did not have the properties of a fertilizer. The court confused the functions of soil conditioners with the functions of fertilizer and held that Congress intended that it be admitted duty free as a fertilizer.

Following this court holding, such peat moss was labeled and classified for entry as "fertilizer grade." It should be noted, however, that peat moss has never been sold as a fertilizer, and in fact cannot be sold as such under the laws of any State in the Union. Customs classifications are supposed to be in accordance with the principal use of a product. If the imports were required to be used according to the classification, sales would be minimal and the imported "fertilizer grade" would merely pile up in warehouses.

In the second Customs Court case in 1942, an importer of the identical peat moss product, labeled "stable and poultry grade" sought classification for his im-

ports as duty free. The court held that duty must be paid since the peat moss was not chiefly used as fertilizer.

As a result of these two court decisions, the customs collector must enter duty free imports of peat moss not in fact used as fertilizer in one instance, and in the second instance, he must collect duty payment on peat moss not used as fertilizer. The United States loses the customs revenues intended by the Congress on the nonfertilizer "fertilizer grade" and the domestic peat industry has lost almost half of its market to the imported product.

The care and wisdom of Congress in drafting the Tariff Act of 1930 is clear. It treated peat moss for what it is—peat moss, not fertilizer. The consequences of the efforts of the courts to construe the intent of Congress otherwise are apparent. It is time that the contradictory customs treatment be corrected and all peat moss imports be subject to the same import duty.

Tenth Anniversary of the World Health Organization

EXTENSION OF REMARKS

OF

HON. JOHN E. FOGARTY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1958

Mr. FOGARTY. Mr. Speaker, the World Health Organization is 10 years old this year. I would like to take this opportunity to remark on the progress this Organization has made in such a short time and what WHO means to every citizen of the United States.

The World Health Organization is one of the specialized agencies of the United Nations, a member of the family of nations devoted to promotion of world peace and happiness through united effort. It was my happy privilege to serve as one of the Congressional advisers to the United States delegation to the World Health Assembly in Geneva last year. I was most impressed by what took place at that assembly. Representatives of over 80 countries of the world—countries with different cultural, economic, and political backgrounds—met in a friendly forum to work toward one objective, the attainment of the highest possible level of health for all the peoples of the world. That is the stated objective of WHO.

It was also my privilege to invite WHO, on behalf of the United States delegation, to hold its 11th World Health Assembly in the United States. And I am happy to say that the action of the Congress in appropriating necessary funds makes it possible for the United States to be host to WHO on the occasion of its 10th anniversary.

The anniversary commemoration and the 11th World Health Assembly will be held in Minneapolis from May 26 to June 16. It is very fitting that this important milestone is to receive recognition in the country where the World Health Organization was born. Its constitution was drawn up by representatives of 61 nations meeting in New York in 1947, and 2 years later the required number of nations ratified the constitution, bringing WHO formally and legally into existence. WHO now has 87 member nations, one of the largest of the specialized agencies of the United Nations; in fact, WHO's membership exceeds by 6 that of the U. N. itself.

The meeting in Minneapolis will provide an excellent opportunity for important visitors from all over the world to see our country. Delegates to the World Health Assembly will come to Minnesota by way of the west coast, the east coast, and the Americas. En route to Minneapolis they will have a chance to observe the American way of life. The National Citizens Committee for the WHO, a nonprofit, nongovernmental organization, has arranged a number of tours for delegates after the assembly adjourns, enabling them to observe virtually every facet of American life—our State and local governmental structures, our schools, health agencies, industries, agriculture, our recreation facilities, and our dams and water supplies. It will be perhaps the greatest opportunity this country has ever had to show other countries of the world our brand of democracy in action.

In 10 years, WHO has proved to be a truly international body promoting the cause of health for all mankind. The whole world benefits from WHO's efforts. Health needs are universal. Diseases observe no boundary. They respect no culture, creed, economic status, or political belief. Health problems must be solved on a global basis, through cooperative effort. That is what WHO helps to do.

The first World Health Assembly, held in 1948, set the stage for organized attacks against disease by establishing priorities for three chief offenders—malaria, tuberculosis, and venereal disease. Programs were developed to help nations improve health services for mothers and children, to provide more sanitary environmental conditions, and to improve nutrition. The list of the world's accomplishments in health, with important aid and guidance of WHO, is impressive. Fewer mothers die in childbirth, more babies live through their first year and start their second in vigorous, robust health. New or improved health centers throughout the world are providing basic health services for millions of men, women, and children. People of all ages, all over the world, are learning good health habits, and are becoming aware of the necessity for clean, sanitary environment. Through WHO, people throughout the world are understanding the need for cooperation in working toward a healthier community of healthier citizens.

WHO's record in fighting disease is outstanding. Millions of people have been freed from the curse of malaria by WHO-assisted control and eradication campaigns; in fact, malaria has been eradicated from 9 countries and from large areas of 7 other countries through programs stimulated and coordinated by WHO. Under the aegis of WHO and the United Nations Children's Fund—UNICEF—millions of people have been examined and vaccinated through mass campaigns against tuberculosis. Other millions have been treated in mass attacks against yaws, trachoma, leprosy, and other deadly and disabling diseases. Through WHO-assisted programs, previously incapacitated millions are returning to work, cured of the diseases which had kept them from contributing to their country's national production.

Although we in the United States do not suffer some of the devastating illnesses which plague populations in other parts of the world, we nevertheless stand to gain from a strong and vigorous international health organization which is working to eliminate disease and raise the standard of living the world over.

WHO benefits every citizen of the United States, in many ways.

From an economic standpoint, we have a major stake in a healthy world. Our country has billions of dollars of investments, private and governmental, throughout the world. American industry has expanded in many parts of the world, and many Americans are living and working abroad. Improving the level of health in the countries in which we have investments is definitely to our advantage.

The stability of our own economy depends in large measure on our trade with other nations. We have better markets for our products where widespread disease does not depress the national economy. By the same token, we must pay more for products and materials we import if the economy of the exporting country is weakened by disease, ill health and a low standard of living.

Improved health conditions throughout the world are to the personal advantage of every American traveling or living abroad. Poor nutrition, poor sanitation, and inadequate, unsafe water supplies have brought distress to many Americans across the seas. More healthful foreign travel is but one of the benefits which United States citizens reap from WHO's activities.

There are still other examples of WHO programs which protect United States citizens in one way or another. One is the worldwide quarantine practices established by WHO to help assure that disease does not spread from one country to another. "Quarantine" in this sense does not mean "isolation" of travelers and merchandise, as it once did. Modern quarantine measures include a variety of international travel procedures which are designed to expedite and protect, rather than hinder, international travel and commerce.

International reporting of diseases is another WHO activity which benefits us. A worldwide communications network, established by WHO 10 years ago, makes it possible to control epidemics. Through this network, outbreaks of quarantinable diseases anywhere in the world are broadcast to WHO headquarters in Geneva. The news is then broadcast to health authorities throughout the world, to ships at sea, to airports, and to seaports, enabling health authorities to apply appropriate measures to prevent the spread of contagious diseases. The

importance of such medical intelligence becomes obvious when one realizes that international air travel today makes it possible to transplant communicable diseases from an infected to a noninfected area within a matter of hours.

We were all concerned with the recent Asian influenza epidemic. But I doubt that many of us know about the role WHO played in saving us from another 1918–19 disaster.

Through its influenza study program, WHO keeps a constant worldwide watch on the appearance and spread of influenza. Over 100 laboratories cooperate with 2 international influenza centers, 1 in London and 1 in Montgomery, Ala.—the latter operated for WHO by the United States Public Health Service—to maintain this eternal vigil. Cooperating laboratories in Far East countries first affected by the epidemic identified the virus strains responsible for the outbreaks and reported the information to the influenza centers. Thus it was possible to determine the type of vaccine to combat the causative virus so that the United States and other countries could manufacture protective vaccines in time to prevent a serious epidemic.

WHO has a poliomyelitis program similar to the influenza program. Six outstanding laboratories, designated by WHO as regional poliomyelitis laboratories, together with other cooperating laboratories throughout the world, collect, identify, and exchange strains of polio virus, exchange information on the prevalence of polio, determine the immunity of populations, and constantly seek more effective ways of protecting populations of the world from this crippling disease.

Although WHO has been primarily concerned with fighting diseases which have plagued mankind for centuries and in helping governments set up or improve national and local health services, it has responsibilities in newer fields. One field in which WHO is active is the peaceful uses of atomic energy.

Our health and medical professions have found the new radioactive materials to be powerful weapons in the diagnosis and treatment of disease. But these materials must be used correctly, and certain precautions must be taken to assure proper dosages and to protect workers in the plants that produce them. Medical and public health workers must be trained to meet the demands for protecting the public against radiation hazards. WHO has recognized its responsibilities in the new field in a number of ways.

WHO is already working with other international organizations in the distribution of radiation codes. It also is preparing to facilitate training of health workers to cope with problems associated with the use of the new radioactive materials; recommend specifications for preparation of radioisotopes throughout the world; and stimulate and coordinate research on the health aspects of radiation. Thus WHO is concerned not only with promoting health by fighting the old and known diseases, but by utilizing new discoveries to improve the health of mankind the world over.

I think you will all agree that every American has a big stake in a strong and growing World Health Organization. There is no question as to the value of our investment in WHO. The United States share of WHO's current budget is in the vicinity of $4 million. Where else can we get so much in return for such a small investment? I would urge the Congress to take every opportunity in the future to bolster this very important international body.

The value of the WHO as a contribution to world peace is unquestioned. The specialized agencies of the United Nations are promoting world peace in many ways. WHO, undoubtedly the most successful of the U. N. group, promotes the conditions of life which are conducive to peace: good health and a better standard of living. And good health means more than mere freedom from disease. WHO has helped people in all corners of the world gain self-respect, self-reliance, and freedom from a life where sickness and ill health were considered to be the normal state of existence. These are the tenets of world peace. WHO represents a changed concept of health—the realization that good health is every man's right and is potentially within everyone's reach if we work together for it.

Mr. Speaker, under leave to extend my remarks, I include an editorial from the Providence Evening Bulletin of April 8, 1958. This article graphically sets forth many of the accomplishments of WHO over the past 10 years and pays deserved tribute to its record of achievement. I urge all my colleagues to read it.

The article follows:

TEN YEARS OF HELPING MANKIND

The World Health Organization observed its 10th birthday yesterday, but the event marks a triumph of humanity rather than just an anniversary.

In one short decade, WHO has become one of the most dramatically successful agencies of the United Nations, having saved literally millions of lives and spared countless other millions from the combined human and economic ravages of disease.

Indeed, as much as any other single force, WHO and allied international undertakings coordinated through WHO are changing the world health situation in an inspiring and challenging demonstration of what man can do for man when he wills it.

Although this year's budget of $13,500,000 is the agency's highest outlay to date—and a modest sum it is compared to the price of only one potentially death-dealing missile or jet bomber—WHO already has made deep inroads against familiar world scourges which afflict and debilitate areas containing about three-quarters of this earth's population.

For instance, 10 years ago malaria attacked 300 million and killed 3 million persons annually. Now, it is estimated, malaria may be eradicated by 1965. Only a few years ago, cholera killed 20,500 people each year in Egypt. It is virtually a memory now. In Haiti, 80 percent of the population was oppressed by yaws. The disease, too, has largely been whipped there.

Similarly, the public-health training programs set up by WHO have given primitive peoples the beginning of a knowledge of sanitation and cut infant mortality by more than half in many areas.

WHO also has helped to modernize and win acceptance for international standards for such things as quarantine, drugs, and health statistics. Now WHO is looking ahead to meeting the problems of radioactive poisoning.

This is a record the United States can be proud of, having contributed annually one-third of the World Health Organization's funds.

Unfortunately, WHO's decade of achievement has been overlooked too often in the United States. If its activities are noted, the comment too often involves a criticism of this country's share of the load.

Yet, public health is one area where the community of interest should make a reality of Wendell Willkie's fond dream of "One World." Disease never has respected national boundaries or ideological loyalties, although the oceans once provided insulation of sorts. But with air transport increasing both the speed and volume of travel, nations such as the United States again become vulnerable to diseases once thought eliminated, unless those ailments are licked around the world. A case in point is the frenzy of inoculation that seized New York City in 1947, at a cost of millions of dollars, when an air traveler carried a case of smallpox to that city from Mexico.

The cushion of time the United States had to prepare for the Asian flu invasion is another product of the Organization's reporting system and a dividend that Americans receive for their contributions to WHO's humanitarian work. Is further reason needed to wish the World Health Organization 10 times the success and longevity of its first 10 years of activity?

Statement on Lead-Zinc Tariff Report

EXTENSION OF REMARKS

OF

HON. WILLIAM A. DAWSON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1958

Mr. DAWSON of Utah. Mr. Speaker, the United States Tariff Commission has sent to the President its report on an escape clause investigation into the plight of the domestic lead and zinc industry.

To no one's surprise, the Commission found unanimously that imports of these strategic metals have increased in such quantity as to cause serious injury to the domestic industry. I say that this was to no one's surprise, because it is inconceivable to anyone at all familiar with the situation that any other finding could have been made.

Unfortunately, the recommendation for relief was not unanimous. It split right down the middle. Three of the Commissioners found that to save domestic production of these strategic metals, maximum permissible tariffs as well as quotas would be necessary.

This, too, was not unexpected to anyone familiar with the seriousness of the lead and zinc mining industry within the United States.

What is surprising is that the balance of the Commission, while finding injury, recommend that duties be increased only to the 1930 rates, and that no quotas be imposed. This is actually less help—substantially less help—than the Tariff Commission recommended for this industry in 1954. How anyone can imply that the American lead-zinc industry is

in better shape today than it was 4 years ago is beyond me.

Which of these recommendations, if either, is to prevail is now up to the President. If the stronger recommendation is followed, the lead-zinc industry will get the kind of relief it must have to survive. But the alternative recommendation, which amounts only to increasing present tariffs by a fractional part of a cent per pound when market prices are several cents below the break-even point for American producers, would be of no real help.

If the latter course is taken, this Congress will be faced with a clear-cut decision: whether to step in with a legislative remedy, or stand by and watch the United States become dependent upon foreign sources of supply for lead and zinc.

Washington Report

EXTENSION OF REMARKS

OF

HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1958

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include my newsletter of April 5, 1958:

WASHINGTON REPORT, BY CONGRESSMAN BRUCE ALGER, FIFTH DISTRICT, TEXAS

APRIL 5, 1958.—Easter time brings cherry blossoms and visitors. This year we are surrounded, too, by sounds of construction. Sounds like boomtime. Of course, I've learned that Washington sounds, including Congressional speeches, aren't necessarily the sounds of grassroots America. A pre-Easter recess roundup of pending legislation now dominating committee and cloakroom conversation includes reciprocal trade, foreign aid, space travel, satellites, missiles, defense, Federal scholarships, labor monopoly power curtailment, Government workers pay boosts, postal rate increase, tax cuts, and old and new spending projects as recession measures.

Bernard Baruch, the elder statesman, lived up to his title this week. He testified to the imperative need for our Government making both ends meet, income and spending, so that we do not further water the dollar. His remarks bring to mind the Joint Economic Committee (Senate-House bipartisan group) report of January on Federal expenditures, which says, "The subcommittee has found no necessary relationship between the amount of Federal expenditures and the rate of economic growth over the long run." This is quite different from the reasoning now advanced for accelerated spending.

Our real trouble goes back to the Employment Act of 1946 which says:

"The Congress hereby declares that it is the continuing policy and responsibility of the Federal Government to use all practicable means consistent with its needs and obligations and other essential considerations of national policy, with the assistance and cooperation of industry, agriculture, labor, and State and local governments, to coordinate and utilize all its plans, functions, and resources for the purpose of creating and maintaining, in a manner calculated to foster and promote free competitive enterprise and the general welfare, conditions under which there will be afforded useful employment opportunities, including self-employment, for those able, willing, and seeking to work, and to promote maximum employment, production, and purchasing power."

Now analyze it—what does it say? On the one hand, "carte blanche" Government aid and control—on the other, "for those able, willing and seeking to work." Is there anything it doesn't cover? Could not any financial scheme be advanced under one clause or other? Is it not apparent that should a language limitation be found in one part, a fuller interpretation can be construed from another? Couldn't this even be descriptive of a socialist government? This becomes even clearer in view of the doubletalk and redefining of words. Socialists and Communists talk of democracy and imperialism with definitions just opposite to ours, and this confusion carries over into fuzzy thinking on our part. It's easy to understand our confusion over the role of Federal Government from this language. How many people really believe in this employment act wording? Isn't it the ingenuity and hard work of people—not another law from Congress—that underlies the greatness of our economic system? It seems most urgent to me that we return to traditional constitutional principles. Surely we can learn from experience, and our experience is simply summarized—a $280 billion debt, a dollar worth a fraction of its former amount. Our greatest need is to keep a sound currency, which means no inflation and a government living within its income. Tax cuts and increased spending are incompatible. Tax cut champions say that we must deny Government the money by cutting taxes—they completely overlook the Government's ability to get and spend more by borrowing and manipulating the value of our currency. We are actually playing with the buying power of the dollar. Our only salvation now is to cut Government spending (just opposite to our current legislation), then cut taxes; otherwise, we may perish as have many other nations before us. It could be said that we are not applying corrective measures through current spending projects as we claim; we are just embracing socialism.

Why must we disregard the lessons of the thirties and deficit spending? If we have economic troubles, it will not be the fault of free enterprise but of our manmade controls, with accompanying Federal spending and heavy taxing of our people to pay for it.

The story of free enterprise, as exemplified with a daily story on the floor of the House, is my continuing contribution. Designed to counter the effect of those who would talk us into a depression, intentionally or not, this humorous self-appraisal can reestablish perspective. We can laugh away the panic antics, and we can work away any recession, real or fancied. I am counting now on the corrective force of enlightened, good-humored, realistic citizens, who can good naturedly see their own strengths and weaknesses—and see through the spending schemes of self-seeking politicians.

Abolish Capital Punishment, H. R. 11912

EXTENSION OF REMARKS

OF

HON. ABRAHAM J. MULTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1958

Mr. MULTER. Mr. Speaker, I introduced H. R. 11912, a bill to abolish the death penalty under all laws of the United States except the Uniform Code of Military Justice.

I favor such legislation for two reasons. In the first place I doubt that the penalty is actually a deterrent to those who would commit the heinous crimes for which the death sentence is imposed. The conclusion that it is deterrent is based on the faulty assumption that the commission of these crimes is the result of rational consideration. But all evidence indicates that these acts are either those of diseased minds or are emotional, compulsive, and irrational. On the other hand, we also have much evidence indicating that the death penalty is no deterrent. Many foreign countries and six States have abolished the death penalty. The figures in all cases show that abolition of the death sentence does not result in an increase in crimes for which it was a penalty.

Secondly, I feel that sentence of death is unconscionable in that we know we are all too capable of error. Only recently the Governor's order to delay an execution reached San Quentin 2 minutes after the fatal act had been committed. Many other examples could be recited. The point is whether we will continue to arrogantly play God knowing full well we are without the omniscience which this role requires. Lafayette's statement is most apropos:

I shall ask for the abolition of the punishment of death, until I have the infallibility of human judgment demonstrated to me.

Let's Adopt a Definite Course and Follow It—or Turn Back

EXTENSION OF REMARKS

OF

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1958

Mr. COLLIER. Mr. Speaker, the current civil war in Indonesia must certainly create certain doubts about our present foreign policy. The situation in which we find ourselves today is not unique from the standpoint of the apparent reluctance on the part of our State Department to exert pressure in behalf of the anti-Communists.

It was not too long ago that the Free World was outraged by the merciless assault upon the Hungarian people by Communist troops. Then the Nagy government of Hungary, which had temporarily shaken the yoke of oppression of Soviet rule, declared itself independent and pleaded with the West for assistance in its fight to remain free.

While the freedom fighters were given sympathy in abundance by the United States and other free nations, Russian tanks rolled into the streets of Budapest and drowned their hopes in pools of blood. This was the last real opportunity of a Soviet satellite to rid itself of communism and join the community of free nations.

In keeping with the spirit of the United Nations Charter, Western nations felt impotent to assist. The Free World sat in the amphitheater of Europe

and witnessed the rape of Hungary by the Soviet Union.

The Hungarian situation is not entirely analogous to that of Indonesia since the Hungarian freedom fighters were in control of the government. Hence, the anti-Communist forces engaged in the civil war in Indonesia must technically be called rebels. That is apparently the only difference in the two situations.

The Indonesian rebel forces are avowed anti-Communists. In fact, the reason behind present hostilities is the determination on the part of a large segment of the Indonesian population not to be dominated, much less subjugated by the Communist type of government.

It seems quite clear to me, as it should to other Members of Congress, that while our intentions may be good and our sympathy again with the forces opposing communism, the forces of freedom will inevitably succumb to the Communist elements. Battles are not won by sympathy. They are won by the force of arms. Here we find the pro-Communists being supplied with the weapons of war while the gallant rebels are receiving no assistance.

At a recent press conference, Secretary of State Dulles was asked whether it was true the Indonesian Government has been receiving assistance from the Communist world. He replied in the affirmative, stating that the Russian Government has placed at the disposal of the Indonesian Government $100 million in aid. He indicated, however, that to his knowledge no military assistance had been given. When asked, Secretary Dulles stated that the United States Government's official policy regarding the rebellion was one of hands off.

The New York Times of Wednesday, April 2, 1958, in reporting on the Secretary's news conference reported that some of the aid already received by the Indonesian Government has been ships—ships which are obviously blockading the anti-Communist forces in Sumatra and the Celebes.

The morning papers of Monday, April 7, 1958, reported that the Djakarta Government has concluded an agreement with the Governments of Poland, Czechoslovakia, and Yugoslavia whereby those nations would sell military equipment to the Indonesian Government with no strings attached. The irony of this announcement is the fact that in the instance of Yugoslavia and Poland, the United States has been giving them military and economic assistance, respectively, to the tune of hundreds of millions of dollars.

Is this position not inconsistent with the purpose of the Mutual Security Act? Is this the way to win the minds of freedom seeking people to the cause which has swallowed more than $76 billion in a program designed to deter the spread of communism? Teddy Roosevelt's famous admonishment, "speak softly, but carry a big stick" so frequently comes to mind when one conscientiously appraises the Hungarian and Indonesian episodes.

I do not profess to be an expert in international relations nor do I claim to have any more solutions to the complex international problems which concern us as a Nation today. But, I am convinced there is something wrong when we lose ground because the assistance being given is not available when and where it is needed the most. Certainly one does not have to be an expert on foreign policy or international relations to sense the faltering of one force as opposed to another.

There is not enough money in the entire United States to buy the remaining free nations of the world. Certainly I do not recommend that we engage in open conflict when internal strife develops as it is in Indonesia—as it did in Poland or in Hungary. But, I do strongly urge that the Department of State reexamine its present policy and determine whether it is possible to aid anti-Communist forces. If we are committed to the global struggle for freedom, if it is the conclusion of the Department of State that this is not possible, then I believe it is time we make an agonizing appraisal of our foreign commitments and entanglements.

Proponents of the present foreign-aid program repeatedly talk in terms of preventing the spread of communism. Is our position in the Indonesian struggle an admission that we are engaged only in a program of deterrence? Have we given up the idea of spreading the principles of democracy? If the answer is in the affirmative to these questions, then our task can only be an endless and probably futile one. Seems that we must make up our mind as a Nation just where we are going and how we intend to get there. Or the alternative is to take a different path than we have traveled over the past 13 years.

Israel's 10th Anniversary

EXTENSION OF REMARKS

OF

HON. JAMES C. HEALEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1958

Mr. HEALEY. Mr. Speaker, I am glad to join my fellow Americans in commemorating the 10th anniversary of the country of Israel. I salute the people of this little democratic country for their remarkable spirit and progress. Against tremendous odds, they have gone forth in 10 years to achieve great and admirable objectives. Israel's open doors have provided a place of refuge and freedom for many homeless thousands—survivors of concentration camps, the displaced of Europe, immigrants from north Africa, Asia, Jewish refugees from Arab countries, from Hungary and other Iron Curtain countries. Already poverty stricken, she has continued to receive destitute immigrants. Her economic problems have been further complicated by the refusal of her Arab neighbors to establish peaceful relations.

In spite of these tremendous problems, and with a population which has almost tripled in 10 years, Israel's achievements have been prodigious in industry, commerce, agriculture, education, health, medicine, science, and culture.

I am sure that American friendship and aid have been a vital source of strength to the people of Israel during this first decade. We will continue to admire the courage of the Israeli people as they go forth into a second decade, still faced with hardship and hazards. We wish them well as they continue to work and strive unceasingly for a life of dignity and freedom, for survival and ultimate peace.

Misrepresentation and Deception: A Case Study of the National Research Co.

EXTENSION OF REMARKS

OF

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1958

Mr. REUSS. Mr. Speaker, on several occasions I have called to the attention of Members of Congress the reprehensible activities of a business enterprise calling itself the National Research Co.

This company's research consists of obtaining information about delinquent debtors by deceit. This company obtains its information by mailing from the NRC Office, Washington Building, Washington, D. C: punch card notices deliberately designed to look official and governmental, designed to make unsuspecting recipient believe that the United States Government is asking him for information.

The reputed mastermind behind the clever operations of the National Research Co. is Murray M. Chotiner of California. As I pointed out in remarks in the House on April 15, 1957, and February 18, 1958, it is Mr. Chotiner's job as the firm's attorney to keep the National Research Co. in business, masquerading as Uncle Sam, as long as possible, despite an order issued by the Federal Trade Commission on June 1, 1956, prohibiting use of the deceptive forms and notices.

So far, Mr. Chotiner is doing very well. The National Research Co. is still fooling some of the public in the same old way.

Perhaps it is difficult to realize just how nasty this business can be. The point is brought home most forcefully, however, in a letter I recently received from a Maryland resident who works in the Washington Building and has had an opportunity to observe personally the worst results of the National Research Co.'s operations. Mrs. Robert E. Brown has kindly consented to the publication of her letter, documenting the sad story of how one man was duped into coming to Washington to cash what he thought was a check from the Government, when all he really had was a worthless National Research Co. form:

The Honorable HENRY S. REUSS,
House of Representatives,
Washington, D. C.

Re: The National Research Co.

MY DEAR CONGRESSMAN: I was so pleased to read the extension of your remarks printed

in the February 18 issue of the CONGRESSIONAL RECORD. I have been embittered and enraged over the activities of the National Research Co. for many months. My sentiments or reason for writing this letter are in no way prompted by political bias. I am now and have always been a registered Republican, but regardless of who is behind the National Research Co., I feel that something must be done to stop this company from continuing in their brazen practices and flagrant violations.

I am employed in a law office two doors away from the hole in the wall occupied by the National Research Co. In early January a poor soul was wandering up and down the hall, much distraught. I asked him if I could help him find what he was looking for. He showed me one of the National Research Co.'s forms and said he had been waiting outside of their door for over an hour for someone to come in so he could collect the money they were going to give him. I invited him into the reception room of my employer and talked to him and learned that he was a coal miner who had, until the day before, been employed in a mine in West Virginia. The mine closed and he contacted relatives in Connecticut and told them he had received a check from the Government and was going to Washington, D. C., to collect it and that would give him enough money to make the trip to Connecticut. His relatives there assured him that they would provide a place for him to stay and they would help him find employment there. He showed me this so-called check. While it is true that a person with the benefits of an education would ascertain upon careful inspection that this was not a check, a man in his circumstances would certainly have reason to believe it was just that. The form also specified that in order to establish his identity, he was required to furnish his social security number, place of employment, name of employer, banking account, etc.

When I explained to him that I thought this was a form to get information so that they could collect some outstanding bill of his, he informed me that he did not owe anyone anything. Whether or not he did, I do not know, but he had no reason to tell me an untruth.

I suggested that he see the postal inspector and called an official of the post office. The poor man told me that he had $1.25 in his pocket and that was all, and asked me to give him the names of the streets so he could walk to the post office to keep the appointment I made for him. I gave him cab fare so he would not get lost.

I am sure that you will be flooded with letters of congratulations on your stand, and while I am just one individual, I feel that it is better to light one candle than to curse the darkness, and I feel that you may have started a whole bonfire. I certainly hope so.

Respectfully yours,

MRS. ROBERT E. BROWN.

Mrs. Brown says that this incident involving the man from West Virginia is just one of many similar occurrences that she has observed. And of course it isn't necessary to come to the NRC office in the Washington Building to be fooled. Most recipients of the NRC forms just fill out the things at home, send them in thinking not necessarily that they are going to receive money but that they are complying with a request from the Government for information, when they are actually inviting the bill collector.

In discussing this matter before, I have repeatedly emphasized, and do again, that the collecting of debts from delinquent debtors is entirely a legitimate business—if legitimately conducted. But the National Research Co.'s practice of locating delinquent debtors by misrepresentation and deception and hiding behind Uncle Sam surely does not fall in the category of legitimate conduct.

Mr. Chotiner has argued before the Federal Trade Commission that his company's practice of misrepresentation and deception for the purpose of locating defaulting debtors in behalf of their creditors is in the interest of the public and consequently should not be considered a violation of law. With this view I, for one, cannot agree. Helping merchants to recover financial losses from debtors is a good thing, but it doesn't justify the perpetration of deceit upon those debtors.

The Federal Trade Commission has taken steps to stop the NRC's improper activities, but the Commission hasn't yet been able to make its order stick. Mr. Chotiner may be able to keep the NRC alive forever the way things are going.

Let us hope that the Government will speeedily demonstrate that it can control this type of distasteful, deceptive, and fraudulent activity.

Results of Questionnaire in the Second Congressional District of Nebraska

EXTENSION OF REMARKS

OF

HON. GLENN CUNNINGHAM

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1958

Mr. CUNNINGHAM of Nebraska. Mr. Speaker, under leave to extend my remarks in the CONGRESSIONAL RECORD, I would like to include the results of a questionnaire I recently sent to the voters in my District. I was amazed to receive a 25 percent return on this questionnaire, which shows the great interest of Nebraskans in national and world affairs.

The returns were grouped into seven classes. Several of these are self-explanatory. The classification "Other rural" includes all nonfarmers in the five counties I represent who are not Omaha residents. "Businessmen" includes both small and large business owners plus executives and plants and company managers.

"Professions" includes teachers, ministers, and accountants as well as doctors, lawyers, and dentists. "Other" includes unsigned questionnaires, retired persons, a few students, and any others that could not be easily classified into one of the other groups.

One question prompted quite a few qualifying comments. That is No. 1, which asks about a summit meeting. Many persons gave a qualified yes and these were counted as yes. These people, however, favored a summit meeting only if the terms set out by President Eisenhower and Secretary of State Dulles were met first.

Here are the detailed replies by percentage:

1. Do you favor a summit meeting between the President and Soviet leaders on current East-West differences?

	Yes	No	No opinion
Farmers	62	32	6
Other rural	57	41	2
Businessmen	58	39	3
Professionals	53	42	5
Employees	47	47	6
Housewives	41	53	6
Other	48	44	8
All	53	43	4

2. Do you believe foreign aid should be: maintained at present rate (or) substantially reduced (or) terminated altogether?

	Same	Less	None	No opinion
Farmers	12	67	19	2
Other rural	13	70	15	2
Businessmen	14	67	16	3
Professionals	31	56	11	2
Employees	11	70	17	2
Housewives	13	60	27	0
Other	19	62	18	1
All	17	65	16	2

3. How do you think a budget surplus should be applied? To reduce taxes (or) to pay off the national debt (or) both?

	Taxes	Debt	Both	No opinion
Farmers	5	46	47	2
Other rural	13	43	40	4
Businessmen	20	39	41	0
Professionals	16	32	41	11
Employees	17	37	43	3
Housewives	16	24	58	2
Other	16	42	42	0
All	17	38	42	3

4. Would you favor a tax reduction if it would mean an unbalanced budget?

	Yes	No	No opinion
Farmers	10	83	7
Other rural	13	86	1
Businessmen	17	78	5
Professionals	16	78	6
Employees	18	80	2
Housewives	20	73	7
Other	16	82	2
All	17	80	3

5. If taxes are reduced, how should the reduction be applied? To individuals only (or) business only (or) both?

	Individual	Business	Both	No opinion
Farmers	19	2	74	5
Other rural	18	1	75	6
Businessmen	15	3	80	2
Professionals	14	2	82	2
Employees	24	0	74	2
Housewives	26	3	70	1
Other	8	2	83	7
All	17	2	77	4

6. Would you favor a balanced budget regardless of defense needs?

	Yes	No	No opinion
Farmers	33	53	14
Other rural	32	57	11
Businessmen	35	56	9
Professionals	35	58	7
Employees	31	61	8
Housewives	20	65	15
Other	30	58	12
All	32	58	10

7. There is a proposal before Congress to broaden social security by allowing up to 60 days free hospital care annually for older people. This proposal law would require everybody under social security to pay an increased social security tax (based on annual wages of $6,000) of $60 in 1959. This increased tax would go to $106.50 per year by 1975 (on both employees and employers). Would you favor this type of legislation?

	Yes	No	No opinion
Farmers	10	90	0
Other rural	18	78	3
Businessmen	15	83	2
Professionals	16	80	4
Employees	29	69	2
Housewives	24	70	6
Other	25	68	7
All	19	78	3

8. Do you favor additional Federal control over labor union finances?

	Yes	No	No opinion
Farmers	86	8	6
Other rural	88	8	4
Businessmen	95	4	1
Professionals	83	12	5
Employees	83	14	3
Housewives	73	15	12
Other	89	8	3
All	88	9	3

9. How good a job do you think administration leaders are doing on national defense? Very good (or) fairly good (or) poor?

	Very good	Fairly good	Poor	No opinion
Farmers	23	48	13	16
Other rural	21	53	10	16
Businessmen	22	54	12	12
Professionals	20	54	13	13
Employees	11	57	20	12
Housewives	26	47	6	21
Other	23	49	11	17
All	20	52	14	14

10. Do you think Secretary of Agriculture Ezra T. Benson should resign?

	Yes	No	No opinion
Farmers	42	46	12
Other rural	21	61	18
Businessmen	11	78	11
Professionals	12	68	20
Employees	21	57	22
Housewives	15	67	18
Other	15	70	15
All	18	65	17

11. Do you favor reducing the postal deficit (estimated to be $650 million this year) by increasing postage rates on first-, second-, and third-class mail?

	Yes	No	No opinion
Farmers	63	31	6
Other rural	65	29	6
Businessmen	80	16	4
Professionals	80	19	1
Employees	76	17	7
Housewives	55	40	5
Other	72	23	5
All	74	21	5

12. Do you favor an extension of the reciprocal trade program?

	Yes	No	No opinion
Farmers	52	8	40
Other rural	48	8	44
Businessmen	54	10	36
Professionals	63	8	29
Employees	50	11	39
Housewives	43	10	47
Other	49	11	40
All	52	10	38

13. What are you most concerned about at present?

Farmers: Farm prices, Government spending, honesty in government, Communist influence in United States, unemployment.

Other rural: Government spending, honesty in government, national defense, farm prices, Federal taxes.

Businessmen: Government spending, Federal taxes, honesty in government, national defense, labor-management relations.

Professional: Government spending, honesty in government, Federal taxes, national defense, national debt.

Employees: Government spending, honesty in government, national defense, unemployment, Communist influence in United States.

Housewives: Honesty in government, Government spending, Communist influence in United States, national defense, Federal taxes.

Other: Government spending, honesty in government, national defense, Communist influence in United States, Federal taxes.

All: Government spending, honesty in government, national defense, Federal taxes, Communist influence in United States.

Not the Time To Adopt Any Proposal That Will Curb Advertising or Selling

EXTENSION OF REMARKS

OF

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1958

Mr. COLLIER. Mr. Speaker, on May 27 a public hearing will be held on proposed regulations that will drastically change the longstanding tax treatment of cooperative advertising programs. It is my understanding that many protests have been filed in objection to the proposal which was originally intended to be effective on April 1, 1958.

The notice would provide that taxable prices for manufacturers excise tax purposes includes any amount which manufacturers require dealers to pay to obtain possession of taxable articles. The proposed regulation is particularly related to so-called cooperative advertising expenses.

To illustrate what the change would involve, let us use the following example. A manufacturer sells an article to a retailer or wholesaler for $200 and makes an agreement to rebate $5 of the price if the wholesaler or retailer later shows that he spent that amount for local advertising. The Internal Revenue Service has for many years treated such a rebate as a reduction of the taxable price from $200 to $195 and in turn allowed the manufacturer a refund of a portion of the manufacturer's excise tax paid at the time of sale. The proposed Treasury regulations would deny that such a rebate is a price adjustment. Accordingly, the manufacturer would be forced to pay the tax on the full $200 even though he receives a net of only $195. The proposal to revise the Internal Revenue Service's longstanding position is not a result of any change in the taxing statutes. Instead, it would appear to represent an attempt to change the law by administrative action.

With Congress today struggling to come up with measures that would reduce a portion of excise taxes, it seems that such a regulation is most untimely. Certainly, it would, in effect, increase excise tax rates on certain items and would compel manufacturers to curtail cooperative advertising programs. This, in turn, would deprive retailers of the assistance they are now deriving from such programs.

I believe that a fundamental change of this nature should properly be made only by Congress. And I do not believe that Congress would make it at a time when its purpose is to stimulate advertising and selling activities. I further believe that any such change proposed by an administrative agency should be provided by the Congress after appropriate hearings in which the business and economic consequences are closely examined.

The proposed regulations expressly state that they would be retroactive to 1939. This retroactive feature is clearly unconscionable. For years the Internal Revenue Service has properly treated cooperative advertising allowances as price rebates and has allowed refunds or credits based thereon. If the Treasury attempts to apply the proposed regulations retroactively, manufacturers would be faced with claims for back tax liabilities aggregating many millions of dollars, even though they merely pursued a course that has had, until now, the approval of the Service.

The injustice of this result is emphasized when it is realized that in 1956 the Treasury represented to the Forand subcommittee that it would shortly publish a ruling expressly approving the treatment of cooperative advertising rebates as price adjustments. A draft of the text of the promised ruling was included in the Forand subcommittee's report to the House Committee on Ways and Means dated April 20, 1956, page 2. It seems clear that the Forand subcommittee was satisfied with the promised ruling and treated the matter as settled, for no clarifying legislation was included in the Forand bill, H. R. 7125, now before the Senate Finance Committee.

The Internal Revenue Service never issued the promised ruling. Instead, the Treasury now comes forward with proposed regulations diametrically opposed to the tax treatment outlined in the 1956 representation to the Forand subcommittee.

Remarks of Hon. John E. Fogarty, of Rhode Island, at New England Hospital Assembly

EXTENSION OF REMARKS

OF

HON. JOHN E. FOGARTY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1958

Mr. FOGARTY. Mr. Speaker, on Monday, March 24, 1958, I had the very happy privilege of addressing the Women's Auxiliary of the New England

Hospital Assembly at Boston, Mass. This auxiliary is an organization of dedicated women who devote much effort and many long hours toward the continuous improvement of our hospital system.

I had been told by expert hospital administrators that an outstanding contribution of women's auxiliaries is the ability to interpret community needs and viewpoints to the hospital and at the same time interpret hospital needs and policies to the community. To my personal knowledge auxiliary members here in New England have admirably exhibited this ability. Much of the credit for the excellent community response to the hospitals as well as for the high degree of service which the hospitals offer to the communities must rightfully be attributed to their efforts.

Mr. Speaker, under leave to extend my remarks I submit my speech for inclusion in the CONGRESSIONAL RECORD:

REMARKS OF THE HONORABLE JOHN E. FOGARTY, MEMBER OF CONGRESS, DEMOCRAT, RHODE ISLAND, AT THE NEW ENGLAND HOSPITAL ASSEMBLY, STATLER HOTEL, BOSTON, MASS., MARCH 24, 1958

Last year the hospital auxiliary newsletter carried an excellent article from the American Hospital Association's Washington bureau which described how the great bulk of the Nation's legislative business is developed through hearings before committees of the Congress. Such hearings are primarily a means to assist the Congress in learning the problems and needs in specific areas which may require legislative action of some sort. The hearings also provide a means of communication between interested citizens and the Congress before specific legislative action is taken.

In a democracy, communication must be a two-way process—from legislator to citizen, as well as from citizen to legislator. Consequently, Members of Congress spend a great deal of time addressing groups such as this. It is one of our best means for reporting to especially interested groups on legislative action and needs in a given field.

But Congressmen should report to the general public as well as to special groups. That is one reason I was particularly glad to accept the invitation to discuss health legislation with your organization. You represent the general public of your communities as well as a specialized aspect of your respective hospitals.

I have been told by expert hospital administrators that an outstanding contribution of women's auxiliaries is the ability to interpret community needs and viewpoints to the hospital. I am sure this is as necessary and valuable as your function of interpreting hospital needs and policies to the community.

The size and position of an object often can be determined best when viewed in relation to other objects. Therefore, I propose to discuss the hospital and health situation, as I see it from the Nation's Capital, in terms of its relationship with two other subjects of current importance—the aging problem, and the economic recession. Since hospitals, health, and the aging problem are all profoundly influenced by the status of medical science, I shall also devote some time to this subject.

Let me begin by reviewing briefly a couple of facts which are almost certainly familiar to you. The first fact is that as a people, we are growing older; and yet medicine, hospitals, health services, employment patterns, housing—in fact, virtually every aspect of our culture apparently is still oriented largely to the idea that we are entirely a Nation of bright-eyed and pink-cheeked youngsters.

Before World War II, major changes were apparent in the age composition of our population. We were becoming an older people. There had been drastic reductions in the death rates for infants, children, and young adults. Thus much larger numbers of us were living on into the later years. Accompanying these changes were profound changes in the patterns of national health.

Cancer, heart disease, arthritis, mental illness, and other so-called chronic illness had supplanted the infectious diseases as the major health problems. As a nation, as communities, and as individuals, we were not properly equipped to deal effectively with these diseases.

The Congress became concerned with this situation and shortly after the war initiated a thorough study, which has continued virtually uninterrupted since. Much of this study has been conducted by appropriation subcommittees in the House and the Senate responsible for reviewing the annual appropriations requests for the Department of Health, Education, and Welfare. As a member, and for many years as chairman of the House subcommittee, I have been privileged to play an active role in that process.

At this point, I want to pay tribute to the American Hospital Association, the American Medical Association, the American Cancer Society, the American Heart Association, and numerous other non-Federal groups for the advice and technical data they have given in our effort to find out what is needed. In the Federal establishment all branches of the Department of Health, Education, and Welfare, and the Public Health Service in particular, have contributed much technical data and advice.

I must mention also the fact that this has been a nonpartisan effort, Republicans and Democrats forgetting political differences in their determination to do what was best for the entire Nation.

Those of us who have participated in this continuing battle for better health in the face of mounting incidence of diseases like cancer, arthritis, mental illness, and heart disease have had to be practical. From the outset, we saw two major deficiencies which needed remedial attention. Very simply stated, these were (1) insufficient medical research on the chronic diseases, and (2) inadequate facilities for their diagnosis, treatment, and rehabilitation.

Therefore, our first major actions were to set up the Hill-Burton hospital and health facilities construction program, and to authorize a long-range expansion of medical research both in the Public Health Service and, through grants of Federal funds, in medical schools, universities, hospitals, and other institutions throughout the Nation. Subsequently, programs for grants to stimulate construction of research facilities at medical schools and universities, as well as fellowships and other awards to assist promising young scientists to complete their training for careers in medical research, were authorized.

These two basic programs got their first real impetus some 10 to 12 years ago. That impetus was given through Federal funds, which stimulated and encouraged State, local, and private financial and other support.

What has happened to hospitals in these years?

Under the Hill-Burton program, a total of 3,772 projects have been completed at a cost of more than $3 billion, of which the Federal share has been less than $1 billion. For this expenditure we have obtained 163,000 brandnew hospital beds and 991 local public health units.

Magnificent as these gains have been, they actually are only a beginning. I will go into our remaining needs a little later in these remarks.

What has happened to medical research duing these years?

A few weeks ago Dr. James A. Shannon summarized the past 10 years of medical research for our subcommittee. Dr. Shannon is the Director of the National Institutes of Health, the branch of the United States Public Health Service in which the bulk of medical research by the Government is conducted, and which administers most of the funds Congress authorizes each year to assist non-Federal research projects.

In his summary, Dr. Shannon pointed out that at the close of World War II the United States was spending about $88 million a year for research in the medical and related sciences. Two factors—public support and research opportunity—were at the base of the changes that ensued. The dollars available for support of research and research training began to increase steadily, with part of the increase coming from private sources and part from public funds made available through State and Federal appropriations. By 1950, medical research support was at a level of $140 million. By 1954 it was $220 million. Today, it is estimated that nearly $360 million is being spent for research in medicine and biology in this country. Of this, the Federal Government provides over half, or $220 million.

Dr. Shannon then reviewed for the committee a few of the scientific advances that have been made during these postwar years: Cortisone and other steriods for treatment of rheumatic disease; vaccine for the prevention of polio, influenza, and many respiratory infections.

Radioisotopes have joined other radiation sources and surgery as a means of treating cancer, and a number of compounds which ameliorate certain forms of cancer have been developed.

We have seen the development and widespread use of an inexpensive public health measure that can cut tooth decay in half.

A wide array of chemical weapons useful in the management of high blood pressure have been discovered.

The death rates among mothers and infants and certain of the diseases arising from complications during pregnancy and at birth have been sharply reduced because of research results.

Dramatic improvement has been made in surgery for congenital heart malformations and hearts damaged by rheumatic fever.

A test for early diagnosis of a form of cancer in women, permitting treatment before it is too late, has been developed and given wide application.

A family of drugs has been developed permitting startling advances in the management of mental illness.

Just as in the creation of new hospital beds, progress of this kind is proof that the planned use of a segment of our national resources for medical and biological research is a sound investment, with dividends that are both humanitarian and economic.

When we first began these programs of Federal financial assistance to stimulate hospital construction, and promote medical research and training, there were many who thought that legislation in these fields—particularly Federal legislation—would automatically lead to Government regulation of hospitals and research. I believe we have proved beyond doubt that Government regulation need not accompany Government assistance. Neither of these programs could have been so successful except for very harmonious cooperation between the Federal Government, State and local governments, national and local organizations, universities, medical schools, and hospitals. These programs have demonstrated once again that government is truly an instrument of the people.

The health needs of our senior citizens are not substantially different from the

need of the Nation as a whole—good nutrition, adequate medical attention, suitable housing, and opportunity for appropriate social, intellectual, and physical activity. However, there is one need, common to all, which takes on particular significance in the later years of life. I refer to the need for coping with the costs of long-term illness. For someone who is retired and living on an income barely sufficient to meet ordinary living costs, the expenses of long-term hospital and medical care can prove truly catastrophic. Prepaid medical care plans, Blue Cross, disability benefits, and other protective measures of the productive years are usually no longer applicable at the very time when they are most likely to be needed.

Surely it is not beyond our capacity to devise more satisfactory methods of providing during our more vigorous years for the medical costs that accompany old age.

Another problem needing, and at long last beginning to receive our attention, is that of providing more adequate facilities and programs for domiciliary care of the aged.

Obviously the ideal place for the old folks to stay is in their own homes or in homelike places in their own communities. This should be possible far more often if the essential community welfare and health services were better organized and made more easily available for this purpose. Home nursing services, dietary consultation, homemaker services, suitable recreational programs, together with good personalized medical attention could keep many people happy and healthy right in their own homes at less cost to themselves, their relatives, and the community than in hospitals and nursing homes.

Earlier this month an important conference in Washington was called by the Surgeon General of the Public Health Service interested in better care of the aged.

One of their conclusions was that we have failed to use both the remarkable scientific and technical advances of this century and the comprehensive array of services available within the community in our fragmentary and inadequate efforts to meet the challenge posed by our older citizens.

Then, too, we have failed to seek out ways to make it possible for old people to help themselves, thus earning part of their support and maintaining both themselves and their self-respect.

I feel that absolute first priority should be given to those measures which help retain the older individual amid familiar surroundings—in or near his own home, cared for by his own physician, sustaining insofar as possible his interest in community activities. It seems to me that we are too prone to move old people into circumstances where they will be no trouble—to isolate them, to separate them from familiar and loved scenes, to segregate them, if you will. Each community has the capacity, if it has the will, to keep this from happening in many instances.

For those individuals for whom a special kind of care is required that cannot be provided at home, there is often an in-between kind of facility required—between the home and the hospital.

There needs to be more such facilities adequately licensed, and supervised by professionally qualified persons, located in or near the community which the older people call home.

The community hospital has a major role in helping devise plans and provide the medical, nursing, and other services needed in any realistic effort to cope with the problem as it now exists.

In planning for future construction and for future organization of services, the hospital must keep the needs of the aged foremost in mind.

I am convinced that if we could look ahead 20 or 30 years, one of the greatest changes we would see in our hospitals would be the structural and organizational changes required to provide more keep well clinics and more home care services for the aged and chronically ill.

You may be certain that women's auxiliaries will be more essential than ever in the hospital that is dedicated to care of the aged and chronically ill and to preventive medicine as much as to acute illness.

At the outset of my talk I mentioned the recession as one of the major problems that needed to be taken into account in this discussion of health and hospitals.

The Department of Labor has recently announced that over 5,200,000 people are unemployed, the largest number since 1941. Other reliable estimates have placed the number at well over 6 million.

Both the Congress and the executive branch of the Government are considering appropriate measures to combat this recession and strengthen our national economy.

The issues at stake go far beyond the domestic scene.

The world today is wondering whether this Nation will continue to be economically and financially strong, or whether our private-enterprise system will be unable to stand the strains of this modern age. Our position of leadership among the Western Powers is in jeopardy if our economic structure falters and weakens. Our allies are deeply concerned. Our enemies are already deriving great satisfaction from our economic uncertainty; to them, a depressed America presents opportunity to propagandize the world concerning the failures of our fine society.

Among the most important measures being considered to combat the recession are extensive construction programs for highways, schools, and post offices. To this list I would like to add hospitals. I felt so strongly about this that, on February 21, I wrote to the President urging that he revise his estimate for Hill-Burton hospital construction needs, raising it from $75 million, already requested in his budget, to $210 million for fiscal year 1959. This increase to the full amount authorized under the law would not only help bolster a sagging economy, but would also enable the States to achieve substantial reductions in the backlog of need for community health facilities.

Just a few weeks ago the appropriations subcommittee of which I am chairman, took under consideration the President's budget recommendation that only $75 million be appropriated for the Hill-Burton hospital construction program for the fiscal year 1959. From the testimony and data provided the committee, it is evident that while this program has made substantial progress, there are tremendous unmet needs for new and replacement hospital beds in communities throughout the Nation.

Estimates by the Public Health Service place these needs at the following levels: 185,000 general hospital beds; 400,000 mental hospital beds; 303,000 other hospital beds; 300,000 nursing-home beds.

In my many years of service on the House appropriations subcommittee I have become rather familiar with the hospital situation throughout the country. Among the things I have learned is that many of the Nation's hospitals are over 50 years old, and many suffer major losses of efficiency from inadequate physical plants. The obsolescence factor contributes substantially to our need for hospital construction. Two percent of our general hospital beds become obsolete each year, representing an annual loss of approximately 9,500 general hospital beds. As opposed to this figure, we must consider that 30,000 new beds are needed each year merely to keep pace with our annual population increase.

I offer no comparison to the relative importance of hospitals with post offices, schools, or other public facilities. The national concern for adequate hospital facilities, both public and nonprofit, stems from our interest in health affairs and in providing the American people with the highest quality of medical and hospital care. Moreover, at the present time, hospital facilities have special importance for reasons of national security. With every city and community potential targets, the number of persons who might survive an enemy attack depends directly on the adequacy of the facilities and the organization of care for the injured.

In my opinion, there is no facility more vital than the community hospital in our national civil defense survival program. Funds expended to build up our general hospital beds are investments in national security, as well as in health.

On February 21 of this year, in a letter to the President, I summarized as follows the importance of hospital construction and renovation in any program designed to fight unemployment through federally financed construction programs:

First. Hospital construction and renovation would have a more rapid impact on the economy than would most other kinds of construction. Statewide and up-to-date hospital construction and renovation plans have been made in all the States.

Second. At both the Federal and State level, administrative machinery is in existence and has long been dealing with these matters.

Third. If funds were available, many projects could be quickly reviewed by existing public agencies and construction started in a very short period of time.

Fourth. The need for hospital construction and renovation is widely spread throughout the United States. There is appreciable need for new construction in many of the rapidly expanding suburbs of our larger cities and still great unmet need in our smaller communities and rural areas.

Fifth. Hospital construction and the installation of hospital equipment requires more kinds of highly skilled personnel than does most other construction work. Consequently, a hospital construction program would have great impact on retaining highly skilled persons in their particular fields. In addition, hospital equipment requires the employment of highly skilled labor in its manufacture and has far-reaching effect on production plants and labor which generally would not participate in a public works program.

Sixth. Renovation of hospital plants depends primarily on local contractors, local supplies, and local labor. Such a program would have immediate effect on the economy of local communities.

I told the President that for these reasons I was convinced that a program of hospital construction and renovation would stimulate our national economy and thus would help counteract the recession. It could be undertaken through additional grants under the Hill-Burton Act, with appropriate adaptation in the method of distributing the funds, or much of it—especially the renovation of existing hospitals—could be carried out through loans carrying no interest or very low rate of interest.

I believe the logic of these proposals is inescapable, and I intend to do everything in my power to bring about their adoption.

As I look back over the years that I have represented my State of Rhode Island in the Congress of the United States, I find that one of the greatest rewards has been the friendships I have gained among those who have dedicated their lives to tending the sick, the lame and the halt.

In conclusion, I would like to read to you three short paragraphs that were written some 30 years ago by Dr. Frederick Smith, who was at one time in charge of all hospitals in the Public Health Service. What he

wrote will, I am sure, describe the institutions in which each of you serve. I hope, and I believe, it will also describe the typical hospital of 100 years hence.

"A hospital pays higher dividends in usefulness than any other public building. A department, bureau, agency or court, post office or customhouse is open only a third of each 24 hours and is closed 52 Sundays and many holidays each year. A hospital is never closed. Its lights are an eternal fire on the altar of service. Its door is never locked; its windows never darkened.

"When vacation grass grows lush on silent schoolhouse grounds the hospital knows no respite. While the cathedral drouses many days each week over empty pews, the hospital vibrates through every crowded moment with never-failing service to humanity. Through long hot summer days and nights, as in winter storm and autumn blast, the hospital carries on. In public disaster, when other enterprise is dazed and crippled, the hospital never fails.

"The best that is in men and women is brought out in the crises that try the soul. In operating room and ward is forged, in the fire of sacrifice and renunciation, the character that ennobles. Pious resignation, courage and generosity are here daily witnessed. To the hospital come both saint and sinner, the victim of wasting disease, of violence, or of his own vicious habits. Whether they march to the drums of war or the pipes of peace, the sick and maimed seek refuge where pain is eased and life held sacred and find there, true to hospital traditions, not only scientific efficiency, but tolerance, kindness and understanding sympathy."

Statement by Congresswoman Sullivan, Before House Agriculture Subcommittee Opening Hearings on Food Stamp Plan

EXTENSION OF REMARKS

OF

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1958

Mrs. SULLIVAN. Mr. Speaker, those Members of the House who know how long I have been working to enact a food stamp plan as an intelligent substitute for the unsatisfactory surplus distribution program now in effect will understand my feeling of gratification in the fact that new hearings began on this subject today before the Consumer Study Subcommittee of the House Committee on Agriculure.

I appreciate the courtesy of subcommittee chairman ANFUSO in allowing me to appear as the opening witness at these hearings to discuss the provisions and the background of my bill, H. R. 949, which is the prototype for most of the food stamp bills now before the subcommittee.

It may not be modest perhaps to say so—most Members in testifying before committees on their own bills usually insist they do not have pride of authorship in the actual language of a particular bill—but as I told the subcommittee, on the question of food stamp legislation, I have a very strong sense of personal pride for the work which went into the drafting of the original bill which I introduced in February 1954.

It was therefore with a great deal of pleasure this morning that I made my statement as the first witness at the hearings. My statement was as follows:

A FOOD STAMP PROGRAM TO OUTLAW HUNGER IN THE UNITED STATES—TESTIMONY BY CONGRESSWOMAN LEONOR K. SULLIVAN, DEMOCRAT, OF MISSOURI, ON H. R. 949 BY MRS. SULLIVAN, AND OTHER BILLS TO ESTABLISH A FOOD STAMP PROGRAM FOR DISTRIBUTION OF SURPLUS AGRICULTURAL COMMODITIES TO NEEDY PERSONS—PREPARED FOR DELIVERY BEFORE THE CONSUMERS STUDY SUBCOMMITTEE, HOUSE COMMITTEE ON AGRICULTURE, APRIL 16, 1958

Chairman ANFUSO and Members of the subcommittee:

First, I want to express my appreciation to this subcommittee, and also to Chairman COOLEY of the Committee on Agriculture, for arranging these hearings under circumstances which lead me to be most optimistic about the prospects for action in the near future on a food stamp bill. As you know, I have been urging such a program for more than 4 years. Twice during that period—in both the 83d and 84th Congresses—hearings were conducted on this proposal by the Committee on Agriculture, but unfortunately nothing further happened on it in either Congress. I hope and trust that this time the hearings will be fruitful.

In any event, as a result of the committee's failure to act in previous years, I attempted the direct approach last year of seeking to amend the Agricultural Trade Development and Assistance Act by offering my food stamp bill as an amendment to it from the House floor. The bill we were considering dealt primarily with extending for another year the provisions of Public Law 480 having to do with disposal of surplus commodities abroad, but since Public Law 480 also contains provisions covering domestic donation of surpluses, my amendment was relevant, and, I think, advisable.

RECESSION SUFFERING COULD HAVE BEEN REDUCED

If my amendment had been accepted last year and made part of Public Law 480, I sincerely believe a lot fewer Americans would be suffering hunger today. I sincerely believe our agricultural surplus disposal mess would have been corrected. I sincerely believe the machinery which would have been established a year ago under that amendment would by now be operating so effectively that it could have served as a valuable weapon in fighting this current recession.

Although I lost the battle last year to write my food stamp plan into law through the means of an amendment from the House floor to another bill, I feel my purpose was nevertheless accomplished in some measure at least by reason of these facts:

First, many, if not most of the Members who voted against my amendment in the House last year insisted they were not voting against the proposal itself or against the idea of a food stamp plan but rather against having it incorporated in or tacked onto Public Law 480. They urged that the same proposal come before the House in the regular manner—that is, on recommendation of the Committee on Agriculture. I assume, therefore, we can count this time on the support of many of the same House Members who voted against the proposal last year when it was offered as an amendment to Public Law 480. So far, so good.

Secondly, out of the fight which occurred over this idea on the House floor last year, I obtained the promise of Chairman COOLEY that the committee would take up the food stamp proposal separately this year and that he personally would support it. These hearings, then, and the action which I anticipate will stem from your hearings, represent to me the fulfillment of that promise of last year made during the heat of the House debate on my amendment to the Agricultural Trade Development and Assistance Act. As you can readily understand, I am most grateful now for this followup.

NEED FOR BETTER DISTRIBUTION SYSTEM NOW OBVIOUS

It is my intention today to discuss primarily the means of setting up and operating a food stamp plan rather than the need for a better plan of distribution of our surplus agricultural commodities to our needy throughout the country. The question of need seemed to be the main issue in the previous hearings, in 1954 and 1955. Several Members of the committee on agriculture expressed sincere doubt in those hearings about the need for a food stamp plan or the advisability of one. The Department of Agriculture witnesses who testified insisted it was completely unnecessary to adopt such a plan—that their program then in effect (and still in effect) met all of the needs of disposing of surplus food in a satisfactory manner to our needy citizens.

That may still be the position of the Department's policy makers. I assume it is. I have in my possession one of their recent official publications on surplus distribution, and it insists the present disposal and distribution program for helping the needy is just jim-dandy and couldn't be better.

That has been their position all of these years during which I have been urging adoption of the food stamp plan. At least, no one could accuse the present leadership of the Department of Agriculture of being inconsistent; good or bad, any policy stays on and on and on. But I certainly do not have to point that out to a subcommittee of the Committee on Agriculture of the House of Representatives.

Therefore, Mr. Chairman, with your permission and the permission of the subcommittee, I am not going to waste your time or mine in discussing the Department's ostrich-like position on this issue. You will no doubt have witnesses from the Department appearing before you to give that side of it, and I would merely suggest that you ask if they still hold to the sentiment expressed for them by Assistant Secretary McLain in 1956, after we wrote a food stamp plank into the 1956 Democratic platform to aid the needy, when he said, and I quote:

"People like to buy their food. They don't like to have it given to them. It's an insult to offer an able-bodied person a handout."

Mr. Chairman, who can argue intelligently with that kind of viewpoint? Food stamps are intended for hungry people, not chiselers and loafers. I think Assistant Secretary McLain has summed up the Department's position on this whole issue concisely if not necessarily admirably.

PRESENT PROGRAM A FRAUD ON NEEDY

The reason you are holding these hearings is that you all know as well as I do that the present system for distributing surplus food to the needy is a monstrous fraud upon the needy and upon our cities and States participating in the chaotic and, to them, extremely costly program.

In desperation over our great unemployment, we in St. Louis have just recently come in under the existing program. While I was at home over the Easter recess, I made an on-the-spot investigation of how it is supposed to operate. I was heartsick. It is not our city's fault. It is the whole blind concept behind the present disposal and distribution system. It is an organized system for dumping a few surplus items on our States and cities for warehousing and distribution in a manner which inevitably reminds one of Winston Churchill's famous phrase about so many owing so much to so few. In this instance, however, it is a case of so many getting so little for so much effort and expense.

A warehouse depot in the center or outskirts of a large city may be a simple method

of distribution from an engineering or logistics standpoint. But consider the case of a needy family sending someone across a major city by bus, or street car, or perhaps by foot, to pick up a heavy, bulky package of flour, corn meal, dry skim milk, some cheese—intended to be enough for a family for perhaps a month—and dragging it home that long way when, under an intelligent system of distribution, these things—and a whole lot more—could easily be made available in the corner grocery in exchange for a stamp or stamps which came regularly in the mail along with say, the public assistance check. The cost of the present, haphazard, ineffectual program, meanwhile, is out of all proportion to its benefits and is burdensome to the point of no return to our States and cities.

WHY LEGISLATION MUST BE ENACTED

Our job is to overcome the stubborn inertia and resistance of Mr. Benson's team and force them to use the admitted talents of operating people in the Department to install the kind of program which can work and which can do some real good. I mean good for the needy and good, too, for the farmer—particularly the small farmer who gets no help at all out of the present hit-and-miss program of dumping surpluses.

Of course, no legislation is needed to install a food-stamp plan. We know that. The same broad, general legislative authority which enabled President Franklin D. Roosevelt 20 years or so ago to establish a very elaborate food-stamp program in depression days—a program much more elaborate and complex than the one I am now proposing—that same broad legislative authority, I repeat, is still on the books and still available to Mr. Benson if he wants to use it. He doesn't want to use it. He refuses to use it.

Then why pass the kind of bill I urge? The answer is that Mr. Benson and his Department leadership take the position that, if Congress wants a food-stamp plan, it must enact one directing the Department to operate it and they will then put it into effect; but without such a specific legislative directive declaring they should do it, they just won't do it. Therefore, it is up to us to build a hot fire under the Department of Agriculture. Our economic situation is much too serious to permit further passing of the buck from Congress to Agriculture and from Agriculture back to Congress. The challenge has been drawn for us to force Mr. Benson to act—in effect he dares us to do so.

So, let us then get on with it.

HISTORY OF H. R. 949

The mechanics for such a program are outlined in the various bills now before you. May I briefly give you the history of my own bill—H. R. 949—which is the prototype for most of those now before you for consideration.

Late in 1953 and early in 1954, when we were already in a recession, even though the Government reports and statistics on unemployment hadn't confirmed it yet, I became deeply concerned by the accounts of undernourishment among many schoolchildren and others in St. Louis at about the same time the main concern on agricultural matters here in Washington seemed to be the unmanageable surpluses of food. The more I thought about this contradiction, the more indignant I became.

I was rapidly getting to the position where I wanted to vote against every single farm aid proposal to come before the Congress. Of course I did not do that. My research into the problem showed me that conditions which ruin the farmer, and particularly the small farmer, do not help the consumer a bit, and actually hurt our workers in every industry. Consequently, I have remained on the side of helping agriculture to combat disastrously low farm prices and high farm costs.

But I felt there had to be a solution to this glaring contradiction of hunger and amid such plenty, of children going to bed without supper while Government warehouses were bulging to the bursting point with the accumulating surpluses of our farms acquired under the price support and other surplus removal programs.

Several States with large numbers of unemployed coal miners, notably Pennsylvania and West Virginia, had begun to seek some of the surplus food for free distribution in mining areas. There was not too much available in usable form—flour and other items were shipped into the States in bulk and had to be repackaged and it was an expensive and far from satisfactory program.

I knew from many conversations with Congresswoman KEE and with the late Congresswoman Buchanan and other Members from these areas, the problems they were having in distributing even these few items. Obviously, there had to be a better solution, just as there has to be one now when, with only moderate changes, we are still conducting much the same kind of surplus disposal operation as in early 1954.

FOOD STAMP PLAN OF THIRTIES HELPED FARMERS AND LOW-INCOME CONSUMERS

Consequently, I thought of the food stamp idea and drafted my first bill on it which I introduced in February 1954. Of course the idea itself was not original; as I mentioned earlier, we had a very elaborate food-stamp program in effect in the late thirties when perhaps a third of our people were living under economic conditions which made them eligible for this type of program.

It was a program tremendous in scope. It included all types of food in surplus—fresh fruits, vegetables, eggs, citrus, meat, milk, even—I understand—fresh strawberries during one period when they were in surplus. The food-stamp program in effect prior to World War II helped to supplement the diets of millions of Americans of low income and was a valuable contribution toward our Nation's economic recovery as well, benefiting farmers in every part of the country. After World War II began, however, and everyone who could work even part time could readily find employment, the need for the program became less urgent. And the surpluses themselves, of course, rapidly disappeared under the unprecedented food needs of global war.

New Deal ideas of the thirties which proved so effective under conditions then in effect do not necessarily provide a sure guide as to the policies we should follow today under altogether different circumstances. But the thing which made the New Deal so dramatically successful in so many ways in meeting such terribly serious problems was a spirit of imagination and pioneering in Government policy. New ideas were not discarded merely because they were new. Many of those new ideas, as we know, filled basic needs so effectively that we are all united today in approving them as permanent reforms in our national life. And time after time, we find now that ideas tried even temporarily in those days have new applicability today, but usually with necessary modifications. The food-stamp plan is such an idea.

SIMPLE, NATIONWIDE PROGRAM NEEDED

My bill grew out of a conviction that we do not normally need the kind of elaborate program which was successful in the thirties as we gradually pulled out of the worst depression in history. Instead, I felt a simple program could be worked out covering automatically all of those in every county of every State on any form of public assistance, plus those jobless who had no income but were ineligible for relief because of legal technicalities of one sort or another in many jurisdictions. During normal times, the latter group would be relatively small. In late 1954, however, and at present, it is a very large group and the families in that group are in desperate circumstances. Public assistance is denied them; the private charities are broke from trying to help too many with too little; and this is the tragedy of the industrial areas of our country.

If we had set up a program before this, intended to provide additional nourishing food for those on public assistance and the relatively few other families which would qualify in normal times, that machinery, as I said, would have been available to us now to help meet this overwhelming problem of hunger amidst plenty.

NEED EXISTS EVEN IN PROSPEROUS TIMES

But I want to emphasize a very important aspect of this problem of helping the needy with supplementary food through a food stamp plan. Right now, we have vast unemployment. But in good times as well as bad—in boom as well as recession—we have at least 6 million persons as a minimum who are not getting sufficient quantities of the right kind of food for decent minimum nourishment. In recession, the number soars, but there is this probably irreducible minimum of about 6 million who are on various forms of public assistance, the disabled, the aged indigent, the families which qualify for aid to dependent children, and so on.

And at the same time we have these vast stores of surplus agricultural commodities—expensive to store, expensive even to give away abroad.

I have no intention of attacking the idea of sharing our surplus with less fortunate nations, or of donating vast quantities directly and through CARE to our church organizations to help feed the hungry overseas. Our surpluses can be effective instruments in the search for world peace. A hungry child anywhere in the world is a charge on our conscience when we enjoy so much.

But to look at our surpluses only from the standpoint of helping people abroad—or only from the standpoint of getting the surpluses out of the country for fear they might depress farm prices here—is too shortsighted a view.

Why not make it possible for our own needy, too, to share on an intelligent efficient, effective, regular basis in these vast surpluses? Certainly we can continue to send much of it abroad—and even continue to pay the ocean freight where that appears desirable. But we can also afford, and must afford, to show at least equal effort and equal concern in getting surplus food to those anywhere in our country who, through no fault of their own, are unable to afford a decent minimum diet. The number of such Americans is tragically high today because of the recession. But even in good times it is high—that fact must be kept in mind.

MECHANICS OF A FOOD STAMP PLAN

The Subcommittee can, if it chooses, find a bewildering variety of means and methods for setting up an elaborate program, but it seems to me that the simpler the program the better it will work. It does not have to be complex. It does not have to anticipate every significant operating problem and write the answer into law. The Department of Agriculture has experts who, if given the green light, can do an outstanding job of carrying out this idea.

My bill has, I feel, the virtue of simplicity. It is customary, or at least common, for Members in testifying before committees on their own bills to insist they have no pride of authorship and are not wedded to any particular approach in solving a problem through legislation. In this instance, I have to admit to pride of authorship—the bill was drafted only after long study and weighing of alternatives. I am pleased that it has

been introduced by quite a number of Members in this and preceding Congressses.

It provides that the Secretary of Agriculture decide each month what foods are in surplus and what quantities of them are available for distribution through his Department as a result of acquisitions under the various price support and purchase programs. He then issues an appropriate stamp for each such item and the stamps go to the provably needy—to all those on any form of public assistance; and to all families certified by State or local welfare agencies as requiring welfare assistance but not eligible for it because of legal technicalities.

This is the framework of a workable plan. The stamps would be redeemable in such places and under such regulations as the Secretary shall determine—but fundamentally the idea is to have them redeemed in the regular stores. It will be noted that my bill does not actually require that; it is up to the Secretary. The reason is this: if, in a particular area, the stores refuse to go along with this plan for any reason, the needy would not be foreclosed from this help. I don't want to see a narrow restriction written into law which might in some way boomerang to stymie the program. There is no doubt the stores would be the most logical place for distribution of these surplus items in a manner sufficiently profitable to them to at least cover all of their costs. I assume the Secretary would follow through in that manner. But I wouldn't like to see the program enacted on so narrow a basis that the stores could veto it in a particular area and prevent extra food coming in to the needy.

BROADENING SCOPE OF THE PROGRAM

H. R. 949, in addition to setting up the basic eligibility standards for food stamp recipients, calls upon the Secretary of Agriculture, the Secretary of Labor, and the Secretary of Health, Education, and Welfare to consult together and advise Congress in six months on the advisability of extending the program's scope to additional groups; for instance, to those on unemployment compensation, old age and survivors insurance, etc. Some bills which have been introduced as modifications of my bill would include such groups at the very beginning. I had a reason for leaving them out of the initial program, and not because I am not aware that many such persons do need extra help.

But my feeling was this: A corporation president can be fired after a proxy battle and be eligible for unemployment compensation, or go on social security. But he is not necessarily a needy person. To put him down on the list automatically for food stamps would make a farce and a mockery out of the whole program. We would hear about this or that retired tycoon driving to the store in his Cadillac, or pulling up to the wharf in his cabin cruiser, to get his food stamps exchanged for some free food. How that would set tongues wagging! Our program would be discredited at the very start.

We know—there is no doubt about it—that every person on public assistance of any kind is a needy person (or a chiseler inviting prosecution). We know that in all of our cities and in rural areas, too, there are many, many persons not eligible for public assistance but in real and desperate need. Those are the ones who deserve this help the most. Those are the ones to reach immediately in any program of this kind.

But if the Secretaries of the three Cabinet Departments I cited can come forward later with a sensible program for extending this kind of help to additional categories of citizens deemed to need this help, and if reasonable standards can then be worked out to cover them, the program can be quickly expanded to include them, too. As a matter of fact, many families now on social security would already qualify under my bill for immediate inclusion.

WHAT FOODS CAN BE INCLUDED

As a subcommittee on the committee on agriculture, you are undoubtedly interested in knowing not only how this program can help the needy but also how it can help the average farmer.

May I say that I am aware of the fact that distributing some corn meal and wheat flour and dry skim milk and an occasional pound of butter or block of cheese to our needy does not by any means solve the problem of farm depression. The basic price support commodities which pile up and accumulate under the support programs do not lend themselves too well to the task of rounding out the diets of the poor, because a family can use efficiently and beneficially only a certain amount of wheat flour and corn meal and so on without having a very lopsided diet and thus an unhealthy one. But why must a food stamp program be restricted only to some of the storable price support commodities?

The average farmer in a year's time grows a variety of crops which take turns being in surplus. Often, the more he grows of a desirable fruit or vegetable, the less he makes. You members of this subcommittee know that better than I.

The fact is, however, that we have on the statute books now a provision, timidly and only partly used by Mr. Benson, for Government purchase of various perishables (fruits, meat, vegetables, etc.) when surpluses get to the point of seriously depressing farm income. As you know, 30 percent of our customs receipts are supposed to be used for this purpose, under section 32 of the Agricultural Act of 1935. This comes to more than $200 million a year. In addition, the Department can carry over from 1 year to the next up to $300 million of unused section 32 funds to be used when the Secretary sees fit.

SECTION 32 FUNDS

Mr. Benson has not seen fit to make much use of his section 32 funds. Because he has been carrying over from year to year the full $300 million permitted by law, he forfeits back to the Treasury each year any money he does not use out of current section 32 income. This year, he plans to let $65 million of this money go unused for removing surplus perishables. Next year, he plans to forfeit $78 million out of the $230 million he expects to receive from customs receipts.

He could, as we know, use more than $500 million of this money in the next 12 months to aid the small farmer by buying up perishables in surplus, to use them in the school-lunch program and to aid the needy. A food-stamp program would perhaps give him more incentive to make wider use of the funds and authority he already has to help the small farmer, since there would be a ready-made market for these perishables—our needy families. If we had a national food-stamp plan in operation, public attention would so center on the paucity of the items now being distributed that Mr. Benson—even Mr. Benson—might be stimulated by public opinion into providing a more rounded variety of foods for stamp redemption.

I think that would be a much more intelligent manner of helping to meet the farm problem than a multi-million-dollar Soil Bank plan for curtailing production—particularly when so many Americans are not getting enough to eat.

I am not arguing for purchase of artichokes or strawberries out of season to give away free to the needy. But what's wrong with an occasional Texas grapefruit going to a needy family when the grapefruit harvest is big and the farm price low? Why not some fresh peas or asparagus or corn or tomatoes or apples to help provide a decent diet for an undernourished family if those perishables are just rotting in the fields or selling at disastrously low wholesale prices on the farm? Why not fresh whole milk, rather than just dry skim milk?

CONSUMERS DON'T BENEFIT FROM LOW FARM PRICES

We in this room know that low prices on the farm don't mean low prices to the consumer. Not usually. Not in recent years, in any event. As farm prices sink, consumer prices continue to soar. It is a tragic situation both for our farmers and for our low-income consumers.

So let it not be said that this idea for greater use of section 32 funds to help feed the needy as part of a food stamp plan is intended to raise prices to consumers, or would have that effect. I am sure it would not. But it would help the small farmer and it would also help our needy. And it's about time we did a little more of both things.

Mr. Chairman, I don't want to impose on your time by reading a lot of statistics but I have developed a set of facts on the number of public assistance cases in each State as compared with the number now getting dribs and drabs of this surplus food. The figures are startling. I will supply them for the record. They show in many States that while as many as several hundred thousand may be on public assistance, a mere handful comparatively gets any of this free food now. It is an eye-opener as to the lack of effectiveness of this present program. And most of the people who are the human beings behind these statistics go to bed hungry at night, and go hungrily through the day almost each day. (The statistical report referred to appears at the end of this statement as exhibit A.)

A DISGRACE TO OUR COUNTRY

Even the Communists in their complete disdain for human values would, I believe, be too smart to allow that sort of thing to happen if they, instead of we, were the ones blessed with these abundances of food.

Mr. Khrushchev says Russia will soon outstrip us not only in food production but in per capita consumption. We shall see about that. But at least they are trying to increase food production to provide their people with more food and better diets while here in this country, surrounded by the fantastic riches of our harvests, our national leadership can think only of the embarrassment to its political promises of these surpluses; and cannot understand how they can be used effectively and intelligently to outlaw hunger here in the United States. Instead, their goal is merely to curtail production.

The fact is, we do have hunger in this country. It is not a myth; it exists. I have seen it in St. Louis. You have all seen it in your own districts. It is tragic. And it is absolutely unnecessary amidst such great blessings of abundance of food.

Congress is not to blame. But Congress will merit blame if it does not face up to the problem. The problem is to force a reluctant, unfeeling bureaucracy to move off dead center and get food to the hungry. Mr. Benson must stop apologizing for our abundance and instead be pushed into seeing to it that more of it goes to those who need help, and need it desperately.

GOD'S BLESSINGS DESECRATED

I have said that a hungry child anywhere is a charge on our conscience. Mr. Chairman, a hungry child here in America—hungry as a daily experience—going to bed night after night without feeling he has eaten a good meal—staying home from school because he hasn't the energy to study or learn because he hasn't eaten enough to build energy—such a child represents in our country more than a charge on our conscience. The existence of such a situation in this rich land is a shameful blot on our national honor—on our flag. And, unfortunately for our ability to sleep at night, there are many, many such children today in our country. I would say

that several million American children experience that gnawing feeling of not getting enough of the right foods because their families cannot provide them.

Mr. Chairman, I am perhaps emotional about this problem. I do not apologize for that. Hard, commonsense should have told us long ago we needed a better program for distributing our surpluses to our needy. But the need still goes unmet. I do not apologize for being emotional about it now.

Farm failures, ruinous surpluses, bulging warehouses, billions of Federal funds going for agricultural mustard plasters, but millions of Americans still hungry. The abundance lavished upon us by a merciful God—abundance of food in a world where too many starve—this abundance is actually cursed by some who cannot see His purpose. Let us use this food as God intended—to feed those who hunger. Let us outlaw hunger—if not in the world, at least in our America.

EXHIBIT A

MOST PERSONS ON PUBLIC ASSISTANCE (77 PERCENT) NOT RECEIVING SURPLUS FOOD UNDER PRESENT DEPARTMENT OF AGRICULTURE DISTRIBUTION PROGRAM

Statistical tabulation compiled by Congresswoman LEONOR K. SULLIVAN, of Missouri, from reports of Department of Agriculture on surplus food distribution program and Department of Health, Education, and Welfare on estimated numbers of persons on various forms of public assistance. Reports from both departments cover similar December-January period.

State or Territory	Number of persons receiving surplus food	Number of persons receiving surplus food who are on public assistance	Estimated total number of persons receiving public assistance
Alabama	111,798	42,997	205,703
Alaska			6,540
Arizona			42,500
Arkansas	162,245	67,474	97,585
California	23,288	1,784	583,815
Colorado	8,870	2,403	88,764
Connecticut	303	226	49,637
Delaware			12,843
District of Columbia	16,126	10,328	20,609
Florida			176,609
Georgia			178,406
Hawaii			16,693
Idaho			16,034
Illinois	56,396	39,816	299,647
Indiana	35,752	16,020	119,656
Iowa	67,394	38,600	78,477
Kansas	8,628	8,622	61,043
Kentucky	151,453	48,768	147,943
Louisiana	103,398	0	260,692
Maine	27,270	13,612	39,443
Maryland	1,096	250	49,965
Massachusetts	1,157	1,111	166,478
Michigan	170,374	108,315	229,397
Minnesota	11,510	7,891	101,221
Mississippi	323,420	134,433	150,975
Missouri	36,973		246,985
Montana			21,656
Nebraska	2,026	0	33,489
Nevada	968	309	6,520
New Hampshire	4,689	1,921	13,124
New Jersey	14,398	9,073	79,283
New Mexico	30,034	21,541	38,617
New York	160,621	144,626	452,912
North Carolina			170,147
North Dakota	8,753	580	16,606
Ohio	14,607	9,515	277,636
Oklahoma	194,894	90,972	179,137
Oregon			53,505
Pennsylvania	457,347	158,267	282,235
Puerto Rico	519,487	362,699	235,576
Rhode Island	7,770	5,257	35,128
South Carolina			84,805
South Dakota	26,748	7,184	23,856
Tennessee	32,945	6,901	142,096
Texas	55,613	23,229	357,910
Utah	13,932	12,297	26,889
Vermont	3,531	1,674	14,446
Virgin Islands			1,979
Virginia	16,208	3,969	62,566
Washington			131,007
West Virginia	167,511	50,805	105,017
Wisconsin	7,854	3,188	92,934
Wyoming	6,003	3,873	8,142
Total	3,063,390	1,460,530	6,394,975

Postal Service—Past, Present, and Future

EXTENSION OF REMARKS

OF

HON. WILLIAM A. DAWSON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1958

Mr. DAWSON of Utah. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following address by my distinguished colleague from Utah, Representative HENRY ALDOUS DIXON, at the dedication of the Smithfield, Utah, Post Office on April 11, 1958. It is an interesting and concise history of postal service and the size to which our present postal system has grown.

The address follows:

It is a genuine pleasure to be here in Smithfield today and take part in the dedication of your new post office. It is always stimulating to have the opportunity of being present when any significant development takes place in any one of our Utah communities. It is a source of double satisfaction to be here in Cache County and address you fine people on this particular occasion.

I am sure that you will agree that today your Post Office Department serves more of our people more intimately and more frequently than does any other branch of our Federal Government. Scarcely a working day goes by but what each and every citizen receives some service from it. The Post Office Department is indeed a sound servant and a fundamental part of our living democracy. Democracy and a free and uncensored postal service have grown and developed together—each dependent upon the other.

HISTORICAL BACKGROUND

A postal system such as we know and take so much for granted is a relatively recent development in the history of man. It is true that the roots of such a service go back into antiquity, but until modern times effective postal services were only for the nobility or the very wealthy.

However, men have communicated over distances with each other for thousands of years. Signals or symbolic objects were used in the distant past to convey certain thoughts. A quiver of arrows as a declaration of war, a pipe as an offer of peace, a pillar of smoke to announce the appearance of a stranger are good examples of that type of communication.

Our modern Post Office Department is simply an organized distillation of men's need to communicate.

You may be surprised to know, however, that the famous lines of tribute to our postmen—"Neither snow, nor rain, nor heat, nor gloom of night stays these couriers from the swift completion of their appointed rounds"—was first written by the great Greek historian, Herodotus, in the 5th century before Christ.

There are biblical references to a postal system in the book of Esther, and in Job there is a passage which states, "My days are swifter than post; they flee away."

The Romans built post roads so that the carriers could ride over a hundred miles daily, and the Aztec Indians of ancient Peru had a parcel-post system to distribute fresh fish among the villages. But these early beginnings were for the purpose of serving the state, and the heads of the state, and only through them serving the people.

THE PUBLIC SYSTEM

The first public postal system was established in 1516 and operated between Vienna and Berlin. A broader and more general public system, one that was really the beginning of our type of postal service, was created by Charles II of England when he commanded the establishment of the famous London Penny Post, in the later part of the 17th century.

Here in America in 1672 New York's Governor Lovelace created mail service between New York and Boston over the route known today as the Boston Post Route No. 1; and in 1683 William Penn established the Philadelphia post office. Shortly before the French and Indian wars Benjamin Franklin became postmaster general for the North British Colonies in America. He later became the Postmaster General for all the colonies under the direction of the Continental Congress.

From those small but significant beginnings has developed the massive and efficient postal service we know today.

SIZE OF THE AMERICAN POSTAL SERVICE

It is difficult to conceive of the size of the American postal system of our time. It is just as difficult to fathom its value to our social and economic life. Let me quote some figures for you to help you visualize the postal service in America in 1958.

1. There are over 37,000 post offices throughout the country.

2. The postal service sells more than 24 billion stamps per year in spite of the fact that more than half of that mail is handled under permit by use of printed indicia.

3. There are more than 32,000 rural carriers traveling more than 1½ million miles each working day—a distance equal to approximately 4 round trips from the earth to the moon.

4. Over 400,000 money orders are issued each day, and if they were piled one on top of the other (flat side to flat side) they would make a stack 1½ times as high as the Washington Monument.

5. The Post Office Department employs more than one-half million people—more than any other Government agency except the Department of Defense.

6. It operates more than 85,000 vehicles—the largest motor-vehicle fleet in the world.

7. This year it will handle approximately 61 billion pieces of mail. A volume equal to roughly one piece for every man, woman, and child in the United States every single day. Incidentally, that is nearly two-thirds of all the mail that will be handled this year in the entire world. The Chicago Post Office alone handles more mail than the entire nation of Canada.

I am sure that you will agree that our postal service is a big business—and it is a growing business. I am told by postal officials that the volume of mail has been increasing at about twice the rate of population growth. That means that by 1985 the postal service will probably be serving 200 million Americans and handling more than 100 billion pieces of mail annually.

THE NEW PROGRAM

President Eisenhower and Postmaster General Summerfield have embarked on a far-reaching program to modernize the postal service—an essential step because of the tremendous volume of mail and its astounding rate of growth. Because of World War II, the scarcity of building materials immediately thereafter, and because of the heavy drain on the Treasury of the United States in meeting the postwar defense needs of our Nation, the Congress has not appropriated any money for the building of new post offices since 1938. Since then the mail volume has more than doubled. It is little wonder then that many of our post offices are literally bursting at the seams.

Under the President's and Postmaster General's program, the building of new post offices (like this one) built by private capital and leased to the Post Office Department on a monthly rental or a 10- or 15-year basis has been increasing rapidly. Postal officials inform me that now, nation-wide, contracts

are being let at a rate of two each day. I understand that this is the ninth new postal facility formally dedicated in Utah in the past thirteen months.

Under a program recently suggested by the President (if adopted) 12,000 new postal facilities will be built in this country during the next three years. Private capital is scheduled to supply more than 1½ billion dollars to construct them, and they will in turn be leased to the Post Office Department. Under the plan, increased postal rates should supply another one-half billion dollars to modernize and mechanize existing post office buildings throughout the country. The plan (if adopted) will, in my opinion, bolster the economy of the country and at the same time provide the kind of postal quarters our dedicated postal employees need to render our people the kind of service to which they are entitled.

POSTAGE RATES

As most of you know, the House of Representatives and the Senate of the United States have each passed a bill to provide for an increase in postal rates. Increased postal rates are badly needed to make the Post Office Department somewhere near self-supporting. The legislation to provide this needed increase is now in conference between representatives of the House and Senate Post Office and Civil Service Committees. The main difference between the House bill and the Senate bill is that the Senate measure calls for a 5 cent first-class letter rate on nonlocal mail and a 4 cent rate on local letters. The House bill calls for a 4 cent rate on all first-class mail. If the Senate version of the 5 cent nonlocal letter rate prevails, the extra cent is earmarked for the next three years to modernize our postal plants. The extra cent on out-of-town mail will provide about $175 million each year. At the end of that time the 5 cent rate is to revert to 4 cents.

While I am sure that no one wants to pay more for anything than is necessary, it is, I think, amazing that postal rates on first-class mail—the 3-cent rate—is the same as it was in 1932. Like most everything else, the cost of handling the mail has more than doubled since 1932. It seems only reasonable that rate increases for postage be enacted into law.

Both the House and Senate versions of the postal rate increase bill call for reasonable advances in the cost of mailing second- and third-class matter as well as the letter rate increases.

I think that we as American citizens need to face the unequivocal fact that the cost of handling the mail must be paid in one way or another. There are apparently three alternatives: (1) increase the rates; (2) charge the deficit to the taxpayer; or (3) borrow the money from future generations.

According to figures supplied to me by the Post Office Department, the 5- and 4-cents letter rate would cost the average American family about 20 cents per month or $2.40 a year additional for postage expense. At the same time it costs that family about $7 per year to pay its share of the postal deficit through taxation. This is because most of the mail is business mail. I do not see why the average family should subsidize big business through the maintenance of unreasonably low postage rates. You might be interested to know that in Western Europe the average letter postage rate is about 50 percent higher than ours, and their postal employees are paid only about one-third as much as we pay ours.

CONCLUSION

In conclusion I want to congratulate Postmaster Hillyard and the people here in Smithfield on their new post office. I think that it is a genuine asset to your community. I only wish that more of our cities and towns had facilities as nice and as adequate.

I believe that the American people want good postal service. I believe it is essential to the welfare of our people and our Nation that they have it, and so long as I am a Member of Congress I shall endeavor to see that they get it.

Again my congratulations to you on this splendid occasion—the dedication of the new Smithfield Post Office.

Secretary Seaton Commended by Conservationists as a Man of Action

EXTENSION OF REMARKS

OF

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1958

Mr. SAYLOR. Mr. Speaker, in administering the public lands, the minerals, the wildlife, national parks, and other great natural resources entrusted by the American people to the care of the Department of the Interior, Secretary Fred A. Seaton has consistently demonstrated courage and devotion to the public interest. In an unusual tribute, the delegates to the 22d annual convention of the National Wildlife Federation, held in St. Louis February 28–March 1 and 2, 1958, adopted a resolution commending Mr. Seaton for a series of significant actions. The text of the resolution follows:

Be it resolved, That the National Wildlife Federation commends and applauds Secretary of the Interior Fred A. Seaton upon several important actions taken in recent months for the benefit and protection of natural resources in the United States and Alaska, to wit:

1. New and protective regulations signed January 11, 1958, restricting and controlling oil and gas leasing and mineral development on the National Wildlife refuges and game ranges in order to protect the wildlife values.

2. An Executive order signed December 24, 1957, providing for the diversion of fresh water from the Colorado River to restore the Topock Marsh and maintain the Havasu National Wildlife Refuge as an important waterfowl-management unit in the Pacific flyway.

3. A preliminary order signed November 19, 1957, taking the initial steps toward withdrawal and establishment of the Arctic Wildlife Range in northeastern Alaska.

4. Recommendation of legislation to provide for Federal acquisition of the Klamath Indian Marsh as a National Wildlife Refuge and for Federal acquisition or disposal of the Klamath Indian Forest in a manner to assure sustained yield management.

5. His unqualified declaration made before this convention that he will render in the immediate future a decision upon the vexing problems relating to National wildlife refuges and waterfowl management in the Upper Klamath Basin of Oregon and California.

Mr. Speaker, it should be noted here that with respect to point No. 5 in the above resolution, Mr. Seaton has again shown he is a man of action and a man of his word. He recently announced his decision in this vexing and long-unsolved controversy. The existing waterfowl refuge lands in the Upper Klamath Basin will be held intact for conservation purposes until or unless substitute wildfowl habitat along the flyway has been provided. Legislation is being prepared to back up this decision and safeguard the waterfowl resources of the Pacific flyway.

Mr. Seaton made a speech at the opening session of the National Wildlife Federation convention which sounded a realistic and forward-looking keynote not only for the federation's meeting but for the 23d North American Wildlife Conference which followed immediately in the same city. His address, described in the federation's news bulletin as "bristling with specifics," follows. Under leave to extend my remarks, I commend it to the study of my colleagues.

MR. SEATON'S ADDRESS

Mr. Swift and gentlemen: As you may have noticed, I paid rather close attention to those generous remarks which my old friend Ernie Swift made about me, and I suppose that I would be a whole lot less than honest if I didn't tell you that I enjoyed every word he said. The only difficulty, I think, is that because he is a friend and a fellow worker in this conservation cause, he perhaps gilded the lily a little too much. Of course, you understand I do not say that as any criticism of him. I simply say that out of common honesty and candor.

I understand that the annual Cooperative Wildlife Research Unit meeting was temporarily adjourned this morning so the people in attendance could come here, and, of course, I am particularly thankful. What the final reaction will be to the decision that they should come listen to this speech remains to be seen, of course, but then I am also told that this program is now 22 years old and that in that time more than 2,700 students have been graduated. I think you will all agree with me that this is a very considerable and worthwhile accomplishment.

I thought I would talk to you today about some matters with which some of you are certainly much better acquainted than I. Nevertheless, I think we ought to talk about those matters for a few minutes, not only to get them on the record, but also to make certain that we understand one another.

Back in 1903, at Stanford University, Theodore Roosevelt, speaking on the subject of natural resources, exhorted the Nation "To leave to future generations the heritage unimpaired and, if possible, even improved."

It seems to me this clarion call sounded by President Roosevelt continues to echo in our own day and that it is a call which all Americans, regardless of their business or profession, would do well to heed.

In the 50 intervening years since that speech I think it is a fair statement to say that conservation practices, by private citizens, State agencies and the Federal Government, have greatly increased. Moreover, I think it is admitted that today there is unprecedented citizen interest in the management of this Nation's natural resources, particularly those under Federal jurisdiction. Now, only with such public interest, understanding and action can we ever hope for effective legislative and administrative results.

Here I would like to point out that organizations such as yours have long recognized that fact. To you and to them is rightfully due a major share of the credit for the progress made thus far in the proper husbanding of our natural resources in America.

Then, if you don't mind, I should also like to make a personal observation. As Secretary of the Interior, I owe much to all of you. Many times your representatives have spent long hours with me discussing difficult and complex problems, benefiting me with information and counsel. Time and

again members of local units of your organization and others have written or spoken to me their opinions and their suggestions.

Let me assure you here and now with complete sincerity that I am aware of that debt of gratitude and conscious of my responsibility because you have been so cooperative with me.

Now, we know that there are a multitude of major Federal laws, old and new, which today govern the use of publicly owned resources and that many of those laws are complex. Sections of some of them appear to collide with sections of others. Nevertheless, they do set the framework within which the officials of the executive branch of Government must act.

You know, in trying to make right and proper decisions within the framework of those laws, I sometimes recall to mind a famous cartoon character of some years ago. Many people in this room, I am sure, will remember him. His name was Skippy, drawn by a British cartoonist who died a few years ago.

I am thinking of a cartoon which appeared one Christmas Eve. It showed little Skippy about age 8, in his night clothes, down on his knees by his bed making his prayers. This is what he said: "Dear God, please make me a good boy." Then he thought, and I think with all reverence added, "But God, please don't make me too good a boy because you know better than anybody else what an awful tough neighborhood this is."

Sometimes when people with conflicting opinions gather in my office and the time for decision arrives, I must confess to you that I think a little bit about Skippy and his prayer. Nevertheless, in spite of all the difficulties, these laws, taken together are, I believe, inspiring evidence of a people's determination to deal as prudently and wisely as they can with the bounty that nature has conferred upon them. On that fact, I am sure all of us can agree.

Now then, what are some of these laws? Well, for public lands, we have major legislation dating from 1801; for the water we have similar legislation dating from the Reclamation Act of 1902; for minerals we have the basic mining law of 1872 and its successors; for timber we have the Forest Reservation Act of 1891 and subsequent amendments; for grazing we have the Taylor Grazing Act of 1934.

The development of our unparalleled national park system has taken place under a variety of general laws which date back to 1906. I think that a major victory of this area certainly was the launching, in 1956, of the Eisenhower administration's program to improve the national park system of this country. That program is widely and commonly known as Mission 66.

Major legislation for fish and wildlife is, as you know, relatively recent. It includes the Migratory Bird Treaty Act of 1918; the Migratory Bird Conservation Act of 1929; the all-important 1934 Duck Stamp Act; the 1934 Coordination Act, with its later amendment of 1946; the Pittman-Robertson Act of 1937; and finally the Dingell-Johnson Act of 1950.

These measures, I remind you, came into being largely through the efforts of many of you.

Similar efforts received a long-due, if not overdue, reward in 1956, when the Fish and Wildlife Act was passed by the Congress. With the passing of that act, we were able to create, in the Department of the Interior, the office of Assistant Secretary for Fish and Wildlife.

Through the cooperation of many people in and out of the Government, of both political parties, this historic forward step was taken.

Now, then, despite the progress that has been made, I believe this Nation's natural-resources program could still be better balanced. Administratively, we are making every effort in our national planning to protect fish and wildlife, recreation, and associated values. Nevertheless, if these are to receive full and appropriate protection, they must have appropriate additional recognition in Federal law. Of that, I am, personally, deeply convinced.

I will say to you here and now that as Secretary of the Interior I shall continue to do everything possible to further the enactment of such legislation in the Congress.

Now, for a moment, if you please, let's consider the real and justifiable need for such legislation.

The demands on our recreational and wildlife resources are growing with incredible intensity. Cities, roadways, and industrial plants, for example, are devouring land in America at an annual rate of almost a million acres, and that, I do not think I need to remind you, is an area larger than the State of Rhode Island itself.

Moreover, our country's population is growing at a fantastic rate, and by 1968 it may well be that we will number 200 million people.

Nevertheless, there is a growing awareness in America, again fostered to a major degree by you people and your associates in the conservation movement, that we simply have got to get on with the job of getting ready for tomorrow and a whole series of tomorrows.

As a matter of fact, in the past few years the Nation has accomplished much to meet the challenges posed by such trends. Since 1953, the Government has added almost 50,000 acres to its Federal wildlife refuges, not enough, no, but plenty if you consider some of the opposition that has been registered to putting a single acre more in wildlife refuges.

In the current fiscal year, the Department of the Interior is investing nearly $57 million in sports fisheries and wildlife programs. That $57 million is almost 60 percent more than the corresponding amount for the fiscal year 1953, and yet I confess that there is much, much more to be done in that area.

In the past 2 years alone, the Department has had nearly a 5-fold increase in its investment in river basin studies. One of our immediate problems in that area is the proposal to erect a dam at the Nez Perce site in Idaho on the Snake River just below its confluence with the Salmon. Unless there is conclusive evidence that such a structure would not do irreparable damage to the anadromous fish runs up the Salmon River, I must oppose it.

The Pittman-Robertson and Dingell-Johnson funds are now providing $21½ million to States for sports fisheries and wildlife programs. Perhaps this is not enough yet, but it is the largest annual amount in our history. In the Havasu Lake National Wildlife Refuge in Arizona, water is now being diverted from the Colorado River into the Topock Marsh. This, as you know, will end stagnation due to Federal dredging operations which began in 1949. This action is helping to restore that area to its former excellence as a winter ground for migratory waterfowl.

The Department of the Interior and the Department of the Army last year reached an agreement acceptable generally to conservationists by which a buffer strip was made available to Fort Sill in the southern part of the Wichita Wildlife Refuge. That agreement eliminated a serious threat to the refuge and its intended purposes, and I say now to you that the Department of the Interior has no intention whatever of reducing the effectiveness of this outstanding wildlife area by opening more of its acreage to military use. I might add further that my ability to maintain that position will be quite a bit due to the cooperation I know I shall get from you and your associates.

The Congress has recently passed the so-called military lands withdrawal bill, H. R. 5538, which makes applicable on military lands the fishing and trapping and hunting laws of States and Territories in which they are located. This legislation also stipulates that no military withdrawal of more than 5,000 acres can be made without specific consent of the Congress.

As I am sure you know, the Department of the Interior has wholeheartedly supported this legislation.

In case the word has not reached you today, I was called from Washington a couple of hours ago and told that the President had today signed that legislation.

Well, I think that a fair summary is that much has been accomplished but that there is still much to do.

It is time, for one thing, to make constructive amendments to the Fish and Wildlife Coordination Act of 1946. In my opinion, that is a legislative must and the sooner it is done, the better. The Department of the Interior is now working with other Federal agencies on just such amendments, which, among other things, would legally require that greater consideration be given to fish and wildlife conservation in the planning of Federal water resource projects.

In brief, the proposed amendments will go beyond the present legal protection against damage to fish and wildlife values. The amendments will actually require the enhancement of those values, and I am happy to report to you that we have made good progress toward getting an agreement with other Federal agencies. As soon as that job is done, in, I personally believe, a few days or weeks at the most, I shall at once submit proposals to the Congress and strongly urge their enactment.

Second, we urgently need legislation to establish a national outdoor recreational resource review commission. The administration is enthusiastically supporting that proposal before the Congress. It will lay a base for application of recreational resource criteria to include wilderness and associate values in any comprehensive survey of this Nation's lands. I say to you that the sooner that commission can get on with its job, the better for all of America.

Because of the impending termination of Federal trusteeship over the lands of Klamath Indians, we need legislation which will continue the sustained-yield management of the forest, and preserve the marsh as a wildlife area. The administration has sponsored such legislation, and it is now before the Congress. The marsh, once purchased by the Department of the Interior, would become a wildlife refuge. The forest, kept intact, would continue in perpetuity to produce timber on a sustained-yield basis, to help prevent floods and to protect the migratory waterfowl and other wildlife which now find refuge within it.

There came to my desk yesterday a recommendation for solution of the Klamath-Tule Lake problem. Because of its complexity, it has required intensive and sympathetic study by my staff and by the Assistant Secretary for Water and Power and also the Assistant Secretary for Fish and Wildlife. Upon my return, I shall resume work on this problem myself. We will make every effort to announce a decision within the next few weeks at the most.

As a matter of fact, this subject came up for discussion informally in my room last night, and one of my good friends from out in that area pleaded with me to make this decision as soon as possible. In the course of that conversation, we got a little curious historically and discovered that the problem has been pending in the Department of the Interior since the days of Secretary Krug.

I don't say say that as a criticism of one of my predecessors, of course, because it was pending there not only under him, but also under Secretary Chapman and Secretary McKay. This is just an example of how complex some of these problems are.

Around the Department of the Interior we are determined not to let these things lie on the shelf. We will try to make decisions—right decisions—as soon as possible so that people will have a chance either to object or approve.

Well, another thing we badly need is special legislation enacted in this session of the Congress to authorize metalliferous mining by lease or permit only for the proper protection of the proposed new Arctic Game Range. As you know, I have taken steps to set aside this 9-million acre area of Northeast Alaska for the protection of grizzly and polar bears, Dall sheep, wolverines, caribou and migratory waterfowl. This single addition to the Nation's wildlife system will send the acreage of Federal wildlife lands soaring to a new record total.

Informally, just last week I had a discussion with the Canadian Ambassador, and members of the Department of the Interior have had informal and exploratory conversations with members of the Canadian Government, hoping to work toward the day when the Canadians will find it proper and right to do on their side of the international boundary the same thing we have now done on our side.

As you all know, what we must do above everything else is to make certain that nothing defeats the purposes of the new regulations which have been issued to govern oil and gas leasing on Federal wildlife lands. I am sure we are all together on that.

These regulations provide that on Federal wildlife refuges there will be no leasing, except when Government oil reserves, in other words, oil belonging to the people of the United States, are threatened by drainage because of nearby drilling. On the game range lands of the United States, the Bureau of Land Management and the Fish and Wildlife Service will together determine which areas should be recommended to be opened for leasing and drilling. Similar legislation will also apply to the Federal-State cooperative lands and the wildlife areas in Alaska. In any case, the approval of the Secretary of the Interior must be obtained. I have not the slightest intention either of shirking my responsibilities or hiding my mistakes behind somebody else.

Recently a Congressional question has been raised about the validity of this new departmental regulation of which I have been speaking. I have been informally told that hearings will be scheduled on that subject. Let me assure you here today that I stand ready to defend my action, both as to its legality and as to its contribution to the public good and, again, I must say that I shall need your help in that battle on Capitol Hill.

Finally, more than ever before, we need to continue to strengthen public support for all constructive conservation measures. The half century behind us is rich in legislative, administrative, and organizational achievements in the field of Federal natural resources management, conservation, use, and development. Even so, as I indicated a few minutes ago, we must continue to forge ahead. So I propose to each of you today that each one of you launch a sort of a personal mission 2,000, not for one resource, but for all of them. With the utmost diligence, let us continue to work together to assure that the latter part of this 20th century, as the first, will be an era of outstanding brilliance and accomplishment for the cause for conservation in America.

Address by Hon. Karl E. Mundt, of South Dakota, Before Kansas Convention of Young Republicans

EXTENSION OF REMARKS

OF

HON. ANDREW F. SCHOEPPEL

OF KANSAS

IN THE SENATE OF THE UNITED STATES

Wednesday, April 16, 1958

Mr. SCHOEPPEL. Mr. President, on December 7 of last year, my distinguished colleague, the Senator from South Dakota [Mr. MUNDT], delivered a speech before the young Republicans of my State, at Topeka, Kans. I ask unanimous consent that the speech be printed in the Appendix of the RECORD.

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

ADDRESS BY SENATOR KARL E. MUNDT OF SOUTH DAKOTA, BEFORE STATE YOUNG REPUBLICAN CONVENTION, TOPEKA, KANS., DECEMBER 7, 1957

Thank you very much indeed, BILL AVERY, for that very generous introduction. I'm mighty glad that you stopped when you did or I wouldn't have recognized myself sufficiently to have gotten up at all. At least part of what you said is correct. I am a Member of the United States Senate. Beyond that, you were on your own.

But, former Governor Hall, Congressman Ed Rees, Congressman Bill Avery, and distinguished guests at the head table, leaders of young Republicanism here in Congress and nationally, and ladies and gentlemen of the Republican persuasion, it's good to be back in Kansas and good to be back here on another occasion of Kansas Republicanism.

I remember very vividly my experiences a few years ago talking there on Kansas Day, the fine turnout of very hard working Republicans who attended that meeting, and it's thrilling to stand here and see this great aggregation gathered together on a football Saturday, looking around for something to do to help save America. I'm just as much of a football fan as you are, and I'm glad that there aren't many games left, although I am going to have some fun driving back north this afternoon listening to the Notre Dame-SMU game, I'm sure, and I suspect I like football for the same reasons you like it.

I am delighted to see in this Republican company such a fine gathering of young women, such a fine gathering of Republican women of every age and of every era, because I have a prevailing conviction that the safety of this country is going to be protected ultimately by the sound judgment and the good sense and the hard work of the women of America who work in politics. I'm just glad to see so many of you here.

You know, if I didn't already know what wonderful folks Kansans are and what wonderful Republicans you are, I could sort of express myself, I suppose, by perverting a toast which I one time heard that goes something like this: "It's easy enough to smile, with a girl and a glass and a song. But the man worthwhile is the guy who can smile, when he's brought the old woman along." As far as I'm concerned, there isn't an old woman in the crowd, you're all young. The poet said there is no such thing as an old or ugly woman. I think he's exactly right. And I agree with another thing the poet said. The poet said that women are the masterpiece of the Creator, the edition is unlimited, and no man should be without his copy. That adds it up pretty well. Like a lot of you, I agree that the Roosevelt boys tried to carry that to excess, however, in trying to accumulate a whole library.

Kansas and South Dakota, you know, are a great deal alike in a great many ways and one of them is politically. I know your fine Republican Congressmen, I have worked with most of them in the House and in the Senate. I have worked long and hard and in teamwork with your two fine and illustrious Senators, FRANK CARLSON and ANDY SCHOEPPEL, two of the best Senators of the United States to work as a team and strike together, who are a credit to any State, and both of whom are doing a terrific job, and I know that Kansas and South Dakota are part of this great Republican Cherokee strip that starts at the Canadian line and runs down as far as Oklahoma and then stops. But here is a totem pole of freedom; here is a Republican Cherokee strip, and come good times or bad, we refuse to be bought or bribed or bullied. We're just too independent to sell out to the other side.

I can remember in 1952 when I was serving as chairman of the speakers bureau for the Eisenhower-Nixon campaign, and a great Kansan was doing a terrific job managing the campaign, Wes Roberts. Wes and I made a minor wager as to whether Kansas or South Dakota would carry the greatest percentage of Republican victory for Ike. We both knew Ike was going to win, we knew our States were going to come in right, but we made a minor wager, and I bet, of course, on South Dakota; he bet on Kansas, and we had to carry it out to the fifth decimal point in order to determine who won. It was that close. I'm glad to tell you South Dakota won. But it was pretty close. And we've both slipped a little bit since then, I'm sorry to say. You've elected a Democratic Congressman, we've elected a Democratic Congressman; we've done a little better than you, we've kept a Republican governor, but we've both slipped a little. And believe me, we're going to both work hard together to pick up that slip come 1958.

I thought I would ask and answer four questions in the course of my discussion about republicanism with you fine coworkers here this noon, and I've got enough notes here so I'm going to try to remember to say something that I told the press I would say. But I want to talk to you pretty much from the heart and off the cuff.

I want to ask and answer these four questions: No. 1, what does it mean to be a Republican in 1957? No. 2, what are our current responsibilities as Republicans in 1957? No. 3, what is our record? What's the story that we have to tell? And No. 4, why should we win in 1958 and 1960?

We're here as people interested in the business of good government. You're here because you expect to do something to help bring about the kind of decisions that you want to have happen in 1958 and 1960. And I think its good on occasion for us to reflect a little bit as to what it means to be a Republican. Why are we Republicans? There is another party. Or, you could be an independent. Why are we Republicans? I think its a good mental exercise sometimes to take a sheet of paper and write down the reasons why we believe in the Republican cause.

I had a most interesting discussion early in the campaign of 1952 with then Gen. Dwight D. Eisenhower, now the President of the United States. In the course of the conversation, I said to him, "Tell me, Ike, how do you happen to be a Republican?" He said, "Let me tell you something. While I was in charge of NATO, and starting about in 1950, delegations started coming to Paris from both of the political parties urging me to run for President. I didn't take any of

them very seriously for a while. I didn't have any intention of becoming a politician. I was looking forward to retirement. But when they continued to come and continued to present arguments why they believed that there was a service I could render as President of the United States, or at least as a candidate for the President of the United States, I started giving it some serious reflection, and the first thing I had to do was this: I had to ask myself if I agreed to become a candidate for President, on which party would I run? Because I had been in the military services so long, I had not been identified actively with the Republican Party or the Democratic Party, so I had to decide for myself, if I'm going to get interested in this thing, obviously I'll either have to let my name be submitted as a Democrat or as a Republican. So I sat down in my office at NATO there in Paris with a sheet of paper and I wrote down on one side of the sheet of paper the Republican principles and the Republican personalities that I knew something about. On the other side I wrote Democrat, New Deal, or Fair Deal (or call it what you want) and listed the principles and the personalities of the other party that I knew." And, Ike said, "I knew a lot of good people in both parties. I knew something about what had been going on, because I had been in and out of Washington in my official capacity a great many times. When I had put down the best analysis I could on those pieces of paper, I concluded that I felt more at home with Republicans; that I found myself in agreement with more things that Republicans stood for than I could agree with from the people on the other party. I believed that those Republican concepts, those principles, and those personalities were better for America and the world than those on the other side. So I said to Mamie, 'If by any chance I agree to run for President, it's going to be as a Republican, because that's the party in which I believe. That's the party which holds the most hope for America.' "

I kind of like that approach, because this business of deciding what party you belong to isn't all black or all white. It isn't just a matter of geographical environment or hereditary conviction. It's a mental exercise and we can't expect ourselves to be in 100 percent agreement with every other Republican or with every concept and every principle and every policy that any Republican convention, State or National, may happen to adopt. It's a question of relativity. It's a question of keeping things in their proper perspective.

It's a question of looking at the situation in balance, because we wouldn't have just two parties in America of importance if each of us were going to follow the inclination of his own nose. We'd have a half a hundred parties, because Republicans disagree with each other on various aspects of the farm program, various aspects of foreign policy, various aspects as far as reciprocal trade treaties are concerned. Why not? We're Americans—we should be disagreeing. The question is, on balance, where are you the happiest? On balance, where do you feel the most comfortable? On balance, which set of principles, which set of people do you think are best for America? And I'm sure every man and woman in this room, if he would do that, or if she would do that, would come up, as Ike came up, with an honest answer to the effect that you feel more at home with Republicans. That there are more things that you believe in that are Republican and that you uphold. And that there are fewer things you agree with which are found on the other party's piece of paper or on the other political team, so you can't find yourself happy with a very great many of them.

Let me suggest just a few. To me, what does it mean to be a Republican? Why am I a Republican? In the first place, I think that Republicans are dedicated to individual freedom, just a little bit more than the other team. I'm not trying to say the other team believes in communism or tyranny or totalitarianism, but on balance, I think you can prove demonstratively the Republican Party believes more definitely in individual freedom than the other side. Take for example our attitude toward private property, toward private ownership. We just don't believe in national socialism. We don't believe in communizing or socializing or nationalizing any of the great industries of this country. The other people do. Sometimes they want to nationalize the doctors. Sometimes it's the bankers. Presently it's the private power companies. But they are always trying to put the clammy hand of Washington and of the Federal Government on some particular private ownership enterprise in this country. As Republicans, we resist that. We believe in opportunity for the individual as against the other fellow believing in opportunity for the state. So that helps make me a Republican.

We believe in expanding individual opportunities. We support the chance for a young man to get ahead. We believe in security, too, but we don't make that a fetish. We're not happy when everybody has the security of a cow in a barn or a hog in a pigpen. We're not happy when people have warmth, clothing, food, shelter, and nothing more. We're happy only when people have an opportunity to forge ahead as far as they can go respectably without interfering with the liberties or opportunities of other people. Our appeal is to the people. The other party appeals primarily to the politicians. I'm proud as a Republican to be living in an era when we haven't got a single big political boss working in the Republican Party. If you're talking about political machines, if you're talking about political bossism, you've got to talk about Hudson County in New Jersey; you've got to talk about Tammany Hall; you've got to talk about the Kelly-Nash machine and the people that ran and run Chicago; you've got to talk about what Crump did down in Memphis. The big politicians, the big political machines, are all Democratic in this country. The Republican Party believes in the people, and we make our appeal to them. I think from Abe to Ike we have stayed pretty consistent in our concept by supporting the idea that the Federal Government should do only those things which need to be done and which the individual State and the individual people cannot so well do, or cannot do at all, for themselves. So that also helps me be a Republican. That doesn't mean that there aren't any Democrats who believe in those things, but by and large on the record—this is as easy to prove mathematically as two times two equals four—you find more people, and you find more policies supporting individual opportunity when you talk about Republicans than you do when you talk about New Dealers or Fair Dealers. It is one of the characteristic qualities of Republicanism.

Why else am I a Republican? Republicans by and large believe a little bit more in constitutional Americanism than does the other party. I am not saying that the other party is un-American. I am not saying that they don't believe in American concepts; but I am saying that on the historic record, the Republican records, the Republican personalities, the Republican policies are more faithfully dedicated to our constitutional concepts than are those of the other party. Let me prove it to you. We believe, by and large, by the separation of powers, maintaining that constitutional concept of checks and balances. On the record, the other team, for 20 years, exalted and magnified and expanded the powers of the Executive, and made a rubber stamp out of the American Congress. On the record, the other side wanted to break down the independent stature of the Supreme Court and tried to pack it with political hacks. The Congress of the United States, with some fine help by Southern Democrats and with the leadership of Republicans, stopped that Supreme Court purge.

We Republicans believe in decentralization of government. We don't believe in gathering up in the Capitol of our country all of the authority, all of the power, all of the economic prowess of the people. We believe in keeping those great bastions of freedom out in the hands of the people. The Republican Party, much more than the other party, believes in the most significant of the 10 amendments called our Bill of Rights. We believe in the 10th amendment, the keystone to the whole business. That one that says that those powers not specifically granted to the Federal Government shall be retained by the States and by the people. The 10th amendment is uniquely and exclusively an American contribution to the concept of self-government. There isn't any other country in the world that has that amendment. A lot of other countries have free speech, have freedom of the press, have trial by jury. But you search futilely to find any other country that has established a commonwealth of 48 States, each with its own legislature, each with its own court system, each with its own governor, each with its own built-in sovereignties and rights. Forty-eight great bastions protecting the freedoms of us all. We believe in that as Republicans. For 20 years the other party led a studied and steady attack on the 10th amendment and on the rights of individuals, and on the individual rights of States. On December 15 we commemorate as Americans the 166th birthday of the Bill of Rights. When Virginia ratified it on December 15, 1791, it became part of the Constitution. It became part of this great body of law, constitutional law, we call our charter of freedom—our American Constitution. As a Republican, I am glad that my party, to a greater degree than the other party, remains faithful to the constitutional American concepts.

Third, I'm happy to be a Republican because I think my party is dedicated to economic, efficient government to a greater degree than the other party. I think that's easy to prove. In the history of the American economy you can make some pretty strong and startling statements. The superlatives are so great, you're almost afraid to utter them. Actually, a lot of Republicans haven't even whispered them to a Democratic neighbor for a long time. But we should be shouting them from the house tops. Look at the record. All of the important reductions of income taxes in the history of America have been made by your party and mine. By the Republican Party. And all of the big increases in public spending, all of the big, new ideas when the hand of government reaches into the pocketbooks of individual citizens and takes out a bigger bundle of bills, those have been made by the other party. Obviously, we must believe more in efficient and effective and economical government to have established a record like that. All of the important steps in the direction of debt reductions by the Federal Government have been made by your party and mine. The other party talks about it a whole lot. They talk about what they would do about cutting down taxes. They talk about what they would do about cutting down debts. They don't even know. They've never had an experience in it. They've been building them up all the time. You can turn the pancake either side up. All of the important increases in expenditures by the Federal Government have been done by the other party. All of the important reductions by ours. I think we ought to tell that to our fellow Americans.

It makes me proud to be a Republican. Obviously we have to believe more in economic government than the other party, because we practice it. Sometimes the other party doesn't even preach it. It doesn't practice it, that is certain. All of the important payroll decreases in government have taken place under Republican leadership. It makes me proud to be a Republican, because I think that record stands for good government. I think it is an important demonstration of Republican soundness.

I think you could add one more distinction. What does it mean to be a Republican in 1957? It means that if you belong to the Republican Party, you belong to the party of peace. That doesn't mean that the other party is the war party. But in politics you can't escape an examination of the records, and you can't get any place campaigning for office if you try always to compare your party with par, or with perfection. You don't deserve to call yourself a political worker unless you're realistic enough to know that you have to compare what your party has done with what the other party has done. You can never get anyplace comparing your record with the other fellow's promises. Promises are too elastic. They're too ethereal. But the record is there for man to read for all time. I'm proud of the Republican record in the field of peace. I'm proud of the fact that no war in the 20th century has been started under Republican leadership. I think Americans, who crave peace now, who worry about sputniks, who worry about satellites, who worry about the growing menace of the Communist threat (and anybody who's wide-awake these days must worry about that); Americans, by the tens of millions are ready to be told that what the Republicans have done in the past they will do in the future, and that is to exert their best and their successful efforts for the maintenance of peace. That record is something we should all be proud to talk about.

Now, I won't discuss what it means to be a Democrat. Even the Democrats don't know the answer to that question; why should I get into that? I can't even tell you the answer to the question, "Why they should be Democrats?" to say nothing of what it means to be a Democrat. I'll leave that up to them. But as a Republican I think we ought to be telling the world what it means to be a Republican and go out and invite other people to join up with our party. This is our faith, this is our creed, this is our club. Out there in radioland, let me say to all who are listening, if you like what we've done, if you like what we stand for, we need recruits. We welcome you to come over to our side. We don't even have to rebaptize you. We'll take you where you are and put you to work. We won't ask you any embarrassing questions about why it took you 20 years to get to be a Republican, or 30 years, or why you wasted half your life in the Democratic Party. Come on over. We're glad to have you join if you believe in the book of accomplishments and the book of principles that identifies you as a Republican.

Now, what are our current responsibilities as we face up to 1958 and 1960? I think primarily our current responsibilities are to tell the story of Republicanism across the length and breadth of America. I think that we ought to quit dividing ourselves over minor irritations. I'm not concerned whether a fellow is a McKinley Republican or an Abraham Lincoln Republican or an Eisenhower Republican or a Tom Dewey Republican, or a Taft Republican. I don't care whether he's a modern Republican, or a souped-up sputnik Republican, or whether he's an old-fashioned hoop-skirt Republican. I can only say this—that I like Republicans.

I expect Republicans to disagree. I wouldn't want to belong to a party that operated like an iron lung where nobody could move and nobody could differentiate and nobody could deviate. I think it's wonderful that we've got different ideas about Republicans, but we ought to quit trying to pin labels on each other. I think the time is long past when we should take off the road the Republican quiz show and quit asking each other what kind of Republican we are. If you believe in the basic concepts we've been discussing, let's get united. Let's work as a team to tell our story. You don't expect everybody on a football team to be the quarterback, or a halfback, or a guard, or a tackle. Each has a little different concept of the game, and you ought to have that in the Republican Party. There is, in this great catalog of our creed, enough things with which all of us can agree certainly to make us good and active Republicans, and so I think one of our current responsibilities is to unite. To become a team. To recognize the right to disagree a little bit within the family. But to unite on the basic principles that have motivated Republicans for 100 years, from Abe to Ike, and to recognize what would happen if the other side should come back in authority. If we do that, I'm convinced that we're going to be successful.

What is our Republican record? What is our story? What do we have to tell to the American people? Here we haven't any choice but to look at the record of accomplishment of our party in 5 years, and compare it with the record of accomplishment that the other party made in the preceding 20 years. That's honest, that's fair, that's courageous, and there isn't any other basis on which we deserve to win except by comparing the record, and trying to convince our fellow citizens that our record is better for them than the other. And what a record it is when you look at the facts. What a wonderful theme of success we Republicans can play, once we stop trying to play the music on the basis of the flyspecks on the sheet music and start looking at the notes and sharps again. Then we look at what really was written on there as a symphony. Now let me give you another superlative. I believe that the 5 Republican years of the Eisenhower-Nixon era, of your Republican era and mine, can probably be identified as the most fabulous and productive 5 years in American history. Now that's putting it high enough. That's inviting comparison. That's challenging the other fellow to put up or shut up. I believe that our 5 years, the past 5 years starting in January of 1953, are the most productive and the most fabulous half decade in the history of the United States.

Let's take a look at our record. Is that political hyperbole? Is that something the Democrats can disprove? If it is, let them try. Let them pick out any 5 years that the Democrats have ever had. Let them pick out any 5 Democratic years of consecutive peace if they can find them, or let them select their years of war. Let them come up against the stern reality of some hard-boiled statistics. Let me point out that so many Americans have become accustomed in the last 5 years to peace and to plenty and to prosperity under our Republican administration that they fail to remember the wars, the chaos, the deficit spending, the corruption, and the communistic infiltration that took place just before we came into power in 1953. Lots of us have been guilty of magnifying the things on which we disagree and forgetting to point out the great achievements which have taken place in this Republican era of today.

Let's look at the statistics in this connection. Let's look at the facts. No. 1, never in the history of America have so many people been so profitably employed for so long in an era of peace as in these last 5 Republican years. If that's wrong, defy the Democrats to disprove it. Never have so many Americans for so long earned so much and kept so much for themselves as in the past 5 years of American history. Government spending in this era has been reduced despite the need to continue high costs in the areas of foreign relations and national security. In spite of that we have reduced the Truman rate of spending which was $78 billion a year by at least $6 billion a year, even including the money we have to spend for scientific weapons and supersonic weapons and all the other responsibilities of reluctantly becoming the leader; the acknowledged leader of the free world.

Taxes have been substantially reduced during these 5 years. About $25 billion have been saved the American taxpayer since the Republican Congress under the Republican administration in 1953 cut the taxes down by a rate of $7½ billion a year. Sixty-eight percent of the cut went to the people. Thirty-two percent of the cut went to the corporations. For the first time in a quarter of a century the Federal Government is operating for the third year with a balanced budget.

Strikes and work stoppages have been sharply reduced while union membership is at an alltime high. Certainly the members of labor, organized and unorganized, as they look at their records and paychecks, can find nothing but praise for the Republican record if they look at it objectively and not as the captives of some particular labor boss who's trying to tell them how to vote.

Next, the Federal payroll in the last 5 years has been decreased by more than 200,000 employees. Next, the Republican Party has stopped socialism cold in America. More than 700 business enterprises which 5 years ago were operated by politicians in the Communist-Socialist pattern have either been entirely liquidated or sold back to private owners and operators.

Next, scandals and corruption have disappeared from the Federal Government to such an extent that you don't even hear it discussed in the headlines of the papers anymore. Not a single instance has developed of an Eisenhower appointee who has been shown to be in the service of the Communist cause. What a contrast with the snake's nest of disloyal agents we had to force out of Government with the FBI and with committee investigations during the preceding 20 years. What a wonderful record for you and me to talk about to our people. What abundant cause to make us proud to be Republicans.

And above all, there hasn't been a single wartime casualty under our Republican administration since our Republican President and Secretary of State brought an end to the war in Korea, which we inherited from Harry Truman's Democratic administration. What a contrast this is with the record of preceding administrations of the Fair Deal and the New Deal. What a record of achievement during 5 short years. What a demonstration to the people of America about what we might have been able to do were it not for the fact that in 3 of those 5 years we had to work against the opposition of a Congress controlled by the other party. We didn't even have a Congress on our side. Both Houses controlled by the other party. In addition, the administration inherited a great army of Fair Deal and New Deal appointees in Federal positions which are protected under the law by civil service regulations. Consequently men sympathetic with Republican ideals could not be put in to replace them.

I want to be fair and say to some of these partisan holdovers, some of these New Dealers and Fair Dealers who were put in by politicians and nominated by precinct committeemen, cleared by political clearance committees, put in the Federal payroll, and then after they were in they changed the law to make them civil service—I want to be fair and say that some of them have served the country well. Some of them have put public policy above partisan advantage. Some of them have caught the vision of good government under the leadership of the

Republicans. But I think it's equally true to point out that some of them have served as roadblocks in the path of Republican progress. Some have dragged their heels. Some of them have stopped and prevented and bored from within to keep necessary reforms and revisions from taking place. And of that particular group of holdovers, of which there are many of that particular group, I think we might well compare them with yesterday's unfortunate experience with our Vanguard and our satellite. It could be said of both they will not work and it's impossible to fire them.

Even the deadly threat of inflation—even the threat of inflation has been successfully attacked by our Republican Party. Throughout American history the other party has always had a habit of tinkering with the currency, tampering with the dollar, playing with inflation. Economist after economist in this country has written objectively, most recently Henry Hazelitt in Newsweek, that the Democratic Party should be called the party of inflationists. Well, while our critics cry out against existing interest rates and say they're too high, and complain about the cost of living and say it continues to go up, the mathematical facts bear testimony to the situation that the Democratic Party of today continues to preach doctrines that would provide inflation.

As always in American history, the Republican Party is the party of the honest dollar. And we can prove that. Under the Truman administration the cost of living increased by 34 percent in the first 4½ years. Under Harry Truman's entire administration the cost of living increased 50 percent prior to 1953, and the value of the American dollar was reduced from a hundred cents to the dollar to 52 cents on the dollar. Under the Eisenhower administration there has been an increase of only 6 percent in the cost of living in the nearly 5 years that we have been in power. In addition to that, this constant sneaking up of the cost of living which is so detrimental to the elderly citizens of our country, so detrimental to everybody on a salary or with a fixed income, this increase in the cost of living has virtually been brought to a successful stop because of the wise fiscal policies and the budget balancing of the Republican Party. I'm proud to belong to a party that is mature enough and has courage enough to do something about inflation, and we've had a tremendous degree of success considering the momentum behind the whole 20-year New Deal drive toward decreasing the purchasing power of the dollar and inflating the living costs of the people.

Now what more can you ask of an administration? What more can you ask, than that it restores peace when you're at war; that it replaces corruption with honest government; that it reduces your taxes; that it provides more jobs for more people with greater take-home pay than ever before in American history? What more can you ask? What can your neighbors ask? What can anybody ask? What do they expect from government? Well, if they want more, we can give them more. The record provides more. We have evidence that more has been achieved. As I've said, we've quit tinkering with the currency of the people, we've stopped decreasing the value of the dollar, we've put a complete end to national socialism, we've provided the leadership which gave this country its first great advance in civil rights in 82 years—all Republican achievements. We've replaced the Reconstruction Finance Corporation which, operated by the Democrats, operated exclusively for the financing and assistance of big corporations and big-business men. These Democrats shed big crocodile tears for the little fellow, and increased the size of the checks earned by the big fellows. We replaced the Reconstruction Finance Corporation with which they were playing favoritism and helping big corporations. We abolished it and put in the Small Business Administration instead, which is exclusively interested in financing and assisting small-business men in this country. What's more, in our short 5 years we launched and have well along the road to initiation and construction the world's largest highway construction program, and we did that during a period when much of the time we had to induce a Democratic majority in Congress to bring our bills out of committee. When we did have a Republican Congress it moved much more rapidly. And it was then that we gave the country the world's largest cut in income taxes. Even with this record of achievement there is much that time does not permit me to mention. But even so short an examination of the record, in my opinion, pretty clearly demonstrates the nature of your responsibility and mine for 1958 and 1960. We must tell America what we have done. We must start answering the slanders. We must start reciting the record. We must reiterate the facts. We must invite comparison with the record of the other party on any level, at any time, and we challenge them to come up with 5 years anywhere that can compare with your 5 years and mine as Republican. We challenge them to compare the records.

I have a sneaking feeling that, for the first time in a quarter of a century, in 1960 the American voters will have a new experience. I think it's the first time in the memory of many of you, the first time in a quarter of a century, that the American voter is going to have an opportunity to vote for a President on the basis of issues and principles, instead of the comparison of individuals and personalities. Think back. Since the early 1930's voters in the main have been called upon to vote for or against a dominant or an attractive personality, rather than deciding between governmental policies and principles. However, in 1960 neither party, ours or the other fellows', neither party can come up with a dominant figure, a great majestic figure of a man with a tremendous personality. Neither party can come up with a man like F. D. R. or like Ike Eisenhower. Neither will even come up with a candidate with all the supporters and critics to the extent that Harry Truman had, and divided the country in 1948. People didn't vote for or against what Harry Truman stood for; they voted for him or against him because they liked him or they didn't like him. Both parties in 1960, I'm sure, will nominate vigorous, able candidates, but neither is going to be able to trust his cause and his claim for victory this time to the strength of the popular or compelling personality of its nominee. We're not going to be able to come up, on our side, with another great household word and a national hero, and a wonderful, humble, personal individual like Dwight D. Eisenhower. We're not going to get another candidate called Ike. And they're not going to come up with a fellow who is able, almost, to hypnotize the populace on the radio, who can say one thing and do the other thing, and still make people like it, as was the phenomenal career of F. D. R. This time, for the first time in a quarter of a century, people are going to ask each other and themselves, "What kind of government do I want?" instead of asking the question, "Who is the man I want for President?"

As a Republican, I welcome that. I think it's long overdue. I think in the long run if self-determination and self-government are going to work, you've got to make it work by dividing voters up according to principles, and policies, and concepts, and not by a great popularity contest between different individuals. And I'm glad to belong to a team that knows where it stands, that's united on the basic tenets and the basic concepts, and I'm glad that in 1960 we're not going to have the issues clouded up by these great personalities, by deep-seated passions, and sharp prejudices. I think we ought to welcome the opportunity to ask the American people to compare our record with the other fellows'. I'm glad we're going to have a chance once again to tell the world what GOP stands for, because it is proved by the record that GOP stands for government of the people, as against the other fellows' program of government of the politicians. Republicanism stands for the opportunity state, and I think Americans generally believe in an opportunity state, and will vote to protect and expand it.

Now, there's one other question I promised to answer. Why should we win? Why should we win in 1958 and 1960? We ought to win in 1958 because that's the preliminary of a contest for President which in 1960 is pretty well going to determine the direction America takes for the next half a century. And the direction that America takes in 1960 is going to determine the fate of the world. Because if we start slipping back into the abyss of national socialism again, as we inevitably will if the other party wins, its going to pull down the fluttering flags of freedom from the mastheads of every country in the world. We have become the sole remaining strong, spectacularly successful practitioner of individual freedoms and private ownership. If we start tampering with the economy by taking first this segment, and then the next segment and socializing it or crippling it or directing it, we're going to be in serious difficulty. I think we should win in the interests of good government. I think we should win because I think the people of America are going to feel a little better about individual opportunities under Republicans than under the other party. I think we should win because the people of America are going to feel a little better about the opportunity of getting good government at low cost, and with reduced taxes, with Republicans in authority rather than with the other fellow in control. I think we should win because Republicans are going to provide for a continuation of constitutionalism in America.

I think we should win because there's a better chance to produce and sustain an honest dollar under Republicans. And without an honest dollar all our alleged economic successes can disappear and be dissipated. I think we should win because there is obviously a much better chance to sustain and hold the peace under patient, persuasive, farsighted, able Republican leadership than under the capricious, temperamental, impetuous kind of leadership which under Democrats three times in the 20th century has failed to hold the peace they had when they took over the White House and the State Department.

So I think we've got a story to tell. Your job and mine, as I see it, let me say in conclusion, is to get on the offensive; it's to organize together as a team; and start talking about what we've done, and quit quarreling about the little differences we have among ourselves. Quit worrying about the fact that we haven't produced a panacea in 5 years. The record is so amazing when you look at what Republicans have achieved, that in my opinion we deserve to win by a landslide if, as, and when we tell John American and Mary American on every farm lot and in every household the full true story about what Republicanism stands for and what it means. Let's back the attack with facts from the records. Let's familiarize ourselves with the documentation of achievements which are ours. And among other things, let's once and for all nail down for the lie that it is, the slander that the Republican Party is the party of privilege and vested interests. Let's prove from the record that the Republican Party, that the GOP is government of the people; that we're not a party pushed around by politicians, or one beholden to political bosses or pressure

groups. In our party, the people are the politicians. We don't have any big machines, we don't have bosses. Ideas spring up from the grassroots in our Republican Party.

Let's put an end to the Democratic double-talk and let's answer their slander like you'd answer an attack on your individual honesty or on your personal honor. We invite comparison as Republicans. If they insist, let's call the roll of the Democratic presidential hopefuls, and ask them where they find anybody there indicating that theirs is a party of the people. Averell Harriman, who inherited untold millions of dollars from his ancestors, wants to be the Democratic president. My colleague, Senator KENNEDY, nice fellow that he is, inherited millions of dollars from his father and his family is among the richest families in the country. But neither Harriman nor KENNEDY ever had to work for a living. Is this what we mean by government of the people? Soapy Williams, the recipient of inherited millions from the soap factories owned by his predecessors and his ancestors. I submit to you that no racing stable in American history ever had a card of millionaire entries such as the Democrats have as candidates for President. The only average American they offer in their whole stable is my old friend, ESTES KEFAUVER. They push him around, and kick him around, and build him up till he gets close, and then tear him down at their conventions because he doesn't have a hundred million dollars. It's about time you and I began answering these slanders when they call us the party of the privileged, the party of the rich. I don't know who's going to be the Republican candidate for President, but I'm pretty sure he's going to be somebody who's built himself up in the American way. A fellow who's got an American background of hard work and of having achieved success by his own efforts—a man whose sole claim to prominence is not the fact that his father had a few hundred million dollars. I submit that you and I have a responsibility to compare our Republican team with these solid gold Cadillac candidates that the other side is bringing up.

So I say in conclusion, its wonderful to be a Republican. What a record. What a background. What a present series of achievements we're able to produce. And what fine, wonderful candidates available to us. We invite comparison. We challenge the other party to look at the records and compare them. And if we will just get smart enough to use arithmetic and comparison, and not let ourselves be frightened away by the adjectives thrown at us by the other party, we'll begin to recognize our responsibilities and our opportunities, and what it means to be a Republican. I'm convinced if we do that, we'll deserve to win. I am sure you can win in Kansas in 1958, because people will be proud to be Republicans. You'll have a loyalty to the party, which people should have, as they have a loyalty to their family, to their church, and to their God and their country. You should be loyal to your party. Let us invite in other people who want to loyally subscribe to these principles and concepts, and make them feel welcome as Republicans. In that way, we can win in 1958 and we can win in 1960, because we shall deserve the victory which is ours. Good luck to our common cause.

SENATE

THURSDAY, APRIL 17, 1958

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

Our Father, God, for the beauty which fills the earth, for the love which hallows our homes, for the joy which springs from work well done, we thank Thee, from whom all blessings flow.

Our gladness is shadowed as we come this new day to the problems and tasks which here await. So often in this Chamber our hearts are saddened by the sudden departure of those who, by the people of their State, have been given a place in this body. Having answered every call of duty across long years of devoted service, they join those who answer not, however we may call.

This day we mourn the loss of one who, before his faithful tenure here, served his State in other fields with vision and devotion; who was from the common people, and of them; and who put the common good before all other concerns. We rejoice today that this son of North Carolina, so calm in his outward demeanor, yet so dynamic in his energetic spirit, lifted the fellowship and the interests of Thy church above his highest joy, and that crowded years found him always faithful in her worship, where his soul was fed, and in her councils, where he had an honored place.

We pray that the sorrowing family of this good workman, who needed not to be ashamed, may know, in this hour of their loss, the consolation of Thy grace and of the faith which their dear one kept, as he fought the good fight. And after the fever and fret of our brief day, bring us all to the homeland of Thy eternal love: We ask in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, April 16, 1958, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

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 the President had approved and signed the following acts:

On April 3, 1958:

S. 3262. An act to authorize certain activities by the Armed Forces in support of the VIII Olympic Winter Games, and for other purposes.

On April 7, 1958:

S. 1082. An act for the relief of Katina Apostolou;

S. 2062. An act for the relief of Yasna Trevizan;

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; and

S. 2124. An act for the relief of Tasia J. Somas.

On April 11, 1958:

S. 1386. An act to authorize the Interstate Commerce Commission to prescribe rules, standards, and instructions for the installation, inspection, maintenance, and repair of power or train brakes;

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

S. 1740. An act to authorize the payment from the Employees' Life Insurance Fund of expenses incurred by the Civil Service Commission in making certain beneficial association assumption agreements and to extend the time for making such agreements;

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

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

EXECUTIVE MESSAGE REFERRED

As in executive session,

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

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed a bill (H. R. 2767) 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, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the concurrent resolution (S. Con. Res. 77) to extend greetings to the Federal Legislature of the West Indies.

HOUSE BILL REFERRED

The bill (H. R. 2767) 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 was read twice by its title and referred to the Committee on the Judiciary.

COMMITTEE TO ATTEND FUNERAL OF THE LATE SENATOR W. KERR SCOTT OF NORTH CAROLINA

The PRESIDENT pro tempore. Pursuant to the second resolving clause of Senate resolution 290, agreed to on April 16, 1958, the Chair appoints as the committee, on the part of the Senate, to attend the funeral of W. KERR SCOTT, late a Senator from the State of North Carolina, the following Senators: Mr. CARLSON, Mr. CARROLL, Mr. CHAVEZ, Mr. COTTON, Mr. EASTLAND, Mr. ELLENDER, Mr. ERVIN, Mr. FREAR, Mr. HOLLAND, Mr. JOHNSTON of South Carolina, Mr. KENNEDY, Mr. LAUSCHE, Mr. REVERCOMB, Mr. RUSSELL, Mr. STENNIS, Mr. TALMADGE, and Mr. YOUNG.

THE COMMUNITY FACILITIES ACT OF 1958—REPRINT OF BILL

Mr. WATKINS. Mr. President, yesterday during the consideration of S. 3497, the Community Facilities Act of 1958, the Senate adopted an amendment,